



CHEL TENHAM
BOROUGH COUNCIL

**Notice of a meeting of
Cabinet**

**Tuesday, 22 December 2020
4.00 pm**

**Virtual WEBEX video conference via YouTube -
<https://www.youtube.com/user/cheltenhamborough>**

Membership	
Councillors:	Rowena Hay, Victoria Atherstone, Flo Clucas, Chris Coleman, Alex Hegenbarth, Peter Jeffries, Steve Jordan, Andrew McKinlay and Max Wilkinson

Agenda

1.	APOLOGIES	
2.	DECLARATIONS OF INTEREST	
3.	MINUTES OF THE LAST MEETING Minutes of meetings held on 17 th November and 1 st December 2020.	(Pages 3 - 10)
4.	PUBLIC AND MEMBER QUESTIONS AND PETITIONS These must be received no later than 12 noon on Wednesday 16 th December.	
5.	LOCAL RESTRICTIONS SUPPORT GRANTS (OPEN) SCHEME Report of the Cabinet Member Finance and Assets TO FOLLOW	
6.	PROPOSED DISPOSAL OF FREEHOLD INTEREST OF 4 LEDMORE ROAD Report of the Cabinet Member Housing	(Pages 11 - 22)
7.	PROPERTY DISPOSAL - HORSE & GROOM Report of the Cabinet Member Finance and Assets	(Pages 23 - 34)
8.	BETTER CARE FUNDING - CREATION OF TWO NEW OLDER PEOPLE'S COMMUNITY HUBS WITHIN CBC SHELTERED HOUSING SCHEMES Report of the Cabinet Member Housing	(Pages 35 - 50)

9.		CHELTENHAM ECONOMIC RECOVERY TASK FORCE - BUSINESS PLAN Report of the Cabinet Member Economy and Development	(Pages 51 - 62)
10.		REVIEW OF UNREASONABLE CUSTOMER BEHAVIOUR POLICY Report of Cabinet Member Corporate Services	(Pages 63 - 80)
11.		KIOSK OPPORTUNITIES IN THE PARKS Report of the Cabinet Member Finance and Assets	(Pages 81 - 108)
12.		INTERIM BUDGET PROPOSALS FOR GENERAL FUND Report of the Cabinet Member Finance and Assets TO FOLLOW	
13.		INTERIM BUDGET PROPOSALS FOR HRA Report of the Cabinet Member Finance and Assets TO FOLLOW	
14.		BRIEFING FROM CABINET MEMBERS Briefing from Cabinet Members Decisions of Cabinet Members	

Contact Officer: Harry Mayo, Democracy Officer, 01242 264211
Email: democratic.services@cheltenham.gov.uk

Cabinet

**Tuesday, 17th November, 2020
6.00 - 6.20 pm**

Attendees	
Councillors:	Steve Jordan (Leader of the Council), Victoria Atherstone (Cabinet Member Economy and Development), Flo Clucas (Cabinet Member Healthy Lifestyles), Chris Coleman (Cabinet Member Clean and Green Environment), Rowena Hay (Cabinet Member Finance), Alex Hegenbarth (Cabinet Member Corporate Services), Peter Jeffries (Cabinet Member Housing), Andrew McKinlay (Cabinet Member Cyber and Safety) and Max Wilkinson (Cabinet Member Climate and Communities)
Also in attendance:	Gareth Edmundson, Paul Jones, Darren Knight, Tim Atkins, Sarah Farooqi

Minutes

1. APOLOGIES

There were none.

2. DECLARATIONS OF INTEREST

There were none.

3. MINUTES OF THE LAST MEETING

The minutes of the Cabinet meeting held on 10th November would be considered at the 1st December meeting instead.

4. PUBLIC AND MEMBER QUESTIONS AND PETITIONS

There were none.

5. ADDITIONAL RESTRICTIONS - DISCRETIONARY BUSINESS GRANT SCHEME

The Cabinet Member Finance presented the report, thanking the Revenues and Benefits team for reacting swiftly to the latest tranche of government financial support. She explained that this particular funding had a discretionary element, which required the drafting of a Cheltenham-specific policy in order to be open, fair and transparent.

The government was providing the council with a total of £2,349,522 for a grant scheme for business rate payers forced to close during this period of national restrictions. Additional funding would be made available if the initial funding proved insufficient to support all eligible businesses, and any unspent funds must be returned to the government. She reported that the scheme was now live, and had already received over 100 applications, with the first payments due to go out on the 18th November.

She added that further funding was due to be received for grants to sector businesses such as nightclubs, dancehalls and sexual entertainment venues that had been continuously closed since March. This funding was yet to be determined, but a small number of Cheltenham businesses were likely to qualify under the scheme.

£2,326,120 was being provided to the council for a locally designed scheme to support businesses impacted by national and local restrictions between now and March 2022. The government was indicating that no more funding would be made available for discretionary business grant support during this time. Therefore, it was necessary to find a balance between providing help to local businesses as soon as possible, and holding back funding for a later date, so £1m would be allocated for the national lockdown period in November and December.

She stressed that the amounts allocated would be monitored closely, and that applications would be considered in date order as they were received. If the total sum allocated was to near £1m with applications outstanding, these applications would be assessed in order of date received, and once the £1m had been allocated the remaining applications may need to be rejected. She added that new burdens funding would be provided in respect of the administration costs of these schemes.

She clarified that the amount of grant paid would be as follows:

- businesses occupying properties with a rateable value, or paying rent or mortgage per annum, of exactly £15,000 or under on 5th November 2020 would receive up to £1,334
- those paying £15,000 to £51,000 would receive up to £2,000
- those paying over £51,000 would receive up to £3,000

An online application form would be available on the council's website shortly, and the scheme would go live early next week with payments going out at the end of the week. She noted that due to the limited funding, it would only be open for 14 days from the date the application form was made available on the website.

She added that a revised scheme would be prepared in respect of any future restriction periods, aimed at supporting the most affected business sectors.

The Cabinet Member Healthy Lifestyles asked whether the amount of funding would be adequate considering that things would not return to normal for quite some time. The Cabinet Member Finance responded that extra funding would be available from national schemes if needed, although the discretionary schemes were different as they did not allow topping up. This was key for businesses like B&Bs that paid council tax but not business rates. She stressed that this was why the council had avoided allocating all the funding immediately, in case of future uncertainty. She acknowledged the possibility of further future lockdowns, and agreed that it was important to think of the situation down the line.

The Cabinet Member Housing echoed the thanks to the Revenues and Benefits team for turning the report around so quickly, which compared favourably to other authorities around the country. He emphasised that funding should always be distributed at the local level, with authorities given control over how to allocate it, since they knew their area best.

The Cabinet Member Cyber and Safety supported getting the money out quickly. He acknowledged concerns about the amount of funding in the long term, but businesses needed the money now, and it could be too late in the future. The Leader of the Council agreed that it was impossible to predict exactly how much to use now and how much to save later, and suggested it was better to cover urgent needs now.

The Leader moved to a vote, where it was unanimously:

RESOLVED THAT:

1. The Additional Restrictions - Discretionary Business Grant Scheme in Appendix 2 be approved;
2. Authority be delegated to the Head of Revenues and Benefits to take decisions relating to applications made under the Additional Restrictions - Discretionary Business Grant Scheme, and authority be delegated to the Executive Director Finance and Assets, in consultation with the Cabinet Member Finance, to consider and determine any reviews requested in respect of such decisions;
3. The Head of Revenues and Benefits be authorised, in consultation with the Cabinet Member Finance to make changes to the Additional Restrictions - Discretionary Business Grant Scheme in line with any changes made by Government, or, as required to ensure the successful operation of the scheme;
4. The Executive Director Finance and Assets be authorised, in consultation with the Cabinet Member Finance to add any further category of businesses eligible for this scheme, if required;
5. The Local Restrictions Support Grant (Closed) Addendum scheme be noted, and authority be delegated to the Head of Revenues and Benefits to take decisions relating to applications.

6. BRIEFING FROM CABINET MEMBERS

The Cabinet Member Corporate Services reported on leadership development opportunities within the council, in partnership with Gloucestershire College. He cited the Institute of Leadership and Management in particular as a nationally recognised qualification that staff would be supported in attaining. There was a wide variety of development opportunities available, including training on complaint handling, social media and business case building.

He added that the council was undergoing an organisational review, which had been pushed back by Covid but was now back on track. An external consultant had been hired to take this forward, and had already met with the Executive

Leadership Team and Cabinet Members to explore organisational challenges. He emphasised that the key question was how the organisation could be set up to most effectively tackle these challenges and prepare for the future.

The Leader of the Council acknowledged that there had been a serious incident at the Municipal Offices on the morning of the meeting, and sent his best wishes to the person who was injured. He reported that the Chief Executive had addressed council staff earlier about this, and stressed that staff would get the support they needed.

Chairman

Cabinet

**Tuesday, 1st December, 2020
6.00 - 6.20 pm**

Attendees	
Councillors:	Steve Jordan (Leader of the Council), Victoria Atherstone (Cabinet Member Economy and Development), Chris Coleman (Cabinet Member Clean and Green Environment), Rowena Hay (Cabinet Member Finance), Alex Hegenbarth (Cabinet Member Corporate Services), Andrew McKinlay (Cabinet Member Cyber and Safety) and Max Wilkinson (Cabinet Member Climate and Communities)
Also in attendance:	Paul Jones, Sarah Farooqi, Mike Holmes

Minutes

1. APOLOGIES

Cllrs. Clucas and Jeffries sent apologies.

2. DECLARATIONS OF INTEREST

There were none.

3. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 10th November were unanimously approved and signed as a correct record.

4. PUBLIC AND MEMBER QUESTIONS AND PETITIONS

There were none.

5. LOCAL COUNCIL TAX SUPPORT SCHEME 2021/22

The Cabinet Member Finance presented the report, noting that it would also go to the upcoming Council meeting on 7th December. She reported that the council had been required since 2013 to help working age people on low incomes pay their council tax. This scheme replaced the national council tax benefit scheme, and each year the council must decide whether to make changes for the forthcoming financial year. She noted that the 2019/20 scheme was based on five income bands, with the highest band offering 100% support to the most vulnerable people, with the lower bands offering 80%, then 60%, and so on. Some minor revisions were made to the 2020/21 scheme to ensure that the most vulnerable residents were protected.

She acknowledged that the present situation had unsurprisingly led to an increase in the number of Cheltenham residents needing support. 4,805 residents were in need of support, nearly 20% more than last year's figure of 3,984. She pointed members towards Appendix 4, where the results of the local consultation demonstrated a wide and diverse range of circumstances. In

particular, she noted that there was a clear need for support for people who were of working age and on low incomes, and was glad that the council would be able to help them.

The Leader of the Council added that he was always happy to see the council doing the maximum it could to support vulnerable people, and that it was important to maintain schemes like this despite government changes.

The Leader moved to a vote, where it was unanimously:

RESOLVED THAT:

1. The outcome of the consultation on the Local Council Tax Support scheme in Appendix 4 be noted;
2. The council tax support scheme for working age customers in Appendix 2 and summarised in Appendix 3 be approved as the preferred option for 2021/22;
3. Council be recommended to approve the proposed Local Council Tax Support Scheme for working age customers for 2021/21;
4. Council be recommended to give authority to the Executive Director for Finance and Assets in consultation with the Cabinet Member Finance to uprate income levels in line with any uprating of Welfare Benefits by 31 January 2021, if required.

6. INFRASTRUCTURE FUNDING STATEMENT

The Cabinet Member Economy and Development presented the report, thanking officers for their help in putting it together. She noted that the 2020 Infrastructure Funding Statement (IFS) required the publication of a list of all types of infrastructure projects which the authority intended to fund either partly or wholly through the Community Infrastructure Levy (CIL). The list did not dictate how funds must be spent, but rather set out the council's intentions and provided clarity and transparency for communities and developers.

She reported that both CBC and its partners in the Joint Core Strategy began charging CIL on planning permissions granted from 1st January 2019, with the first payments made on 28th June 2019. CIL receipts for the reporting year were £73,982, from which £3,699 was deducted for administrative expenses, £3,283 was distributed to parish councils and £7,814 to the neighbourhood fund, leaving a balance of £59,186 in infrastructure fund to deliver planned development held by the council. The CIL report also provided details on the £329k demand notices issued during the year, which would be received over the next two years. She stressed the importance of prioritising infrastructure projects, and targeting CIL receipts towards those which needed it most.

The Leader moved to a vote, where it was unanimously:

RESOLVED THAT:

1. The publication of the Infrastructure Funding Statement (IFS) for 2020 be approved;

2. It be noted that the Annual Community Infrastructure Levy (CIL) Rates Summary Statement will be published alongside the IFS.

7. ADOPTION OF LICENSING ACT 2003 POLICY STATEMENT

The Cabinet Member Cyber and Safety presented the report, noting that the Licensing Act 2003 requires a five-yearly review of policy statement, and was last reviewed in 2015. The current policy had been reviewed by licensing officers, and the policy statement itself was attached at Appendix 2, while the responses from Licensing Committee and officer responses to this were published in Appendix 4. He explained that there were no significant changes due to a lack of significant changes in legislation during that time. The report was due to go to Council on 7th December for approval there too.

The Leader moved to a vote, where it was unanimously:

RESOLVED THAT:

1. The consultation feedback and officer comments be noted;
2. The revised licensing policy statement at Appendix 2 be approved;
3. Council be recommended to adopt of the revised licensing policy statement.

8. BRIEFING FROM CABINET MEMBERS

The Cabinet Member Economy and Development reported that she had been focusing on skills provision and working closely with education providers, and was looking forward to developing this program into something more substantial in 2021.

The Cabinet Member Finance reported that the National Local Restrictions Grant Scheme had gone live, with 635 applications received so far and around £779k paid out. She noted that up to 900 businesses might be eligible, though not all of them may have been closed. The discretionary scheme also went live on the 25th November and would be available until 9th December, though only 45 applications had been received so far. The scheme was now being more widely promoted, and the council were approaching businesses who received funding from the previous scheme. She acknowledged that the move to Tier 2 restrictions on 2nd December would continue to impact businesses, and the council's support would be needed. Another discretionary scheme with a particular focus on hospitality, hotels, B&B and leisure businesses was expected, but the amount of funding to be received was not yet clear.

The Cabinet Member Climate and Communities reported that he had sent a letter to all Cheltenham schools urging them to apply for grants to plant trees, and had been pleased by the response so far. He added that the Cheltenham Carbon Neutral Partnership would meet in the new year, and thanked local parish councils for their invitation to the C5 climate change meeting, and the Twinning Association for their invitation to their AGM.

The Leader of the Council noted that it was his last Cabinet meeting as Leader before stepping down, and placed on record his best wishes to Cllr. Hay in her new role as Leader, and to Cllr. Jeffries in his continuing role as Deputy Leader.

He thanked partners, officers and Cabinet colleagues for their hard work over the years, and hoped that together, they had got more decisions right than wrong.

Decisions of Cabinet Members

The Cabinet Member Finance reported that she had taken a decision on 20th November to consent to Gloucestershire County Council adopting a section of path across the Cheltenham Borough Council green space between Jasmin Way and Farmfield Road, Up Hatherley.

Chairman

Cheltenham Borough Council Cabinet – 22nd December 2020

Proposed disposal of freehold interest of 4 Ledmore Road

Accountable member	Cabinet Member Housing – Peter Jeffries
Accountable officer	Head of Property and Asset Management – Dominic Stead
Ward(s) affected	Charlton Kings Ward
Key/Significant Decision	Yes
Executive summary	<p>On 16th November 2020, Full Council agreed a Covid-19 recovery revised budget in respect of 2020/21. At that meeting, Council approved an additional £1.5m budget and funding package for Cyber Central (Golden Valley development).</p> <p>The Golden Valley development – home of Cyber Central UK sets a vision for a campus style development focused around innovation in the cyber sector, driving forward the UK’s mission to be a science superpower and global lead in cyber security. It also seeks to deliver up to 4,000 homes, directly contributing to another CBC priority regarding housing delivery and achieving a target of 40% affordable homes.</p> <p>Council approved a flexible use of capital receipts strategy, utilising £0.8m of capital receipts to part-fund the implementation costs of bringing the Golden Valley development forward. It is anticipated that the proceeds from 4 Ledmore Road will constitute the majority of this allocation.</p> <p>4 Ledmore Road is located in Charlton Kings and is held within the Housing Revenue Account. The property has recently become vacant and it has provided the Council with an opportunity to consider the feasibility together with CBH of the following:</p> <ol style="list-style-type: none"> 1. To retain the property within the Housing Revenue Account and find a new tenant 2. To subdivide to create two homes and sell on the open market 3. To dispose of the freehold interest in the property. <p>The option to dispose of the property is the one that is being recommended with the capital receipt being used to reinvest in the regeneration of West Cheltenham.</p>
Recommendations	<p>It is recommended that Cabinet approves:-</p> <p>1. Delegation to the Head of Property & Asset Management in consultation with the Cabinet Member for Finance the marketing and disposal of the property for best consideration and upon such other terms as are deemed appropriate.</p>

2. Authorises the Head of Property & Asset Management, in consultation with the Borough Solicitor to prepare and conclude the necessary documentation to reflect the terms negotiated.

Financial implications	As set out in the report
Legal implications	<p>Due to its statutory status, the Council is very limited as to circumstances in which residential tenancies it grants are “private tenancies”, i.e. outside the provisions of the Housing Act 1985 which grant security of tenure and the Right to Buy.</p> <p>As the property is currently held within the Housing Revenue Account, the sale will have to be in accordance with the provisions of s32 Housing Act 1985, and require the consent of the Secretary of State. The Secretary of State has issued general consents in respect of certain disposals: consent A3.1.1 permits the freehold disposal of a vacant dwelling house for a consideration equal to its market value.</p> <p>Contact officer: One Legal: legalservices@tewkesbury.gov.uk 01684 272014</p>
HR implications (including learning and organisational development)	None.
Key risks	There is a risk that there the property will be empty for a period of time following the vacation of the property and its subsequent disposal. The intention will be to monitor the property during that period thus minimising the risk of vandalism or illegal occupation.
Corporate and community plan Implications	The disposal will release a capital receipt for the regeneration of West Cheltenham which is a key priority to make Cheltenham the cyber capital of the UK.
Environmental and climate change implications	
Property/Asset Implications	<p>As set out in this report</p> <p>Contact officer: Rebecca.conway@cheltenham.gov.uk _</p>

1. Background

- 1.1 4 Ledmore Road is located on a residential road in Charlton Kings. The property is held in the Housing Revenue Account.
- 1.2 Ledmore Road Estate was built in the 1950s and was used for upper managerial staff at GCHQ when they moved their operation to Cheltenham. The estate comprises of 33 houses, there used to be a communal tennis court and swimming pool but this has since been built on to create 3 more houses.
- 1.3 The majority of the houses have been sold and are no longer within the Councils ownership. The Council still own 4 & 26 Ledmore Road.
- 1.4 4 Ledmore Road has become vacant with the previous Council housing tenants moving to smaller houses which suit their current needs. The property became vacant earlier this year.
- 1.5 The house is a large 4 bed linked house. On the ground floor it comprises of a living room, dining room, kitchen, wc, covered walkway leading to a substantial garage. On the first floor are 4 double bedrooms and family bathroom.
- 1.6 The Council along with Cheltenham Borough Homes looked at the feasibility of a number of options along with their decisions (see attached options Appendix 3)
- 1.7 The recommended option is to dispose of the freehold interest.
- 1.8 The Council have approached 2 local estate agents to give valuations who have suggested marketing the property for £550,000 with the view of potentially achieving in excess of £600,000

2. Reasons for recommendations

- 2.1 The capital receipt from the open market sale of 4 Ledmore Road is exempt from pooling regulations and can be wholly used to fund expenditure in both the General Fund or Housing Revenue Account. Whereby the General Fund capital expenditure relates to regeneration, the receipt is not subject to an adjustment of the Capital Financing Requirement (CFR).
- 2.2 Regeneration is defined as any project for the carrying out of works or activities on any land where:
 - a) The land, or a building on the land, is vacant, unused, under used, ineffectively used, contaminated or derelict and
 - b) The works or activities are carried out in order to secure that the land or building will be brought into effective use.
- 2.3 As per the Covid-19 recovery revised budget 2020/21, agreed by Full Council on 16th November 2020, £1.5m additional funding for Cyber Central (Golden Valley development) was agreed, whereby £800k would be funded from capital receipts under the flexible use of capital receipts strategy.
- 2.4 Given that one of the key drivers for the delivery of the Golden Valley development is affordable and sustainable housing, the use of this receipt clearly meets the definitions outlined above.

3. Alternative options considered

- 3.1 Retaining the property.

3.2 To divide the property into 2 and then dispose of both free hold interests.

3.3 To dispose of the freehold interest in the property.

4. Consultation and feedback

4.1 Ward Members have been consulted, together with the Cabinet Member for Finance and Cabinet Member for Housing. The Asset Management Working Group met on 12th November and were supportive of the proposal to dispose of the freehold interest in the property as is.

5. Performance management –monitoring and review

5.1 Monitor to ensure the sale process is going accordingly.

Report author	Contact officer: Rebecca Conway , Rebecca.conway@cheltenham.gov.uk, 01242 264109
Appendices	1. Risk Assessment 2. Options considered 3. Location Plan.
Background information	Covid-19 recovery revised budget 2020/21 – Full Council 16 th November 2020

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 does nothing then the property will potentially fall into decay	DS	28/8/2020	5	1	5	Accept	Dispose on the open market		RC	N/A
	If the property is left empty long term then it would leave the council with an ongoing maintenance liability.	DS	28/08/2020	5	1	5	Accept	Extremely unlikely as the property is located in a very popular and highly sought after location. Property will continued to be marketed until we receive an offer		RC	N/A
	If the property remains empty then the property will be vulnerable to vandalism and even illegal occupation	DS	28/08/2020	5	1	5	Reduce	Market and dispose of the property as soon as possible.		RC	N/A

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4 Ledmore Road



4 Ledmore Road is located on a cull de sac in Charlton Kings. The property is a 4 bed link detached house and is held in the Housing Revenue Account and has been let on a residential social tenancy agreement. The property has recently become vacant with the current tenants moving into smaller accommodation to suit their current needs.

The Council have sold of the majority of their housing stock on Ledmore Road and now only own 2 on the road . The property has been identified by Cheltenham Borough Homes as 'High Value' and the monies from the sale could be reinvested into the purchase of a greater number of much needed Council homes.

In addition the government under the Housing and Planning Act 2016 are looking into Local Authorities selling their 'High Value ' properties with the capital receipts being relocated to Housing Associations to support their Right to Buy sales of their properties.

This would mean that not only does the Council loss a property asset but also the potential loss of a capital receipt where the monies could be reinvested in the regeneration of West Cheltenham.

The houses on Ledmore Road were built specifically built for managerial staff at GCHQ when GCHQ relocated to Cheltenham. The estate of Ledmore was built in the 1950's and contained a tennis court and swimming pool for residents of the estate. This has since been covered over and built on to achieve a further 3 homes.

I have also looked into various options for the property

1. To continue to hold the asset
2. To subdivide into 2 smaller properties
3. To dispose of the freehold interest

To continue to hold the asset

The property is a large 4 bed house which could house a large family in need of accommodation. The property is well located for both primary and secondary schools and is highly desirable.

Pros - The house could provide much needed 4 bed accommodation within a popular area of Cheltenham

Cons- If the Council were to find a new tenant before the tenant can move in the Council would need to invest £25,000 in repairs before it is suitable to rent.

If the government brought in their proposed measures to require local authorities to dispose of high value properties and for the proceeds to be reallocated to a housing associations to support sale of the housing associations right to buy then CBC would not only lose this as a 4 bed property but also the proceeds for reinvestment in the regeneration of West Cheltenham.

To subdivide and Sell as Two separate properties

To subdivide the property into two separate properties, therefore providing more houses to the market. The Council could convert the property into 2 three bed houses (subject to planning) and sell them privately and receive a capital receipt of approx. £750,000

We carry out the bare minimum works to sell the properties at a cost of approx. £350,000

The Council receive a net capital receipt of £400,000

Pros - There is a need for more accommodation within Cheltenham. By subdividing the property we would be creating 2 homes suitable for families

Cons - All the properties on the estate are single houses. The works to create 2 homes would not be sympathetic to the area and planning might reject it as it is within a conservation area. The cost of subdividing it would not give the greatest returns.

We dispose of the freehold interest of the property

The property is located on a sought after road in Charlton Kings. The road is made up of predominately houses in private ownership. A local estate agent has valued the property in its current state and suggested placing it on the market for £550,000 with a view of getting up to £600,000 with the new owner probably investing around £200,000 to bring it up to a comparable condition with the majority on the road.

Pros - The Council would gain a capital receipt of £550,000 this can be wholly used to fund expenditure in both the General Fund or in the Housing Revenue Account

The Council will have no repair liability or ongoing maintenance of 4 Ledmore Road if we sold the asset

Cons - The Council will be disposing of an asset.

The Council will not have any control over the tenants / owners of the property.

Conclusion

The Council would obtain the best return by disposing of the asset on the open market and marketed through local estate agents.

Similar Properties within Ledmore Road

On the Market



4 bedroom semi-detached house for sale

Ledmore Road, Charlton Kings, Cheltenham, Gloucestershire, GL53

A brilliantly located extended semi-detached house with over 3000 square feet of accommodation, located less than half a mile from Balcarras School

Added on 13/07/2020 by Savills, Cheltenham

£975,000

Guide Price



03339 873503
Local call rate



Sold

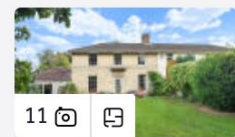
16, Ledmore Road, Charlton Kings, Cheltenham, Gloucestershire GL53 8RA

4 bed, semi-detached

£578,000

21 Jun 2019

Freehold



11

No other historical records

19, Ledmore Road, Charlton Kings, Cheltenham, Gloucestershire GL53 8RA

3 bed, semi-detached

£542,000

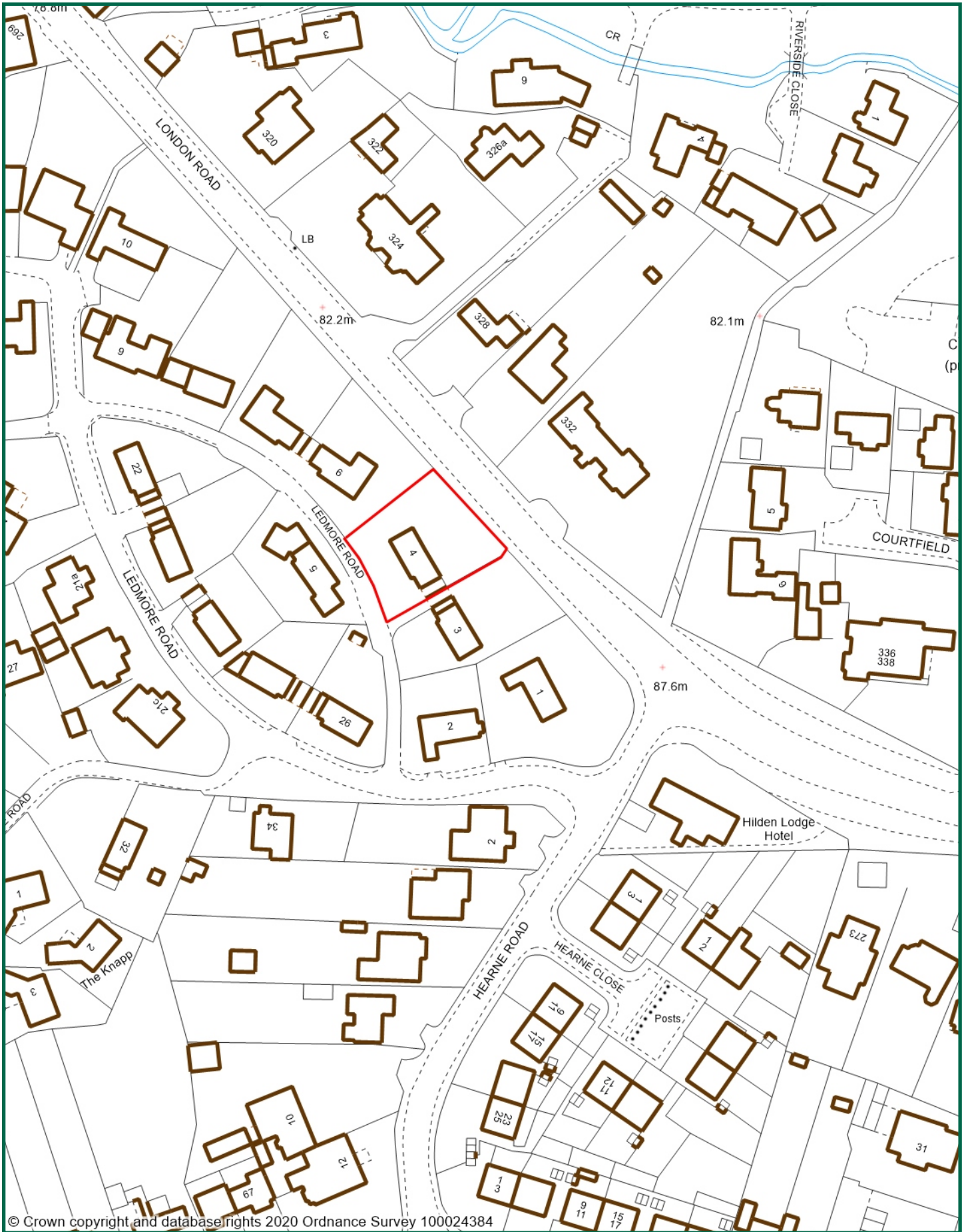
4 Mar 2019

Freehold

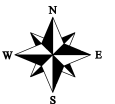


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No other historical records



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Cheltenham Borough Council Cabinet – 22nd December 2020 Property Disposal – Horse & Groom

Accountable member	Councillor Steve Jordan, Cabinet Member Finance
Accountable officer	Dominic Stead, Head of Property & Asset Management
Ward(s) affected	Lansdown
Key/Significant Decision	Yes
Executive summary	<p>On 16th November 2020, Full Council agreed a Covid-19 recovery revised budget in respect of 2020/21. At that meeting, Council approved an additional £1.5m budget and funding package for Cyber Central (Golden Valley development).</p> <p>The Golden Valley development – home of Cyber Central UK sets a vision for a campus style development focused around innovation in the cyber sector, driving forward the UK’s mission to be a science superpower and global lead in cyber security. It also seeks to deliver up to 4,000 homes, directly contributing to another CBC priority regarding housing delivery and achieving a target of 40% affordable homes.</p> <p>Council approved a flexible use of capital receipts strategy, utilising £0.8m of capital receipts to part-fund the implementation costs of bringing the Golden Valley development forward. It is anticipated that the proceeds from a sale will contribute towards this allocation.</p> <p>The Horse & Groom, St George’s Place, comprises a former public house which was acquired by the Council in 1970, and subsequently converted for B1 office use, it has most recently been occupied by Shopmobility.</p> <p>The property is considered surplus and a disposal meets objectives set within the Asset Management Plan approved by Full Council in December 2016;</p> <ul style="list-style-type: none"> • Support new business to stimulate growth and employment opportunities. • Work with partners such as Cheltenham Borough Homes and the Cheltenham Economic Recovery Task Force to regenerate sites within the Borough, including those owned by the Council. • Ensure our land and property asset portfolio is fit for purpose, secures increased income generation, maximises capital receipts and stimulates growth and investment in the Borough. <p>A disposal of the property as a residential development opportunity could realise a capital receipt in the region of £250,000.</p>

Recommendations	<p>That Cabinet resolves:</p> <ol style="list-style-type: none"> 1. To delegate authority to the Head of Property & Asset Management in consultation with the Cabinet Member for Finance & Assets in respect of the marketing and disposal of the property for best consideration, and upon such other terms as he considers appropriate. 2. To authorise the Borough Solicitor in consultation with the Head of Property & Asset Management, to prepare and conclude the necessary documentation to reflect the terms negotiated.
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Financial implications	<p>As detailed within the report.</p> <p>Contact officer: Paul Jones, Paul.Jones@cheltenham.gov.uk</p>
Legal implications	<p>The Council has a statutory duty under s123 of the Local Government Act 1972 to secure the best consideration reasonably obtainable when disposing of a freehold interest in property.</p> <p>Failing to obtain best consideration would mean that the property is sold at an undervalue, for which the Secretary of State's consent is required (either general or specific). In addition, such undervalue may also constitute State Aid.</p> <p>Contact officer: legalservices@tewkesbury.gov.uk, 01684 272016</p>
HR implications (including learning and organisational development)	<p>Not applicable</p>
Key risks	<p>There is a risk that the property will be empty for a period of time prior to its subsequent disposal. The intention will be to monitor the property during that period thus minimising the risk of vandalism or illegal occupation.</p>
Corporate and community plan Implications	<p>The proposal is likely to help to sustain and grow Cheltenham's provision of private or social housing.</p> <p>The disposal will release a capital receipt which could be used for the regeneration of West Cheltenham which is a key priority to make Cheltenham the cyber capital of the UK.</p>
Environmental and climate change implications	<p>None</p>
Property/Asset Implications	<p>As set out in this report.</p> <p>Contact officer: Harry Lea, Harry.Lea@cheltenham.gov.uk</p>

1. Background

- 1.1 The property comprises a former public house which was acquired by the Council in 1970, and subsequently converted for B1 office use, it has most recently been occupied by Shopmobility. However, the building is now vacant and in a poor state of disrepair.
- 1.2 The building provides approximately 2,225 sq. ft. of accommodation across 3 floors.
- 1.3 The property is accessibly by road off Clarence Street and is within 50 metres of Cheltenham High Street. The surrounding area has a good mix of uses including; offices, residential, restaurants and the Wilson Art Gallery & Museum. The Minster Innovation Exchange is also proposed for the neighbouring car park.
- 1.4 There have been no planning applications submitted on the site. It is believed that a change of use to residential would be possible. The site is within the central conservation area but does not have listed building status.

2. Reasons for recommendations

- 2.1 The property presents a hypothetical investor with a range of potential end uses, however limited due to its lack of car parking. This may include offices for owner occupation or more likely conversion to residential accommodation, either a HMO or conversion to apartments (approximately 4 x 1 bed).
- 2.2 Should the property be disposed of at the current time, in order to achieve the highest capital receipt it should be marketed as a residential development opportunity. Allowing for conversion costs and developers profits it is anticipated a price in the region of £250,000 could be achieved.
- 2.3 Cheltenham Borough Homes have been made aware of the possible opportunity and are giving the cost of re-development some consideration.
- 2.4 The recommended option is to dispose of the freehold interest as a residential development opportunity. As per the Covid-19 recovery revised budget 2020/21, agreed by Full Council on 16th November 2020, £1.5m additional funding for Cyber Central (Golden Valley development) was agreed, whereby £800k would be funded from capital receipts under the flexible use of capital receipts strategy.

3. Alternative options considered

- 3.1 To do nothing. This would mean the property would fall into an even worse state of repair as well as requiring ongoing management/security.
- 3.2 To undertake refurbishment work and maintenance with the view to letting the premises. The authority could undertake work to the premises to put it into a state of repair suitable for letting as office accommodation, likely costs of this are c. £150,000. Although this would mean a rental income for the authority there is likely to be a significant marketing period in the current climate. It is also likely to be in competition with the other more flexible, modern office space now available in the town centre. Depending on lease terms agreed over time there is likely to be further significant expenditure required on the property to keep it in a good state of repair. The building does not lead itself to modern office accommodation.

4. Consultation and feedback

4.1 The relevant ward members and the Cabinet Member for Finance & Assets have been consulted. The Asset Management Working Group met on 12th November and were supportive of the proposal to dispose of the freehold interest in the property.

5. Performance management –monitoring and review

5.1 Monitor to ensure sale process is successful and best value achieved.

Report author	Contact officer: Harry Lea, Harry.Lea@cheltenham.gov.uk, 01242 264112
Appendices	<ol style="list-style-type: none">1. Risk Assessment2. Location Plan3. Briefing note – Asset management working group
Background information	<ol style="list-style-type: none">1. Covid-19 recovery revised budget 2020/21 – Full Council 16th November 2020

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 does nothing the property will fall into a worse state of repair, as well as their being security and management issues	HL	2/12/2020	4	1	4	Accept	Dispose on the open market				
	Volatile residential market as result of Covid-19 in 2021 causing lengthy void period as well as impacting value.	HL	2/12/2020	5	1	5	Accept	Dispose on the open market asap. Interest from small scale developers in residential development opportunities remains strong.				
<p>Explanatory notes</p> <p>Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)</p> <p>Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)</p> <p>Control - Either: Reduce / Accept / Transfer to 3rd party / Close</p>												

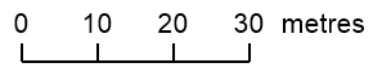
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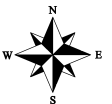
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Property Map



1:1000
08 October 2020



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Horse & Groom Former Public House, 30 St Georges Place, GL50 3JZ

Author: Harry Lea MRICS (Property & Asset Management Team)

Date: 16/10/2020

Option Appraisal



Objective

In relation to this site the key corporate objective, and supporting asset management plans are;

Corporate Strategy Objective	AMP Action
Value for money	Investigate opportunities to dispose of surplus and investment property. Aim to improve income through new lettings.
	Identification of site with potential for increasing residential and employment capacity.

In light of the above, the property is to be considered for disposal on the basis of a residential development opportunity, as well as the possibility of retaining in the portfolio as a commercial investment.

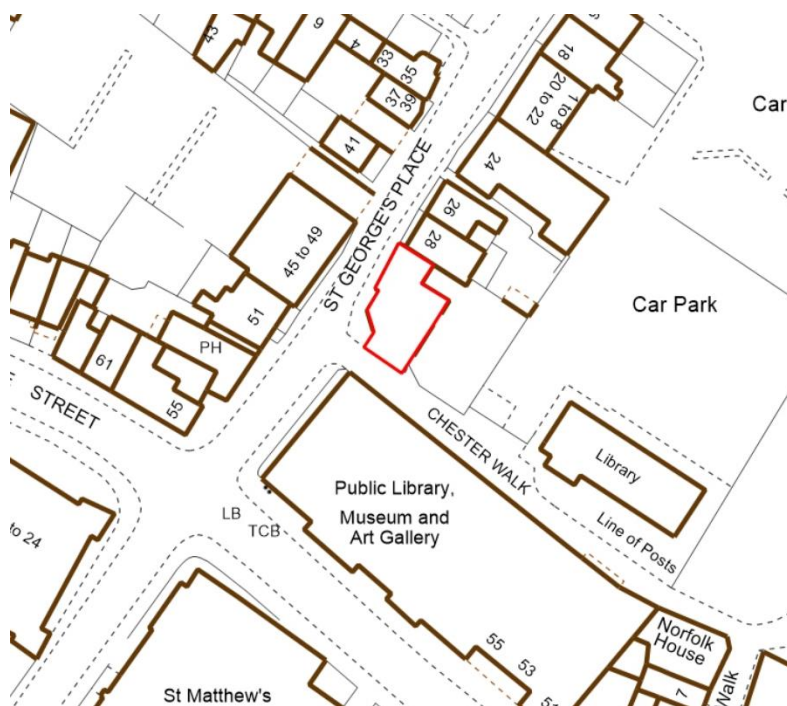
Background

The property comprises a former public house which was acquired by the Council in 1970 for £3,050. It was subsequently converted for B1 office use, it has most recently been occupied by Shopmobility. However, the majority of the building is unused due to disrepair.

The current accommodation is as follows;

Area	GIA Sq M	GIA Sq Ft
Basement	----	----
Ground Floor	95.26	1,025
First Floor	43.12	464
Second Floor	68.37	736
Total	206.75	2,225 (excl. basement)

Location



The property is accessible by road off Clarence Street and is within 50 metres of Cheltenham High Street. The surrounding area has a good mix of uses including; offices, residential, restaurants and the Wilson Art Gallery. The Workshop office/ innovation space is also proposed for the neighbouring car park.

Planning

There have been no applications submitted on the site. It is believed that a change of use to residential would be possible. A pre-application will be considered.

The site is within the central conservation area but does not have listed building status.

Options

1. Undertake refurbishment work and maintenance with the view to letting the premises.

The authority could undertake work to the premises to put it into a state of repair suitable for letting as office accommodation, likely costs of this are c. £150,000.

Although this would mean a rental income for the authority there is likely to be a significant marketing period in the current climate. It is also likely to be in competition with the other more flexible, modern office space now available in the town centre. Depending on lease terms agreed over time there is likely to be further significant expenditure required on the property to keep it in a good state of repair. The building does not lead itself to modern office accommodation.

2. Dispose of the property.

The property presents a hypothetical investor with a range of potential end uses, however limited due to its lack of car parking. This may include offices for owner occupation or more likely conversion to residential accommodation, either a HMO or conversion to apartments (approximately 4 x 1 bed).

We have received local agency advice suggesting that should the property be disposed at the current time, in order to achieve the highest capital receipt it should be marketed as a residential development opportunity. Allowing for conversion costs and developers profits it is anticipated a price of **£250,000 - £275,000** could be achieved. A submission of a pre-application to the LPA would be considered.

3. Appropriate to the Housing and Revenue Account.

Cheltenham Borough Homes have been made aware of the possible opportunity and giving the cost of re-development some consideration.

Although given the nature of the property costs of re-development are high the property may be suited for social housing and management by CBH.

Conclusion

Having regard to the above and the Council's aspirations, it is recommended to dispose of this asset on the open market to achieve best value. It will allow the Authority to realise a significant capital receipt.

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**Cheltenham Borough Council
Cabinet – 22nd December 2020**

**Better Care Funding – Creation of two new Older People’s
Community hubs within CBC Sheltered Housing Schemes**

Accountable member	Councillor Peter Jeffries, Deputy leader of the Council and Cabinet member Housing & Homelessness
Accountable officer	Martin Stacy, Lead Commissioner - Housing Services
Ward(s) affected	St Paul’s and Charlton Kings
KeyDecision	Yes
Executive summary	<p>The Better Care Fund is a budget which is pooled across Local Government, the NHS and Social Care departments, and which is administered by Gloucestershire County Council. The purpose of the Fund is to improve the health and wellbeing outcomes of some of our most vulnerable people in society, with a particular focus on supporting independent living.</p> <p>The county-wide Strategic Housing Partnership have been seeking bids for funding (using the Better Care Fund) from districts and partner organisations to support independent living for older people and/or for those with physical disabilities living in our communities.</p> <p>Cheltenham Borough Homes (CBH) has recently put in a bid for capital funding to the value of £75k, with a view to converting the communal areas of two of our sheltered housing schemes (Popes Close, in the town centre; and at Coopers Court, Charlton Kings) into more dynamic, interactive community hubs - building on the successes of our other older peoples’ community hubs at Wallace house, Hatherley and at Lynworth Court.</p> <p>CBH have now been successful with this bid.</p>
Recommendations	That Cabinet authorises works to be carried out on the communal areas of above-mentioned sheltered housing schemes, with a view to creating two new community hubs as detailed in Section 2.1 of this report.

Financial implications	<p>The HRA Capital programme budget has an allocated investment in the communal areas in the two sheltered housing schemes, and projected spend is in place for future years.</p> <p>The award of £75k Better Care Funding will enable additional capital investment in the sheltered housing schemes in order to upgrade both schemes to community hubs. This funding will initially come from the council's DFG budget, with reimbursement from the County Council's Better Care Fund at the end of the financial year.</p> <p>Sufficient revenue support is in place to ensure the sustainability of the hubs though existing budget provision so that no additional HRA revenue funding will be required.</p> <p>Contact officer: Paul Jones, Executive Director, Finance & Assets paul.jones@cheltenham.gov.uk, 01242 264365</p>
Legal implications	<p>The Authority will need to comply with the Contract Rules and procurement law in respect of the infrastructure works.</p> <p>Contact officer: One Legal, legal.services@tewkesbury.gov.uk, 01684 272691</p>
HR implications (including learning and organisational development)	None
Risks	Please see risk register at appendix 1.
Corporate and community plan Implications	This initiative supports our corporate priority to invest in building resilient communities, as detailed in section 2.1 of this report.
Environmental and climate change implications	None
Property/Asset Implications	<p>The funding provides an opportunity to improve the communal areas of both sheltered housing schemes.</p> <p>Contact officer: Dominic.Stead@cheltenham.gov.uk</p>

1. Background

- 1.1 The Better Care Fund is a budget which is pooled across Local Government, the NHS and Social Care departments, and which is administered by Gloucestershire County Council. The purpose of the Fund is to improve the health and wellbeing outcomes of some of our most vulnerable people in society, with a particular focus on supporting independent living.
- 1.2 Cheltenham Borough Council (CBC) and Cheltenham Borough Homes (CBH) successfully applied for grant funding of £75,000 (capital funding) from the Better Care Fund to provide two additional community hubs by remodelling and refurbishing the communal spaces within two well established sheltered housing schemes, at Coopers Court and Popes Close located in Charlton Kings and St Paul's respectively.
- 1.3 It is anticipated the implementation of this proposal would be completed during 2021/22.

2. Reasons for recommendations

- 2.1 These two community hubs would help support the health, wellbeing and reduction of isolation of older people, both for CBC tenants within these sheltered schemes and the wider community. CBH would like to offer a more diverse service with the new hubs, creating a space that would offer a wide range of activities/events/IT equipment with free on-line access, services and therapies. It would also include a memory café, a multi-sensory area, suitable kitchen for lunch clubs, and garden areas with raised sensory planting beds and seating. (Please refer to Appendix 2 for an example of what this could look like.) Opening up the hubs to the wider community would make the provision of facilities within the schemes more financially viable and would ensure a lively and ever-changing mix of people and a crucial link between the schemes and the surrounding communities. The two schemes were selected to ensure the locations complemented existing community hubs in Hatherley and Lynworth. Locating a hub in Charlton Kings will support a cluster of sheltered housing schemes which are in close proximity to Coopers Court. Both of the additional community hubs will support existing resident led activity in the schemes.
- 2.2 CBC & CBH have a proven track record of being a trusted partner of choice to deliver services

and enabling community and partner led activities. CBC & CBH have worked with key stakeholders, charities and external organisations to deliver a variety of health opportunities. Applications could be made for further funding to continue to enhance the community offer to older people in sheltered housing and the wider community.

3. Alternative options considered

3.1 Not to carry out the above-mentioned works. This option is rejected on the basis that the proposal supports one of the council's key priorities in its corporate plan, which is to build more resilient communities. It also supports the council's Housing, Homelessness & Rough Strategy in that it will help to improve the health and wellbeing of our communities by supporting independent living. A decision not to carry out the works would also mean the loss of an opportunity to accept capital funding from the Gloucestershire County Council's Better Care Fund to finance the refurbishment of these schemes.

4. How this initiative contributes to the corporate plan

4.1 The project will support the delivery of a key priority within the Corporate Plan 2019-2023, which is to build resilient communities. Section 2.1 of this report explains how this priority will be supported.

5. Consultation and feedback

5.1 Consultation was undertaken during August and September 2020 via telephone calls and covid-secure face to face contact with tenants at Popes Close, Coopers Court and other sheltered housing schemes in Charlton Kings. A total of 115 residents responded to the consultation.

Popes Close, St Pauls (47 residents)	75% (35) responded to the consultation 89% (31) supported the proposals for the communal lounge
Coopers Court , Charlton Kings (34 residents)	74% (25) responded to the consultation

	88% (22) supported the proposals for the communal lounge
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A further 55 members of the wider community responded to the consultation, supported the proposals and were interested in attending the activities offered in the schemes.

Quotes from residents on the consultation include:

“Would love more activities to keep the brain active”

“Would welcome more activities and visitors to the lounge, would like to meet more people”

5.2 A range of partner agencies have also been consulted on the proposals, with a view to their potential support in delivering activities, etc. from the hubs. These include: Age UK (for the provision of IT access, support and advice, with a specific focus of reducing isolation); Adult Education (for cooking courses, IT courses and keep fit); Art Shape (for arts and crafts activities); and Glos wildlife (for making wooden gardening items that will then be installed in the scheme gardens). The response from our partners was universally positive, with the potential opportunity to deliver activities to the community in the new spaces being warmly welcomed.

6. Performance management –monitoring and review

6.1 CBH plan to measure the social value derived from the services and activities that are to be provided to older people in these communities. The project will use also data and technology, including insight from customers to ensure residents’ needs are met.

6.2 Updates on the progress of the project and the outcomes achieved in the delivery of activities will be communicated regularly to the Lead Commissioner - Housing Services as part of the CBC- CBH liaison meetings.

<p>Report author</p>	<p>Contact officer: Caroline Walker, Head of Community Services caroline.walker@cbh.org Martin Stacy – Lead Commissioner, Housing Services Martin.stacy@cheltenham.gov.uk 01242 264216</p>
<p>Appendices</p>	<ol style="list-style-type: none"> 1. Risk Assessment 2. Example of proposed works 3. Community impact assessment
<p>Background information</p>	

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 costs of refurbishing the works exceed the £75k funding from the Better Care Fund, this will impact on the HRA capital budgets	Caroline Walker	12.11.20	1	3	3		The works will be subject to valuation, budget control and management of the contractor / project. CBH are experienced in ensuring projects are delivered within established budgets.	April - September 2021	Caroline Walker	
	If the refurbishment works are carried out during the pandemic, there is an increased risk of COVID 19 being transmitted across the community and within our two sheltered housing schemes	Caroline Walker	12.11.20	4	6	24	Reduce	CBH are experienced and have a positive track record of delivering refurbishment works in sheltered housing schemes. Works will be carried out within government guidelines and in line with Covid secure best practice. Risk assessments and method statements will be in place to ensure the works are delivered in a safe and considerate way	April – September 2021	Caroline Walker	
	If activities and services are carried out during the pandemic, there is an increased risk of COVID 19 being transmitted across the community and	Caroline Walker	12.11.20	4	6	24	Reduce	Activities and services will not be delivered unless they can be carried out within government guidelines and in a	Ongoing	Caroline Walker	

	within our two sheltered housing schemes							covid secure way			
	If the refurbishment works and delivery of services are undertaken without sufficient consideration to our sheltered housing residents, there will be increased levels of dissatisfaction and complaints.	Caroline Walker	12.11.20	3	2	6	Reduce	Residents will be keep informed throughout the refurbishment process, any feedback will be listened to and acted upon without delay. Services will be flexible and responsive to customer's changing needs and preferences. Any areas of dissatisfaction will be addressed	April – September 2021	Caroline Walker	

Example of potential refurbishment works of the communal areas
to the sheltered housing schemes



Project	Originator	Zone	Level	Type	Risk	Drawing No.	Revision
19175	NP	01	00	DR	A	0001	1

Scale: N/A
 In/Iss: RB
 Date: 19 November 2019

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Community impact assessments – for services, policies and projects

What is a community impact assessment?

A community impact assessment is an important part of our commitment to delivering better services for our communities. The form will help us find out what impact or consequences our functions, policies, procedures and projects have on our communities, as well as 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.

Background

Name of service / policy / project and date	Older Peoples Community hubs within 2 Sheltered Housing Services
Lead officer	Martin Stacy – Lead Commissioner, Housing Services
Other people involved in completing this form	Caroline Walker – Head of Community Services

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>To provide two additional community hubs by remodelling and refurbishing the communal spaces within two well established sheltered housing schemes, at Coopers Court and Popes Close located in Charlton Kings and St Paul's respectively.</p> <p>CBC and CBH would like to offer a more diverse service with the new hubs, creating a space that would enable a wide range of activities/events to be providing, including new IT equipment with free on-line access, as well as services and therapies. It would also include a memory café, a multi-sensory area, suitable kitchen for lunch clubs, and garden areas with raised sensory planting beds and seating. Opening up the hubs to the wider community would ensure the provision of facilities within the schemes is open to a lively and ever-changing mix of people, and will provide a crucial link between the schemes and the surrounding communities.</p> <p>The project will support the delivery of a key priority within the Corporate Plan 2019-2023, which is to focus on creating more resilient communities.</p>
<p>Who are the primary customers of the service / policy / project and how do they / will they benefit</p>	<p>Older people within these two sheltered housing schemes, and in the surrounding communities in Cheltenham (across tenure), will benefit from this proposed refurbishment and from the activities and services that could be provided from there. A broad programme of services and activities will be developed which will focus on health and well-being, reducing social isolation and opportunities to learn new skills and interests.</p>
<p>How and where is the service / policy / project implemented</p>	<p>At Coopers Court and Popes Close as detailed above.</p>
<p>What potential barriers might already exist to achieving these outcomes</p>	<p>The project will need to ensure that older people develop an understanding of the concept of community hubs and the potential benefits from accessing services and activities from these hubs. It is anticipated that some older people will need to overcome issues of mental health, confidence and loneliness to be able to access the hubs. Two successful older people's hubs are already provided within Cheltenham, at Lynworth Court, Lynworth, and at Wallace House, Up Hatherley; and we will draw from our learning there in order to ensure that these new schemes are equally successful, and for any initial challenges to be overcome.</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>Profiling data is held on the vast majority of our tenants including older people and in addition there is a support plan in place for older people in sheltered housing. We know from our consultation feedback that this initiative has significant support from residents within the two sheltered housing schemes.</p>
<p>What does it tell you about who</p>	<p>It is understood that there is a broad range of need both for older people in sheltered housing and in general</p>

<p>uses your service / policy and those that don't?</p>	<p>needs housing, particularly for those experiencing social isolation. This proposed offer has been developed in light of this need.</p>				
<p>What have you learnt about real barriers to your service from any consultation with customers and any stakeholder groups?</p>	<p>Consultation was undertaken during August and September via telephone calls and covid-secure face to face contact with tenants at Popes Close, Coopers Court and other sheltered housing schemes in Charlton Kings. A total of 115 residents responded to the consultation.</p> <table border="1" data-bbox="766 416 2148 624"> <tr> <td data-bbox="772 421 1453 520"> <p>Popes Close, St Pauls (47 residents)</p> </td> <td data-bbox="1460 421 2141 520"> <p>75% (35) responded to the consultation 89% (31) supported the proposals for the communal lounge</p> </td> </tr> <tr> <td data-bbox="772 525 1453 624"> <p>Coopers Court , Charlton Kings (34 residents)</p> </td> <td data-bbox="1460 525 2141 624"> <p>74% (25) responded to the consultation 88% (22) supported the proposals for the communal lounge</p> </td> </tr> </table> <p>A further 55 members of the wider community responded to the consultation, supported the proposals and were interested in attending the activities offered in the schemes.</p> <p>Experience from the existing community hubs, highlights the importance of ensuring that sheltered housing residents feel safe and see opportunities to engage with the wider community as positive and a chance to reduce isolation, widen social networks, and make new friends. In recent years, community events have been delivered Cheltenham wide to older people, and this has been welcomed and successful both in terms of customer feedback and numbers attending the events.</p>	<p>Popes Close, St Pauls (47 residents)</p>	<p>75% (35) responded to the consultation 89% (31) supported the proposals for the communal lounge</p>	<p>Coopers Court , Charlton Kings (34 residents)</p>	<p>74% (25) responded to the consultation 88% (22) supported the proposals for the communal lounge</p>
<p>Popes Close, St Pauls (47 residents)</p>	<p>75% (35) responded to the consultation 89% (31) supported the proposals for the communal lounge</p>				
<p>Coopers Court , Charlton Kings (34 residents)</p>	<p>74% (25) responded to the consultation 88% (22) supported the proposals for the communal lounge</p>				
<p>If not, who do you have plans to consult with about the service / policy / project?</p>	<p>n/a</p>				

Step 3 - Assessing community 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
People from black and minority ethnic groups	These new activities within the hubs will be tailored, and where necessary, adapted to meet the needs and requirements of residents within the sheltered housing schemes and community at large. They will build on the two community hubs that already exist at Wallace House, Up Hatherley and at Lynworth Court, Lynworth.	Nothing	n/a – where necessary, the activities will be tailored to meet the needs of the individuals participating.	
People who are male or female	As above	As above	n/a - as above	
People who are transitioning from one gender to another	As above	As above	n/a - as above	
Older people / children and young people	As above	As above	n/a - as above	No impact on young people
People with disabilities and mental health challenges	The refurbishment of the communal areas, along with the proposed facilities and activities, will improve the mental health of this group by reducing social isolation.	As above	n/a – as above	
People who have a particular religion or belief	As for the first comment	As above	n/a – as above	



People who are attracted to their own sex, the opposite sex or to both sexes.	As for the first comment	As above	N/a – as above	
People who are married or in a Civil Partnership	As for the first comment	As above	N/a – as above	
People who are pregnant or who are on maternity leave	N/a	n/a	n/a	No impact
Other groups or communities	As for the first comment	As above	N/a – as above	

Step 4 - what are the differences

Are any groups affected in different ways to others as a result of the service / policy / project?	It is anticipated that this project will have a beneficial impact on older people experiencing poorer mental health as a result of social isolation.
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?	

Step 5 – taking things forward

What are the key actions to be carried out and how will they be resourced and monitored?	Project and communication planning to be finalised. Customers will be actively engaged in choosing the colours and textures for the interiors of the hubs.
Who will play a role in the decision-making process?	Customers, potential customers from the wider community, partners, CBC, CBH project team,
What are your / the project's learning and development needs?	Ensuring the new hubs meet the diverse needs of older people, deliver positive outcomes and an enhanced community offer for older people
How will you capture these actions in your service / project planning?	Established monitoring, data capture, evaluation and review processes

Cheltenham Borough Council Cabinet – 22nd December 2020

Cheltenham Economic Recovery Task Force – Business Plan

Accountable member	Councillor Victoria Atherstone, Cabinet Member for Economy and Development
Accountable officer	Tracey Crews – Director of Planning
Ward(s) affected	All
Key Decision	Yes
Executive summary	<p>Covid-19 has presented a challenge to Cheltenham Borough that it has not seen since the Second World War. The impact on our economy, our communities and our Borough will be significant and long lasting.</p> <p>On the 7th July 2020 Cabinet approved a Covid-19 Recovery Strategy. To support the delivery of this the Cheltenham Economic Recovery Task Force was established to help respond to the economic challenges facing the borough.</p> <p>The Task Force has prepared a business plan which sets out the priorities and outcomes that will be worked on during its 18 month programme of activities. The purpose of this report is to endorse the Task Force business plan as presented at Appendix 2.</p>
Recommendations	<ol style="list-style-type: none"> 1. That Cabinet endorse the Cheltenham Economic Recovery Business Plan. 2. That the Director of Planning reports on the outcomes of the Business Plan to Overview and Scrutiny as part of the reporting on the Recovery Strategy as agreed by Cabinet on 7th July 2020.
Financial implications	<p>None arising from this report</p> <p>Contact officer: Jon.Whitlock@publicagroup.uk, 01242 264354</p>
Legal implications	<p>None arising directly from this report and recommendations. Any projects or proposals arising out of the business plan may need to be subject to separate legal advice and support and/or decision-making.</p> <p>Contact officer: One Legal, legal.services@tewkesbury.gov.uk, 01684 272012</p>

HR implications (including learning and organisational development)	Cheltenham Borough Council is providing officer capacity to support the outcomes of the Cheltenham Economic Recovery Task Force, the demands arising will be kept under review Contact officer: julie.mccarthy@publicagroup.uk , 01242 264355
Key risks	See Appendix 1.
Corporate and community plan Implications	The Cheltenham Economic Recovery Task Force Business Plan responds to the Cheltenham Recovery Strategy, Place Vision, and emerging Culture Strategy.
Environmental and climate change implications	
Property/Asset Implications	None arising from this report. Contact officer: Dominic.Stead@cheltenham.gov.uk 01242 264151

1. Background

- 1.1** Covid-19 has presented a challenge to Cheltenham that it has not seen since the Second World War. The impact on our economy, our communities and our Borough will be significant and long lasting. In response to this, on the 7th July 2020, Cabinet approved a Covid-19 Recovery Strategy.
- 1.2** The Cheltenham Economic Recovery Task Force was established in September 2020 to support the thinking and help deliver the outcomes on how we address some of the economic challenges presented. The Task Force has a particular focus on the town centre as a result of the Covid-19 pandemic whilst also maintaining the longer term vision; essentially supporting the economy now in such a way that does not preclude current thinking on future ambitions including but not limited to climate action and inclusive growth.
- 1.3** Hosted by Cheltenham Borough Council, the Task Force is a vehicle with which conversations and actions focussed on economic recovery can be driven forward in partnership with the Borough Council and wider partners. The Task Force membership includes members that represents political leadership at both Cheltenham and Gloucestershire County Council, public, private, voluntary and charity sector representation focussed on the industry knowledge and experience around property, retail, commercial, sustainability and environment, culture, place making. Bringing together this Task Force demonstrates the commitment the Borough Council has made to deliver the commitments made in its Recovery Strategy.
- 1.4** At its inception meeting on 9th September the Task Force agreed its key priorities, these have now been developed into a business plan presented at Appendix 2 of this report.. It is important that this helps set priorities and outcomes, but is cognisant of wider concerns and flexible enough to be fleet footed/opportunistic in its approach in order to adapt to changing circumstances. The business plan is therefore. a living document and will be amended in light of changes in priorities as a response to Covid-19 recovery and continued engagement with the Task Force.
- 1.5** The business plan summaries the key actions and priorities that will guide the Task Force over the next 18 months, where appropriate task and finish sub groups are being established to drive forward actions and priorities, utilising the skill sets and experience of the Task Force members and wider partners and stakeholders.

1.6 Key priorities as outlined in more detail in the business plan attached include;

<ul style="list-style-type: none"> Town Centre 	<ul style="list-style-type: none"> Local business resilience and jobs 	<ul style="list-style-type: none"> Skills and education
<ul style="list-style-type: none"> Cyber 	<ul style="list-style-type: none"> Visitor Economy 	<ul style="list-style-type: none"> Lobbying of Government and other key stakeholders
<ul style="list-style-type: none"> Inward Investment (including catalyst sites) 	<ul style="list-style-type: none"> Green growth/ sustainability/ environment 	<ul style="list-style-type: none"> Funding opportunities

2. Reasons for recommendations

2.1 To provide Cabinet support to the priorities and outcomes of the Cheltenham Economic Recovery Task Force. The outcomes of the business plan will support the priorities of the Councils Corporate Plan, Cheltenham Recovery Strategy and emerging Cultural Strategy.

3. Consultation and feedback

3.1 The ethos of the Task Force is partnership working both through its members and with external partners and stakeholders. The Task Force is an advisory board not a decision making body. All material relating to the Task Force, including the business plan is available via <https://movingtocheltenham.com/certif>.

4. Performance management –monitoring and review

4.1 The business plan as presented includes monitoring.

4.2 In approving the Cheltenham Recovery Strategy on 7th July 2020 cabinet agreed a report on the recovery strategy be presented to Overview and Scrutiny for periodic review. Monitoring of the Cheltenham Economic Task Force Business Plan will feed into this wider monitoring.

Report author	Contact officer: tracey.crews@cheltenham.gov.uk, 01242 264126
Appendices	1. Risk Assessment 2. Cheltenham Economic Recovery Task Force Business Plan
Background information	https://movingtocheltenham.com/certif

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
	<p>Recovery Strategy Implementation If the Council and its partners do not have effective governance then it is likely that recovery from Covid-19 will not be joined up and will risk duplication</p>	DK	June 2020	4	4	16	Reduce: Clear internal governance and workstreams to monitor delivery.	Governance and workstreams established and regularly reviewed by the Executive Director for People and Change in partnership with other Executive	Actions in place	DK	No
<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>											



BE SWIFT, BOLD & BRAVE

Business Plan 2020 – 2022

CHELtenham

ECONOMIC
RECOVERY
TASK FORCE



Working together, in tandem and in unison has never been more important than it is now during and post this pandemic. Our communities and how we come together within those is a critical part of our post Covid recovery.

Covid has changed many things in particular our High streets in what feels to be an overnight transition. In reality this change was already happening but at a much slower pace. The new reality is that we need and have to change our Places very swiftly in order to ensure their vibrancy and future and to do that we need to be bold and brave in our thinking and our actions. The Cheltenham Economic Recovery Task Force has been put in place to do just that.

Diane Savory
Independent Chair, Cheltenham Recovery Task Force

ABOUT US

The purpose of the Cheltenham Economic Recovery Task Force is to respond to the challenges facing the borough, with a particular focus on the town centre and the need for reinvention. The Task Force has been established as a direct response to the Covid-19 pandemic to reinvigorate growth whilst maintaining the longer term vision of our economic, social and environmental growth plans; essentially supporting the economy now in such a way that does not preclude current thinking on future ambitions.

Hosted by Cheltenham Borough Council, the Task Force is an advisory board and vehicle with which conversations and actions focussed on economic recovery will be driven forward in partnership with the Borough Council and other key stakeholders. It responds directly to **Cheltenham Recovery Strategy**. In bringing forward this strategy Cllr Steve Jordan, leader of Cheltenham Borough Council said;

"I'm delighted that the council has committed to this bold and robust strategy to lead Cheltenham's economic and community recovery. It will provide a clear road-map to deliver our key five priorities including a renewed commitment to becoming a net zero carbon council and borough by 2030 and continuing our progress to make Cheltenham the Cyber Capital of the UK as part of the overarching Golden Valley development, which will bring sustainable infrastructure, housing and employment opportunities".



The Task Force membership includes members that represents political leadership at both Cheltenham and Gloucestershire County Council, public, private, voluntary and charity sector representation focussed on the industry knowledge and experience around property, retail, commercial, sustainability and environment, culture, place making.

It is important that the Recovery Task Force does not duplicate activities being led elsewhere, such as Golden Valley Development, GFirst LEP or duplicate where other partnerships exist, for example Cheltenham BID, Cheltenham Chamber of Commerce, Visit Gloucestershire and Cheltenham Civic Society. Where agendas overlap the emphasis will be on where the Cheltenham Economic Recovery Task Force can add value. [Our terms of reference can be viewed here.](#)



OUR VALUES UNDERPIN A COMMITMENT TO:

- Engaging with partners to maximise integrated working
- Re-imagining to re-invent our town centre as a place for people and social experiences. The implications of Covid-19, have not created the challenges on the High Street, but have amplified them. Pre Covid clear academic research evidences the need for reinvention. High streets have always been spaces for the local community to come together, do business and interact. With a bit of imagination, we can find a 21st-century way of making that happen again.
High streets can be saved. Here's how to reinvent them for the 21st century
- Being bold, ambitious and innovative in response to the economy adapting to the digitisation of work, KPMG note that "recovery for the sector will likely to be slow, uneven and erratic. However, there is still significant capital sitting on the sidelines waiting to be deployed"
KPMG 'The Digitization of Work'
- Supporting local business resilience, skills development and jobs and helping communities to help themselves
- Getting on with delivery & promoting inward investment
- Driving forward our sustainability goals
- The need to re-establish consumer trust in the 'safety' in our culture offer, including the many festivals and events that have been the hallmark of Cheltenham and categorise 'The Festival town'
- Our economic recovery plans will support all of Cheltenham's high streets and retail parks, with an initial focus on the town centre

At its inception meeting on 9th September 2020 the Task Force discussed its expectations and priorities for delivery. This forward plan draws together that thinking to develop a programme of activities for the Task Force going forward. This is a living document and will be amended in light of changes in priorities as a response to Covid-19 recovery and continued engagement with the Task Force. This business plan summaries the key actions and priorities that will guide the Task Force over the next 18 months, where appropriate task and finish sub groups will be established to drive forward actions and priorities, utilising the skill sets and experience of the Task Force members and wider partners and stakeholders.

PRIORITY

ACTIONS

1 TOWN CENTRE

- Options for vacant units
- Input into future planning strategy - move to a more dynamic blend of retail, commercial and residential
- New town centre vision
- Investigating opportunities for digital innovation
- Opportunities for a new town centre hub/focal point
- Investigating opportunities that help build community cohesion
- Temporary relaxation of planning restrictions
- Supporting the night-time economy
- Supporting local business resilience and jobs, including town centre uses outside retailing
- Integration of cyber
- Support delivery of Reopening the High Street Safely



2 CYBER

- Engaging with the cyber community to develop opportunities and maximise benefit to Cheltenham and wider Gloucestershire
- Support for Golden Valley Development considering how benefits can be maximised
- Overview of Minster Innovation Project and set up of Cheltenham Growth Hub
- Support skills development for the next generation workforce



3 INWARD INVESTMENT (INCLUDING CATALYST SITES)

- Supporting development of We're Moving to Cheltenham platform
- Supporting reinvestment/inward investment – encouraging bold and innovative development proposals
- Providing review of development ideas and emerging schemes
- Input into review of CBC asset review



4 LOCAL BUSINESS RESILIENCE AND JOBS

- Working with GFirst LEP and Cheltenham Borough Council to ensure that government messaging is disseminated and clear for businesses to deliver in a safe Covid environment
- Support delivery of Reopening the High Street Safely
- Working with GFirst LEP and Growth Hubs to ensure local signposting in place for job search and retraining opportunities
- Developing the town centre Growth Hub



PRIORITY

ACTIONS

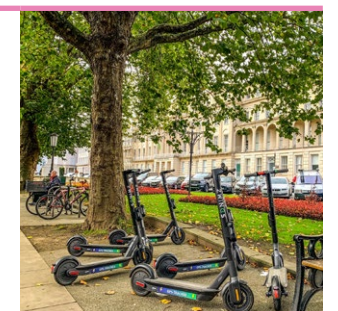
5 VISITOR ECONOMY

- Defining Cheltenham as a world class destination
- Using culture as a lever for growth and investment
- Defining our Eco Tourism strategy with local partners including Marketing Cheltenham, Visit Gloucestershire, GFirst LEP.



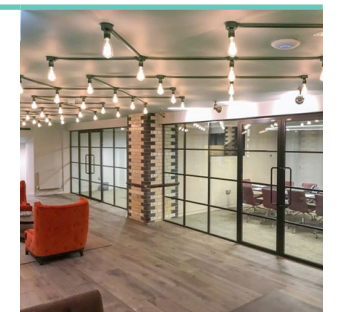
6 GREEN GROWTH/ SUSTAINABILITY/ ENVIRONMENT

- Opportunities for infrastructure investment
- Considering how broader climate change agenda can feed in across CERTF priorities
- Working with partners and GCC to accelerate town centre modal-shift
- Looking at opportunities for best practice
- Accelerating green growth initiatives
- Opportunities to work with partners on response to 2030 Carbon Neutral target
- Feeding into Visit Gloucestershire eco tourism strategy



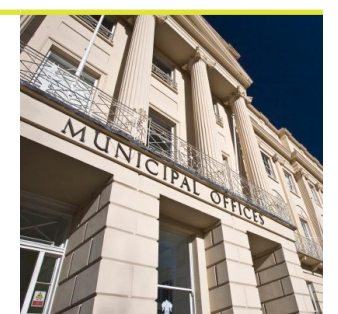
7 SKILLS AND EDUCATION

- Capitalise on opportunities between recognised growth sectors (Gfirst LEP Industrial Strategy), and education and employment
- Work collaboratively to better link local and regional industry and academia
- Encourage the young and disadvantaged
- Supporting local start-up and scale-up businesses to obtain and retain local talent



8 LOBBYING OF GOVERNMENT AND OTHER KEY STAKEHOLDERS

- Review of planning reforms
- Review of changes in government policy/legislation
- Lobbying on key issues impacting on economic recovery



9 FUNDING OPPORTUNITIES

- Keeping up to date across funding opportunities and alignment with Task Force outcomes
- Utilise CERTF member technical support in preparation of funding bids
- Exploring new access to finance options for sustainable investments and developments



In addition to the priorities and actions above, the Cheltenham Economic Recovery Task Force will be cognisant of wider concerns and fleet footed/opportunistic in its approach in order to adapt to changing circumstances. The key will be rapidly seeking safe but effective new or temporary uses for any distressed assets within the town and helping to create a flexible environment within which change can happen. Emerging future agenda items for the Task Force include, responding to funding opportunities across the economic recovery agenda, lobbying to partners, stakeholders, government to drive flexibilities to deliver economic recovery interventions.

Outcomes and activities of the Task Force are published here.

Cheltenham Economic Recovery Task Force meetings take place on a 6 week cycle. The Task Force is an advisory board and is not a decision making body. Summarised notes are prepared and published via the link above.

HOW WILL WE MEASURE SUCCESS?

Understanding the impact of the Task Force will be an important element of the evaluation of its activities. A range of indicators, including:

- Town centre footfall data
- Town centre vacant unit data
- Number of development projects and programmes supported
- Number of lobbying activities to Government
- Number of funding bids supported
- Unemployment data
- Apprenticeship data
- Number of businesses presenting themselves on social media platforms
- Engagements with wider partners



WHO WE ARE

Full membership of the Task Force can be viewed [here](#). Current membership is as follows:



Diane Savory
Independent Chair



Rowena Hay
Leader of Cheltenham Borough Council



Gareth Edmundson
Chief Executive Cheltenham Borough Council



Victoria Atherstone
*Cheltenham Borough Council
Cabinet Member for economy and development*



Nigel Jobson
Representing retail /digital



Darren Stevens
Representing business / marketing



Madeline Howard
Representing skills / young people



Tim Atkins
Managing Director of Place and Growth Cheltenham Borough Council



Nicola Inchbald
Representing property / landlords



Ian George
Representing Culture Board / Charity



Antonia Shield
Representing legal



Dorian Wragg
Representing property



Joe Roberts
Representing place making



Dave Entwistle
Representing voluntary sector



Nigel Moor
*Gloucestershire County Council
Cabinet Member for environment and planning*



Patrick Molyneux
*Gloucestershire County Council
Cabinet Member for economy, education and skills*



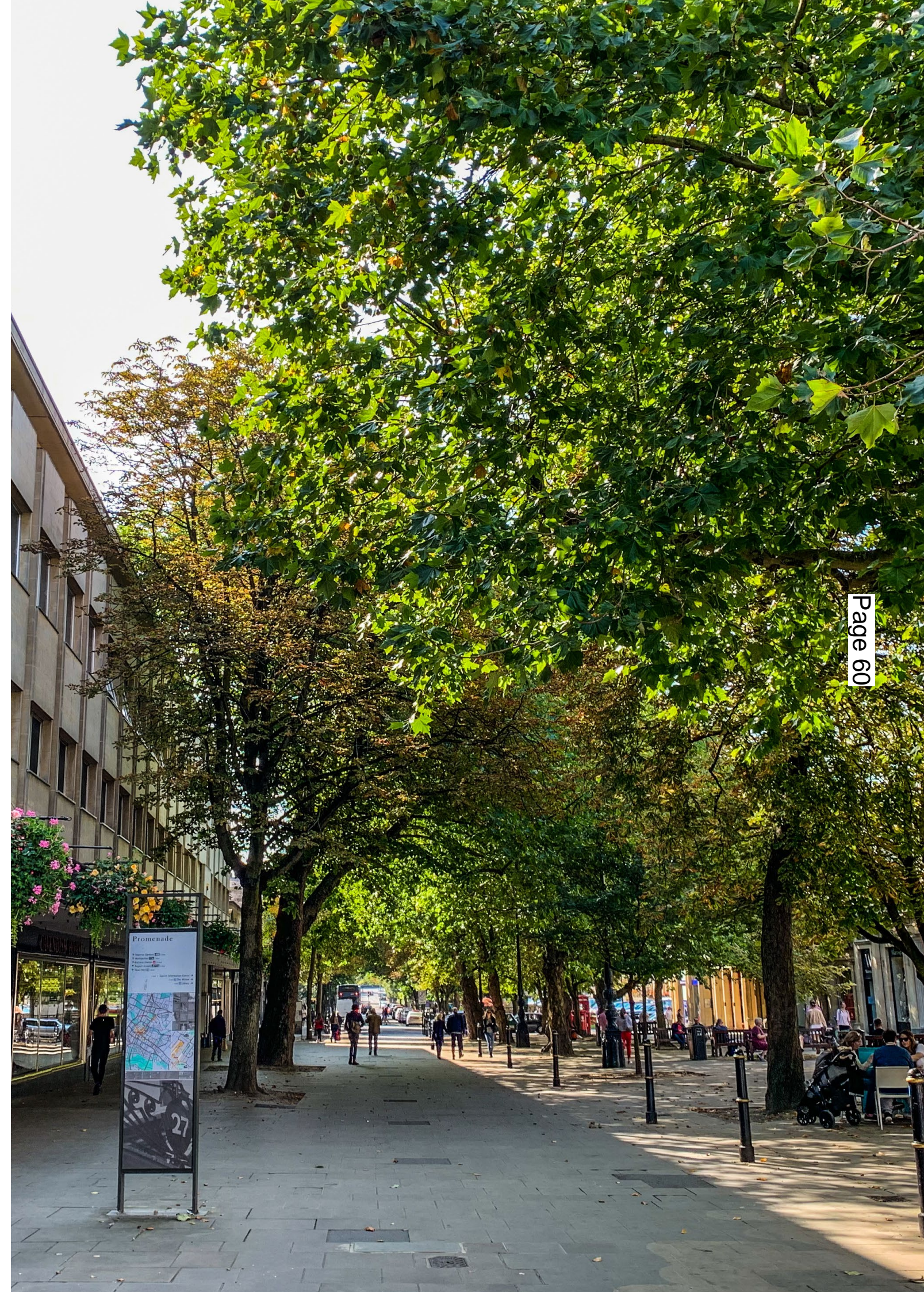
Tracey Crews
*Director of Planning
(portfolio includes economic development & inward investment/ marketing/infrastructure)*



Andrew McKenzie
Representing sustainability and environment



Eoin McQuone
Representing sustainability and environment



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**Cheltenham Borough Council
Cabinet – 22 December 2020
Review of Unreasonable Customer Behaviour Policy**

Accountable member	Councillor Alex Hegenbarth, Cabinet Member for Corporate Services
Accountable officer	Judy Hibbert, Customer and Support Services Manager
Ward(s) affected	All
Key Decision	No
Executive summary	<p>Background:</p> <p>There are occasions when the Council may experience unreasonable customer contact and/or unreasonably persistent contact and so has a policy and procedure in place to help handle such situations in a fair and transparent way. The purpose of this report is to update the Council’s current policy.</p> <p>The updated Unreasonable Customer Behaviour Policy defines unreasonable customer contact and unreasonably persistent contact and the actions that the council will take. It also explains a customer’s right of appeal and the process of reviewing any restrictions in place.</p> <p>It was last reviewed over 10 years ago and a refresh is required to increase transparency, include contact by social media and to reflect latest guidance from the Local Government and Social Care Ombudsman (LGSCO).</p> <p>The updated draft Unreasonable Customer Behaviour Policy seeks to ensure that the council has a robust process in place to ensure the health and safety of its staff and members when communicating with customers, and to ensure that transparent processes are in place to treat customers in a fair and consistent manner.</p> <p>The updated policy specifically seeks to improve clarity, transparency and robustness in respect of the following:</p> <ul style="list-style-type: none"> • Clearly defined retention periods for register entries • A process enabling members to check prior to making home visits • Clearer guidance in respect of unreasonably persistent complainants • New review process undertaken by the Governance Group for retention or removal of names from the Personal Safety Register. • Establishing that a single version of the Personal Safety

	<p>Register is retained.</p> <ul style="list-style-type: none"> • Clear roles and responsibilities
Recommendations	<p>Cabinet is recommended to approve:</p> <ol style="list-style-type: none"> 1. Adoption of the updated draft Unreasonable Customer Behaviour Policy. 2. That the Customer Services Manager, in consultation with the Cabinet Member for Corporate Services, be given delegated authority to undertake and implement any future updates to this policy.

Financial implications	<p><i>None as a direct result of this report</i></p> <p>Contact officer: martin.yates@publicagroup.uk, 01242 264115</p>
Legal implications	<p>Although the public should in general have access to the services and staff at the authority it also has a legal duty to ensure the health and safety of its staff. Restrictions on access should only be applied as a last resort when it is necessary and proportionate to apply such restrictions.</p> <p>The authority also has obligations under GDPR to ensure that data that is held and process under this policy is done so in accordance with the principles and requirements of GDPR.</p> <p>Contact officer: One Legal - legal.services@tewkesbury.gov.uk, 01684 272012</p>
HR implications (including learning and organisational development)	<p>1.1 The updated policy is intended to support and protect Council representatives when dealing with members of the public who act in a way that is considered to be unreasonable. The new policy will need to be cascaded to all relevant representatives along with any necessary training. This may impact on current resource levels and therefore additional resource may be required to support this activity.</p> <p>Contact officer: Julie McCarthy, HR Manager julie.mccarthy@publicagroup.uk 01242 264355</p>
Key risks	<p>Risk assessment attached</p>
Corporate and community plan Implications	<p>The policy supports the council with the safe delivery of its priorities as set out in the corporate plan and the health and safety of its staff.</p> <p>A community Impact assessment has not been completed as the proposed changes will not impact upon any service delivery for any citizen group. Where sanctions are applied to individuals, appropriate measures will be put in place to enable them to continue to access services.</p>

Environmental and climate change implications	None as a direct result of this report
Property/Asset Implications	None as a direct result of this report Contact officer: Dominic.Stead@cheltenham.gov.uk

2. Background

- 2.1 Most contact with customers is a positive experience for everyone; however there are occasions when a customer acts in a way that is not acceptable to the Council and its representatives. Council representatives should not be subjected to inappropriate, abusive or threatening behaviour; the Council calls these types of contacts “unreasonable”.
- 2.2 The Unreasonable Customer Behaviour policy is intended to support and protect Council representatives when dealing with members of the public who act in a way that is considered to be unreasonable.
- 2.3 The policy was last reviewed over 10 years ago and a refresh was required to include social media and electronic channels, incorporate improved processes including a new review process undertaken by the Governance Group.
- 2.4 The updated policy includes arrangements to support members when preparing to interact with customers who may pose a risk.
- 2.5 The information regarding unreasonably persistent behaviour has been updated to align with LGSCO advice.

3. Reasons for recommendations

- 3.1 The updated policy provides clearer guidance when having to deal with unreasonably persistent complainants and sets out a fair and reasonable approach in respect of the actions taken and decisions reached.
- 3.2 Greater clarity and transparency and improved governance is provided in respect of retention periods for register entries.
- 3.3 It introduces a process enabling members to check prior to making home visits helping to ensure their safety.
- 3.4 In establishing that a single version of the Personal Safety Register is retained, the policy helps to ensure that obligations in respect of GDPR are met.

4. Alternative options considered

- 4.1 Not changing the policy. This option was disregarded as there were known improvements and updates required to the current policy. The revised policy and procedure has been developed based on guidance from the LGSCO.

5. Consultation and feedback

- 5.1 Consultation has been undertaken with Cheltenham Borough Homes who have similar arrangements in place for dealing with unreasonable customer behaviour. Where possible approaches and processes have been aligned to achieve greater consistency. Arrangements for data sharing have also been reviewed and updated.
- 5.2 Formal consultation has taken place through members of the Joint Liaison Forum which includes the two recognised trade unions, Unison and GMB, and representatives from HR and directorates. The document has also been reviewed by the Executive Leadership Team.

6. Performance management –monitoring and review

- 6.1 Each entry in the Personal Safety Register will be reviewed at least six monthly in line with LGSCO recommendation.
- 6.2 Removals from the Personal Safety Register will be discussed at the quarterly Governance Group meeting.
- 6.3 The policy and supporting protocol will be reviewed annually.

Report author	Contact officer: Judy Hibbert , judy.hibbert@cheltenham.gov.uk, 01242 264113
Appendices	<ol style="list-style-type: none"> 1. Risk Assessment 2. Draft updated Unreasonable Behaviour policy. 3. Appendix 1: PSR protocol: Managing customers who are on the PSR 4. Appendix 2: PSR procedure 5. Appendix 3: PSR process chart 6. Appendix 4: PSR appeal process chart 7. Appendix 5: PSR review process chart
Background information	https://www.lgo.org.uk/information-centre/reports/guidance-notes/guidance-on-managing-unreasonable-complainant-behaviour

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 staff and members fail to utilise the Personal Safety Register they will be unaware of customers who pose potential risks which could lead to them failing to take appropriate actions when contacting them and could result in potential harm.	Judy Hibbert	20/11/20	4	2	8	Accept	Staff and members will be updated in respect of the updated policy and of their personal responsibility in respect of their own health and safety. This will be incorporated into the new member induction process.	Ongoing	Judy Hibbert	
2	If services maintain their own personal safety registers this could lead to a breach of General Data Protection Regulations.	Judy Hibbert	20/11/20	4	2	8	Accept	Managers will be briefed on the new policy.	Ongoing	Judy Hibbert	
3	If managers fail to advise Customer Relations of staff who require access to the Personal Safety Register, then those staff will be unaware of customers who pose a potential risk	Judy Hibbert	20/11/20	4	2	8	Accept	Managers will be briefed on the new policy and reminded to ensure that they consider whether new employees require access to the Personal Safety Register.	Ongoing	Judy Hibbert	
<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>											



Working together to create a great future for Cheltenham

DRAFT

Unreasonable Customer Behaviour Policy

(Personal Safety Register – PSR)

Document Control			
Document Title	Personal Safety Register (PSR) Policy		
Version Number	1.1	Author/ Owner	Beth Sears/ Judy Hibbert
Date Approved		Document Status	
Effective Date		Approved by	
Previous version		Date of Next Review	

Version Control			
Version	Author	Date	Changes
1.1			Feedback from Legal Services included
1.0			None - first draft for consultation

If any updates are required, please submit to the Customer Services Manager, for inclusion and approval.

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1 Purpose and scope

Cheltenham Borough Council provides wide ranging services in office, customer facing and off-site environments. As a result, officers, councillors and contract or partner staff meet and deal with members of the public in many different situations.

The Council is committed to providing the highest levels of customer service delivery and doing so in a way that gives all members of the public the right to be heard and respected.

Most contact with customers is a positive experience for everyone; however there are occasions when a customer acts in a way that is not acceptable to the Council and its representatives. This policy is intended to support and protect Council representatives when dealing with members of the public who the Council considers:

- are verbally threatening or abusive;
- are physically threatening or abusive;
- are threatening or abusive in writing – including electronic or social media;
- are unreasonable or unreasonably persistent in their contact with the Council;
- have been brought to the attention of the Council by another official agency such as the police; or
- whose personal circumstances mean that officers need to take care in contact (for instance, customers whose mental health fluctuates and can sometimes be unintentionally abusive).

In order to do this, the Council maintains a Personal Safety Register (PSR) of individuals who meet any of the above criteria.

The policy:

- provides Council representatives with a mechanism for dealing with threatening, violent, stressful and distressing contact;
- defines the actions and restrictions available to deal with customers on the PSR;
- explains to staff when to advise customers of the policy and when and how to use it;
- ensures a fair, transparent and consistent approach to customers and members of the public via the policy;
- ensures that a small number of unreasonable complainants do not take up a disproportionate amount of Council resource;
- defines the appeal process;
- defines the review process.

The policy relates to ALL channels of contact including social media.

Throughout this document, the term “Council representatives” will be used to refer to officers, councillors, contractors and partners.

This document sits alongside policies, processes and standards including:

PSR protocol

Equality and Diversity Policy

Customer Service Standards and Customer Service Charter

Compliments, Comments and Complaints Policy

Data Protection policy, privacy notices and Information Asset Registers

Loan Working and Safety Policy

2 What is “unreasonable behaviour”?

The Council takes its customer services responsibilities extremely seriously and part of our job is to try and resolve issues with customers who may be angry, frustrated or distressed and these contacts need to be handled in an appropriate way. However, this does not mean that Council representatives should be subjected to inappropriate, abusive or threatening behaviour. The Council calls these types of contacts “unreasonable”.

2.1 Examples of unreasonable behaviour

2.1.1 Unreasonable behaviour against individual Council representatives

- Verbal or written abuse of a personal nature including, but not limited to, racist or homophobic language.
- A threat directed at any Council representative, the Council itself or any other person present at the time of the contact (for instance, if the customer threatens other customers during a visit to a Council Customer Service point).
- Aggressive or threatening manner, which continues after the customer has been asked to change their behaviour or attitude.
- Swearing. Swearing on its own will not usually make for unreasonable contact - many people swear as part of their day to day conversation. Swearing should only be considered unreasonable if it is abusive or threatening.

2.1.2 Unreasonable behaviour regarding Council procedures and policy

- Insisting on the issue being dealt with in ways which are incompatible with Council procedures or with good practice.
- Refusing to accept that certain issues are not within the scope of the Council's duties and responsibilities.
- Refusing to cooperate with the Council's processes and policies.
- Expecting immediate responses.
- Submitting falsified documents.

2.1.3 Unreasonably persistent behaviour

- Contacting multiple officers about the same issue - using a “scattergun” approach.
- Making excessive demands on the time and resources of staff with lengthy telephone calls, multiple contacts or detailed letters.
- Raising many detailed but unimportant questions; insisting that they are answered.
- Changing the basis of the issue or complaint as the investigation proceeds.
- Refusing to specify the grounds of a complaint, despite being offered assistance.
- Prolonging a phone call, meeting or visit when the Council has given all the information.
- Submitting repeat enquiries or complaints with minor additions/variations that the customer insists make these 'new' issues.
- Denying or changing statements made at an earlier stage.
- Introducing trivial or irrelevant new information at a late stage.
- Refusing to accept the Council's decision; repeatedly arguing points with no new evidence.
- Making unjustified complaints about Council representatives who are trying to deal with the customer's issue, and seeking to have them replaced.

2.2 Persistent vs unreasonably persistent behaviour

The Local Government and Social Care Ombudsman (LGSCO) says that it is important to recognise the difference between “persistent” and “unreasonably persistent” behaviour. Individuals may be persistent for justifiable reasons.

A persistent customer may have a genuine reason for complaining and although they behave in a persistent manner this is not unreasonable. For example it is not unreasonable for a customer to criticise the Council’s procedures when the standards set out are not met, or to continue to contact the Council if they have not received an acknowledgement or an estimate of how long it will take to resolve an issue.

Some customers may have genuine complaints but pursue them in an unreasonably persistent way.

Others may pursue complaints that appear to have no substance, or, which have already been investigated and closed. Their contacts may be politely worded and friendly in tone but will still place very heavy demands on the time of Council representatives.

Some may be very emotionally charged resulting in multiple contacts that become distressing for all those involved.

2.3 Equality of access

Council representatives come into contact with a diverse population, including vulnerable individuals.

Any restrictions imposed must take into account the customer’s individual circumstances and ensure that customers are not prevented from accessing essential services as a result of being on the PSR. The policy and procedure are not a “one size fits all” approach.

Some customers, particularly those with mental health issues, medication that makes them forgetful, or dementia, may become fixated on a particular issue or not remember that they have already contacted the Council.

While the Council needs to avoid “diagnosing” customers, a sensitive approach is needed to ensure that the Council is acting appropriately in the way it is dealing with the customer, and not making its services inaccessible

3 Personal Safety Register (PSR)

The Personal Safety Register (PSR) is a list of customers who are considered to present some kind of risk to Council representatives.

The PSR is maintained to inform, support and protect all Council representatives when interacting or preparing to interact with customers who may pose a risk.

Customers are informed of their inclusion on the PSR. They have a right of appeal against the decision to include them on the list.

Each PSR entry is reviewed at 6-monthly intervals and updated or removed, as appropriate, following approval from the Governance Group. Customers are informed of any extension to their entry or removal from the list.

3.1 PSR markers

The Council keeps a single version of the PSR.

The PSR **must not** be reproduced, saved or separate lists or records kept by any individual or team.

Teams may add a marker on their own ICT systems to the customer record for an individual who is on the PSR. This marker is an indicator that the PSR needs to be referenced; personal information from the PSR must not be copied. This **MUST** be a marker that can be toggled on and off or removed with no record of it having been added. The team receives a notification when a customer is added to or removed from PSR.

Notes about a customer's PSR status must not be added to customer records unless they can be deleted at the time the customer is removed from PSR.

3.2 Council representatives without PSR access

Some Council representatives do not have access to the PRS but still need to be aware of any concerns or restrictions in place and how to report incidents.

This includes:

- councillors who may not readily have access to the intranet;
- partner organisations such as Cheltenham Borough Homes, Publica and Ubico;
- contractors working on the Council's behalf.

3.2.1 Checking PSR

Before visiting or meeting with a customer, councillors can ask Democratic Services to check the PRS for them.

3.3 Managing contacts with individuals on the PSR

- Follow advice on the PSR when handling contact with individuals on the PSR.
- If there are restrictions and the customer has visited the office or phoned when banned, use the guidance in the **PSR Protocol: Managing customers who are on the PSR (Appendix 1)**.
- The protocol also gives guidance when customers are restricted to contacting a specific Council officer but contact a different officer.
- When submitting reports or requests for service for customers on the PSR to partners and contractors, include a brief note of any restrictions and cautions in place.

3.4 PSR roles and responsibilities

Role	Responsibilities
All officers, councillors, contractors and partners	<ul style="list-style-type: none"> • Log incidents promptly • Log updates promptly • Follow guidance • Support colleagues
Service Managers	<ul style="list-style-type: none"> • Support Council officers • Ensure incidents are logged promptly • Ensure police are informed if appropriate. • Request CCTV footage if appropriate • Investigate incidents • Recommend appropriate sanctions/ actions based on policy and procedure • Ensure any training needs are identified and met
Customer and Support Services Manager (CSSM)*	<ul style="list-style-type: none"> • Policy Owner • Signatory to PSR letters • Review and approve complex/ sensitive cases recommended for PSR entry
Executive Director of People and Change	<ul style="list-style-type: none"> • Handle customer appeals
Customer Relations Officer	<ul style="list-style-type: none"> • Manage PSR entries and removals • Set and remove PSR marker on Customer Services system • Draft and send customer letters on behalf of CSSM • Refer complex/ sensitive cases to CSSM & send finalised letters • Report to Governance Group committee
Health and Safety Adviser	<ul style="list-style-type: none"> • Provide advice and guidance • Liaise with Governance Group
Governance Group	<ul style="list-style-type: none"> • Discuss and approve reviews/ removals
HR	<ul style="list-style-type: none"> • Provide staff training • Provide staff support
One Legal	<ul style="list-style-type: none"> • Provide legal guidance on a case by case basis when required
Cheltenham Borough Homes (CBH) Contact	<ul style="list-style-type: none"> • Provide updates from the CBH PSR • Receive updates from the CBC PSR

* in the absence of a CSSM, or where the CSSM is the target of the unreasonable behaviour the Executive Director of People and Change carries out their role and the Chief Executive considers appeals.

4 PSR procedure

The full PSR procedure is described in the **PSR procedure document and process flow charts (Appendices 2 - 5)**.

4.1 Handling difficult contacts and when to use the policy

The policy and procedure are designed to support and protect Council representatives and not intended to replace emergency procedures. In cases of threat or injury, contacting the emergency services must be the first priority.

When an incident occurs, the affected Council representative completes the Violence Abuse Report form ("incident form") which is available through the Council intranet. There is an option to include multiple witness statements to support the report.

The report must be completed as soon as possible after the incident and include supporting evidence where available, such as witness statements, copies of correspondence or CCTV footage. It is important that if the Council needs to contact a customer regarding their behaviour that this is done in a timely manner.

Council representatives without access to the intranet report the incident to someone appropriate within the Council as soon as possible, with as much detail as possible for the incident to be reported on their behalf.

Unreasonable customer behaviour can be brought to the attention of the council by other agencies; this information should be recorded using the **Third party report form (see appendix 7)**.

4.2 Reporting new incidents for customers already on the PSR

A new incident form is completed for each repeat incident. If the "incident" is unreasonably persistent contact, then a single report can be completed covering multiple individual contacts.

Without evidence of further incidents, the customer will be removed from the PSR at their review date.

4.3 Updating customer contact details

When a service team becomes aware that the contact details of a customer on the PSR change, they complete the PSR update form which is available from the Customer Relations Officer.

4.4 Warning

In many cases the first action will be informal - letting the customer know that their language or behaviour is inappropriate and asking them to modify it. If this is successful, the action is noted on the customer record for in the relevant service area.

If the informal approach does not work and the Council representative completes an incident form, the first formal stage of the process will usually be to send the customer a warning letter, without imposing restrictions. In the case of violence or serious threats, the warning stage will be bypassed.

4.5 Restrictions

Before imposing any restrictions it is important to consider all the circumstances including whether the customer has a current formal complaint with the Council or has completed the complaints process.

If the customer is unreasonably persistent with one service area but acts reasonably with another service area, this may either indicate that there is a genuine issue with the service provided or that any restrictions should only apply to contact with that service area.

The Council writes to the customer clearly explaining:

- the incident(s) leading to the restrictions;
- what restrictions are in place;
- the reasons why the decision has been made;
- what actions the Council will take if the customer does not abide by the restrictions;
- the right of appeal and the appeal procedure;
- when the decision will be reviewed.

4.5.1 Restriction periods

Incident	Expiry
Warning letter	6 months
Unreasonably persistent contact (not abusive or threatening)	1 year
Ongoing personal circumstances posing a potential risk to Council representatives	1 year
Verbal <u>abuse</u> where a person reasonably fears for their own or another's safety	1 year
Verbal <u>threat</u> where a person reasonably fears for their own or another's safety	1 year
Physical <u>violence</u> where there no injury but a person reasonably fears for their own or another's safety (for example, damage to property)	2 years
Physical <u>assault</u>	4 years

Restrictions for serious incidents have a longer expiry as the potential risk to Council representatives is higher.

Each PSR entry is reviewed 6-monthly in line with LGSCO recommendations.

As part of their responsibility to review and approve complex/ sensitive cases the Customer and Support Services Manager may recommend an altered restriction period.

4.5.2 Actions that can be taken

Any reported incident must be reviewed by a manager who was not involved in dealing with the customer. The manager can then decide if further action needs to be taken and whether the Council representative needs any support following the incident.

Actions that can be taken include:

- Adding or amending the PSR appropriately.
- Limiting access to days and times.
- Requiring the complainant to communicate only with one named member of staff or email address.
- Ensuring that officers only visit the customer's home in pairs.
- Agreeing with the customer their future behaviour on Council premises.
- Banning the customer from visiting any Council offices and Customer Service points.

- Blocking a customer's social media account so that they are unable to tag or comment on Council posts.

4.6 Appeal

Customers have the right to appeal the decision to add them to the PSR, including an external review by the LGSCO.

The PSR entry and restrictions remain in place until the outcome of the appeal is decided. A note is added to the PSR entry to denote that the appeal is in progress.

For more details **see the PSR procedure and appeal process (Appendices 2 & 4)**.

4.7 Review

Each entry on PSR has a review date. If there have been no new incidents reported, the removal will be discussed at the quarterly Governance Group meeting, following approval the entry will be removed from the PSR.

Where customers are listed on the PSR because of ongoing vulnerabilities or special circumstances rather than particular incidents, the service team that originally raised the report should provide a justification for retaining the customer's PSR entry, and consider whether the current restrictions are the most appropriate.

The LGSCO expects that all decisions to retain a customer's details and restrictions on a Personal Safety Register should be reviewed at least every 6 months.

Any positive or neutral contact with the customer should be considered when reviewing their entry, to support removal.

When a customer is removed from the PSR, details of previous reports and PSR status will be retained by the Customer Relations Officer for a period of 6 months to provide background in case of a repeat incident. Following the 6 month period the information will be deleted.

For more details see the full **Review process chart (Appendix 5)**.

4.8 CBH PSR Updates

A data sharing agreement is in place to allow CBC and CBH to share the information on their respective PSRs. Communication will be sent via TLS encrypted emails.

The customer relations officer will notify the CBH contact when there are updates to the PSR and vice versa.

5 Data Protection Considerations

The Council will comply with the Data Protection Legislation at all times when administering the PSR. The quantity of personal data added to the PSR will be limited to what the Council considers necessary to meet the stated purposes of the PSR.

The Council limits representatives that have access to the PSR, giving access only those who need the information to safely carry out their job

6 Policy review

The policy and appendices will be reviewed annually; managed by the Customer Relations Officer.

7 Appendices

- Appendix 1: PSR protocol: Managing customers who are on the PSR
- Appendix 2: PSR procedure
- Appendix 3: PSR process chart
- Appendix 4: PSR appeal process chart
- Appendix 5: PSR review process chart
- Appendix 6: Template letters
- Appendix 7: Third party report form

The appendices contain supporting operational guidance reflecting the detail set out in the policy. This information has been produced for Council staff and is not published externally.

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**Cheltenham Borough Council
Cabinet – 22nd December 2020
Kiosk opportunities in the Parks**

Accountable member	CLlr Steve Jordan – Cabinet Member Finance and Assets															
Accountable officer	Dominic Stead – Head of Property and Asset Management															
Ward(s) affected	<p>Various:</p> <p>Hartley Lane (Leckhampton Hill) – outside of district, closest CBC wards Leckhampton and Charlton Kings.</p> <p>Hatherley Park – Park Ward.</p> <p>Beeches Playing Field – Charlton Kings Ward.</p> <p>Burrows Playing Field – Leckhampton Ward.</p>															
Key/Significant Decision	No															
Executive summary	<p>Due to COVID 19 and since the first lockdown our parks and open spaces have hugely increased in usage, putting an unprecedented strain on our Parks services. This has caused an unbudgeted burden on the Council. Providing mobile kiosks has not only allowed us to make back some of the money we need to keep the Parks to a certain standard, but it has also provided employment and opportunity to people who have had to reassess their ways of making a living due to COVID.</p> <p>There are currently two trial opportunities running from our parks:</p> <ul style="list-style-type: none"> • Hatherley Park – since July 2020 • Burrows Playing Field – since Oct 2020 <p>These have received overwhelming support from the local communities and generally the kiosks have been very well received.</p> <p>The Council felt that the Hatherley Park opportunity had the potential to be offered on a lease for 3 years to extend the opportunity there. Advertising this lease proposal has highlighted some objections and concerns. These have been captured later in the report.</p> <p>We are currently looking to extend the trials and offer the following:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 5%;">No.</th> <th style="width: 35%;">Name</th> <th style="width: 10%;">Status</th> <th style="width: 20%;">Length of term</th> <th style="width: 30%;">Agreement type</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td>Leckhampton Hill (Hartley Lane)</td> <td style="text-align: center;">Trial</td> <td style="text-align: center;">9 months</td> <td style="text-align: center;">Licence</td> </tr> <tr> <td style="text-align: center;">2</td> <td>Beeches</td> <td style="text-align: center;">Trial</td> <td style="text-align: center;">9 months</td> <td style="text-align: center;">Tenancy at Will</td> </tr> </tbody> </table>	No.	Name	Status	Length of term	Agreement type	1	Leckhampton Hill (Hartley Lane)	Trial	9 months	Licence	2	Beeches	Trial	9 months	Tenancy at Will
No.	Name	Status	Length of term	Agreement type												
1	Leckhampton Hill (Hartley Lane)	Trial	9 months	Licence												
2	Beeches	Trial	9 months	Tenancy at Will												

	3	Burrows	Trial	9 months	Tenancy at Will
	4	Hatherley Park	Tenancy	3 years (annual break clause)	Lease
	5	Brizen Fields	TBC	Exploring possibilities	Very early stages
	6	Swindon Village Playing field	TBC	Exploring the opportunity	Very early stages

Recommendations

1. That Cabinet consider the objections to the S123 Notices.
2. Cabinet is recommended to approve, subject to consideration of the objections, that authority be delegated to the Executive Director Finance and Assets (Section 151 Officer) to:
 - a) secure vendors for the opportunities 2 - 4 via public advertisement and with a view to the commencement of the new agreements on 1st March 2021.
 - b) offer trial periods (not longer than 9 months) for sites 5 and 6 on appropriate temporary legal agreements, at these locations subject to the consultation and due diligence work being completed.
3. That for those opportunities listed that there is not a requirement to come back to a Cabinet meeting to conclude the lettings, and that the Executive Director Finance and Assets or appropriately delegated officer allows completion via an Officer Decision Notice in consultation with Cabinet Members Finance & Assets and Clean & Green Environment.

Financial implications	Exempt comments and information included in appendix 4
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<p>Legal implications</p>	<p>Before disposing of land held as public open space, the Council has a statutory duty to advertise its disposal for two consecutive weeks in a newspaper circulating in the area, and to consider objections.</p> <p>The duty to consider objections is a duty to consider objections relevant to the use of the land as public open space; for example, objections to the grant of the facility to a service provider other than the objector's preferred service provider would not be a relevant objection in this context.</p> <p>The term "dispose" includes a lease of any length, and tenancies including tenancies at will, but does not include licences.</p> <p>The principal differences between a lease, tenancy and licence (all terms used within the report) is briefly as follows:</p> <ul style="list-style-type: none"> • A lease is often intended at the outset to be for a longer term than a tenancy, and often commences with a fixed term of several years • A tenancy is usually viewed as being of shorter duration than a lease, although in practice either can continue indefinitely. A tenancy at will, however, is not for a fixed duration (however short) and only continues for as long as the landlord "wills" it; it can be terminated without reason at any time, although it is usually courteous to give a few days' notice. • A licensee occupies land or property with the permission of the owner; it is a lesser right than that under a lease or tenancy. • An occupier under a lease or tenancy (including a tenancy at will) has the right to exclude all others from those premises, including the landlord (except for those instances where the landlord has retained the right to enter). A tenancy or lease is a legal right to occupy the land exclusively, and this right survives the sale by the landlord to another landlord: the occupiers' right against the original landlord transfers to the new landlord • The occupier under a licence is not entitled to exclude third parties, whether the owner or anyone else expressly or impliedly authorised by the owner to occupy the land. The right is a personal, contractual right between the owner and the occupier, not a legal right to the land. The licence terminates automatically if the owner disposes of the land. <p>There are a number of other differences, but the above are the significant differences for the purposes of this report.</p> <p>There may be covenants or other restrictions on the title to the respective areas of land which might impact on their proposed use. The title in each case would have to be investigated before expressions of interest were invited.</p> <p>Contact officer: One Legal, legal.services@tewkesbury.gov.uk, 01684 272691</p>
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HR implications (including learning and organisational development)	N/A
Key risks	The Council need to ensure that we are being fair and market the opportunities. Vendors cannot be territorial and have to accept that everyone has the same opportunity set out in the scope (see background document). The Council have to go with the best fit for the park and the community and there are risks associated with this stance.
Corporate and community plan Implications	Our preference will be that our vendors are local and that they will source local produce, and work with other local businesses to offer optimum services and we will be looking for reference to this in their bid submission.
Environmental and climate change implications	<p>In line with the Waste Framework Directive 2008/98/EC and the council's commitment to a net zero carbon council and borough by 2030 we would expect a clear waste and recycling policy with clear processes in place from all vendors.</p> <p>Where possible we will be seeking for vendors to demonstrate that they have delivered on recycling and carbon neutrality in an established practice. Or that there is a clear vision and drive to recycle (and other green incentives) in order to secure the opportunity. We will seek to cement their own vision into the legal agreement to ensure that their vision is delivered.</p> <p>The Council will work with Friends of Groups, Parish Councils and our partners such as Ubico to maximize what we can do in-terms of green incentives. We are looking at the provision of recycling bins throughout our parks and we look at ways to limit the use of generators, and the provision of bark chippings and other natural products to help tackle mud.</p>
Property/Asset Implications	<p>As outlined in the report.</p> <p>Contact officer: Dominic.Stead@cheltenham.gov.uk</p>

1. Background

- 1.1 Members of the public actually wrote to the parks team suggesting that the Council could place mobile kiosk units in our parks. The parks team have been instrumental in driving this initiative forward. We currently have two trials occurring at Hatherley Park and at Burrows Playing Field. The popularity of these trials and overwhelming support and positive feedback from the community made us consider extending what we have in place currently (some of these have been captured in appendix 3).
- 1.2 However, offering the Hatherley opportunity on a more permanent basis has split the community, with those living on the doorstep feeling adversely affected by the presence of the kiosk.
- 1.3 The Council feel that usage has dramatically increased in all of our Parks and outdoor spaces, whether there is a kiosk present or not. This has put an unprecedented and unbudgeted strain on our park services. The usage has increased as a direct result of Covid and in particular lockdowns.
- 1.4 The initial trials were to ensure that kiosks would work and be well received, but also to gain intelligence in relation to how it would impact on the park and allow us to identify any issues. We have received overwhelming support for the Kiosks and pressure to secure a more permanent provision at both locations (Burrows and Hatherley).
- 1.5 It is hoped that all new arrangements would be able to commence from 1st March 2021. It is proposed that we advertise the opportunities (draft advert appendix 4) and contact those people that have already been in touch. There are a number of considerations that each vendor will have to work through, which we have complied in-line with Councils objectives, being sympathetic to the parks and locations on offer and other statutory requirements such as planning and street licensing. A vendor will have to be very motivated to be selected to go forward. Details attached: Appendix 4 - Draft Vendor opportunities.
- 1.6 In relation to Hatherley Park specifically we would hope that any more permanent letting would also commence from the 1st March 2021 and initially we are proposing to offer a lease on a 3 year basis. However, due to the statutes that govern our open spaces the Council are not able to consider a letting of this nature without first advertising our intention via a S123 Notice, as a letting is considered a disposal. Appendix 2 – S123 Notice.
- 1.7 The S123 Notice in relation to Hatherley Park has been very informative as to the concerns of direct neighbours of Hatherley Park but also to the presence of a misconception that many of the issues are attributable to the presence of a kiosk.
- 1.8 The Council complied with its statutory obligation by advertising the proposed disposal in a newspaper circulating in the area for 2 consecutive weeks. The Council received a total of 807 letters and emails of representation via the Councils solicitor.
- 1.9 Only 19 of these represented clear letters/emails of objection. (The headings of the objections are set out in the table below). Our legal representatives received 10 of these objections directly and they have been summarised in the Legal Background Paper attached, the other 9 were received directly by the Estates Department or via Green Spaces.

Of the remainder, 612 were broadly in favour of the proposal in principle. However, they were specifically in favour of the current provider. The remainder were too specific to be considered at this meeting.
- 1.10 The main objections in relation to the S123 Notice regarding leasing an area in Hatherley Park to a mobile kiosk have been:

Objection	Number	Pre Covid, COVID or Kiosk*	Ways to mitigate issues
Lack of WC's	8	Pre Covid concern. Heightened by Covid	Make it a requirement of the lease that the vendor must supply a WC provision. We are unable to monitor or manage the WC provision in-line with strict COVID requirements.
Lack of bins or litter generation	2	COVID. The Council has seen an increased issue across our parks (don't be a Tosser campaign)	Work with the kiosk to help manage the additional waste directly emanating from their presence. Work provisions into the Lease. Work with UBICO to provide more bins and bin collections. Look at recycling options.
Over crowding	4	COVID. The Council has seen a dramatic increase of all its parks and open spaces.	Unable to mitigate via the kiosk proposal.
Parking and traffic issues	12	COVID	We have seen an increase in use of all of our parks. Even those without kiosks.
Dog poo	1	Existing issue	Unable to mitigate via the kiosk opportunity.
Wrong focus	2	Kiosk	A kiosk is not our focus or priority. Managing the parks is and ensuring that we have the revenue to fund the increased demands on our services as a result of Covid is. We are passionate and committed to our communities, but sometimes we have to change to adapt to unexpected situations.
Mud/ damage to the ground	3	Kiosk and Covid	Footfall in all of our parks has increased dramatically over the past months since the outbreak of Covid. All well-trodden areas, not always around the kiosks have become muddier where there is no hard surface. For now we are alleviating muddy areas around kiosks in conjunction with the vendors either by asking them to lay matting, or help to source wood chip. The current vendors are required to reinstate an area once they have vacated, and more permanent solutions will be discussed and provided by the vendors in conjunction with the Council for the future opportunities.
Changing the park's character	3	Kiosk	Some are not keen on the parks having commercial elements. We need the income to improve service to meet user needs, and to maintain the additional strain on our services due to the massive increase in use of our parks and outdoor recreation spaces due to Covid.
Location in the park	1	Kiosk	We are looking for the optimum positioning in terms of connection to electricity, wear and tear on the park itself, away from tree canopies, high

			visibility locations, easy to manage areas and most aesthetically pleasing locations.
Size of the area to be let	3	Kiosk	There have been concerns as to the size of the area being let. However, the area needs to include seating opportunities, the ability to move the vehicle, space for bins etc. The whole area will not be taken up by the kiosk itself. There was also a misconception that the Council were going to build a permanent structure, which is not the case. The offering would be on the same lines as the trial, a mobile vendor.

* Considered impact of Covid and increased numbers of users or directly related to the kiosk

- 1.11 The current vendor in the park sought to secure their opportunity when they discovered the S123 Notice and the ability to make representations. This resulted in a large influx of emails directly to the Councils solicitors email address. The numbers of emails are over 800. These representations have not been included in the numbers above but they have all been captured by the background document compiled by our legal representatives attached.
- 1.12 It is felt that many of the concerns raised in relation to Hatherley Park can be mitigated, and those lessons learned from the trials will robustly allow us to move forward. It is only in Hatherley Park are we considering a longer term opportunity at this time as we had large numbers of people contacting the Council lobbying for this, including the Friends of Hatherley Park.
- 1.13 Only Hatherley Park requires cabinet approval due to the more permanent status being proposed for the letting, which will hopefully result in a higher rental offer from bidders to secure it. We are proposing to offer the opportunity on a three year lease, and should it prove to continue to be successful and generally well supported we could look to extend the offer for a further term (but still less than 7 years in total).
- 1.14 The property department can look to insert break clause provisions, to help alleviate people's anxieties about Hatherley Park never turning back to 'normal' post pandemic and if the kiosk loses favour or creates more issues than it solves. Break clause provisions increase the risk for the tenant therefore less rent is likely to be offered by inserting them.
- 1.15 Unlike Hatherley we are early days in relation to the other opportunities and these should be trialled before seeking something more permanent, especially in new locations. A lease is not appropriate for Beeches, or Leckhampton Hill at this time and we are going to look at more temporary provisions. Leckhampton Hill is suitable for a kiosk, just not one that is left in on site overnight, therefore this will be a slightly different legal arrangement. We want to ensure that the opportunities work hand in hand with the communities and we need to be aware of any potential adverse impacts and look to mitigate these before looking at something more permanent if appropriate and supported.
- 1.16 The Burrows opportunity cannot be offered on a more permanent basis at this time as the Council is looking to support significant improvements on the playing fields and the pavilion. A more permanent kiosk could hamper this larger project as they need the pavilion for electricity, water and WC's facilities (vendor only). The Council need to retain flexibility at this location which is best achieved with a short term Tenancy at Will. A more permanent provision of a kiosk on the Burrows would also require Fields in Trust to consent as well as a S123 Notice.

2. Reasons for recommendations

- 2.1 The Covid Lockdowns and restrictions have created an unprecedented surge in the use of our parks and outdoor spaces. This has put an additional strain on our park services and Friends of Groups (where they exist). Many of the objections highlighted as a result of the S123 Notice, are

issues we are seeing at all of our Parks and open spaces (even those without kiosks).

- 2.2 The kiosks not only allow us to share the burden of some of those issues being observed, but allow us to be more commercial about it. The kiosks have been generally very well received which is evident through multi-media sites and comments that we have received directly (captured in appendix 2 and the background document). The general public love the freedom of a park, where their normal recreational options are closed and the fact they can grab a coffee.
- 2.3 Also, many businesses have had to reinvent themselves and seek ways to innovatively save themselves from collapse. The trials have provided invaluable opportunities to businesses that have had to completely reassess what they do. They are local and they have employed local people or sourced local produce to ensure that their offering has truly been about the community.
- 2.4 We recognise that change is not always welcome, but in light of COVID we have had very little control and we have worked hard to readdress the balance with the community and the parks at the heart of everything we have done.

3. Alternative options considered

- 3.1 Do nothing. Doing nothing would mean that our services would have all this additional pressure and expected to be reactive, additional funding or solutions to help us cope and still provide our excellent services.
- 3.2 Continue with trials. We are continuing with trials where we feel it is appropriate and looking for permanence where there is an opportunity and the majority of public opinion is in support.
- 3.3 Lease more space out for kiosks. We don't want to rush into offering leases as these are more permanent, we want to be balanced and considered in our approach, this is a new opportunity, but a reactive one in light of the pandemic and the sheer volumes of people now utilising our outdoor spaces. We need to understand and mitigate any adverse impacts and we need to know that the majority of the community are in support.

4. How this initiative contributes to the corporate plan

- 4.1 Place and community is at the heart of what we are proposing. We are achieving inclusive growth so all our communities can benefit.
- 4.2 We are being commercially focused and become financially self-sufficient, to ensure we continue to achieve value for money. We are making appropriate adjustments to ensure that a balance is maintained.
- 4.3 We will work to ensure that we encourage equal collaboration, and we are listening to what our communities are saying to use and what they are feeding back. We are doing what we feel is appropriate.

5. Consultation and feedback

- 5.1 Ward members (all wards where a kiosk will be placed from 1st March) where they have responded, are in support.
- 5.2 Parish Councils (again those applicable to those kiosks from the 1st March) where they have responded are in support. Especially the Charlton Kings (for the Beeches) and Leckhampton parishes.
- 5.3 Friends of Groups, where they exist have responded and are in support.

- 5.4 S123 Notice responses in writing have been summarised in appendix 3
- 5.5 Asset Management Working group are in support, but would be keen that the kiosks focus on offering the opportunity to people who live in our Borough.
- 5.6 Parks and Green Spaces are championing the offer and currently work with the vendors who are trialling the offer to enhance and maximise the opportunity.
- 5.7 Cabinet Member leads are in support. Cabinet Members Finance & Assets and Clean & Green Environment have been consulted.

6. Performance management – monitoring and review

- 6.1 The ‘new’ opportunities are being offered on a trial basis. Parks and Gardens will continue to work closely with these vendors and will seek to mitigate any adverse impacts.
- 6.2 Based on the trials and lessons learned we will capture more specific requirements of the kiosk vendors within the agreements.
- 6.3 We will continue to monitor and review all of those opportunities, and between the parks team and the property team, will seek the optimum solutions to mitigate issues as they arise.
- 6.4 We will listen and respond (where appropriate) to concerns raised. We will do our best to manage everyone expectations, this is a new venture for the Council and we are learning as we go.

Report author	Contact officer: Abigail Marshall Abigail.marshall@cheltenham.gov.uk, 01242 264240
Appendices	<ol style="list-style-type: none"> 1. Risk Assessment 2. Copy of the S123 Notice (Hatherley Park) 3. Tally of objections 4. Draft commercial advert <p>Exempt:</p> <ol style="list-style-type: none"> 5. Potential income generation and financial comments
Background information	<ol style="list-style-type: none"> 1. Legal background paper in relation to representations received from the S123 Notice.

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
	There could be breakdowns in communication between the vendor and the Council.	DS	02/12	3	2	6	Accept	Make expectations clear from the outset. Forge a strong workable professional relationship.	1 st March 2021	AM / WS	
	There may be backlash if the same vendor is not successful in securing future opportunities and they may seek to discredit the Council.	DS	02/12	3	4	12	Accept	Set out the Councils objectives and criteria from the outset. We cannot favour one vendor over denying another the opportunity if they are able to adequately demonstrate they are the best option.	1 st March 2021	AM / WS	
	If vendors are investing serious time and money to try to win the opportunity and then fail to secure it, they could seek to discredit the council.	DS	02/12	1	3	3	Accept	We are in difficult times, but the council need to find the best fit for the opportunity. Being an established vendor will help both parties, as it will provide the most knowledgeable considered approach.	1 st March 2021	AM / WS	
	If the community feel aggrieved and believe that the kiosk is not working, then we need to reassess what we are doing.	DS	02/12	2	4	8	Manage and reduce	Work with our local representatives to capture and manage people's concerns and make any appropriate adjustments.	1 st March 2021	AM/ WS	
<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>											

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

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CHELTENHAM BOROUGH COUNCIL

LOCAL GOVERNMENT ACT 1972 SECTION 123(1), (2A)

**LAND AT HATHERLEY PARK, HATHERLEY ROAD, CHELTENHAM,
GLOUCESTERSHIRE**

DISPOSAL OF OPEN SPACE BY WAY OF LEASE

NOTICE IS HEREBY GIVEN that Cheltenham Borough Council intends to dispose of land having an area of approximately 887.6 square feet at Hatherley Park Hatherley Road, Cheltenham, Gloucestershire (which forms part of an open space) by way of the grant of leases for a term of up to 7 years to place a kiosk for the sale of refreshments.

A plan showing the land edged red can be requested by emailing Rebecca.Conway@cheltenham.gov.uk

Objections to the intended disposal must be made in writing and addressed to the Council Solicitor, One Legal, Tewkesbury Borough Council, Public Services Sector, Gloucester Road, Tewkesbury, Gloucestershire GL20 5TT (ref. VC/11282) to be received by no later than 26th November 2020.

5th November 2020

Sara J. Freckleton
Council Solicitor

One Legal
Tewkesbury Borough Council
Public Services Sector
Gloucester Road
Tewkesbury
Gloucestershire GL20 5TT

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Appendix 3
Concerns raised in relation to kiosk in Hatherley Park

Audience		Objection							Concerns						
Number	Initial	Neighbour	Specifically object to the kiosk	Location in park	Mud/ damage to the ground	Lack of WCs/ hygiene issues	Area (size/ footprint)	Lack of bins/ litter	Dog poo	Causing overcrowding	Parking & traffic	Means of advertising	Changing the park's character	Wrong focus, should improve parks in other ways	No recycling
1	Mr C	✓	✓		✓	✓	✓					✓		✓	
2	Mr M	✓			✓	✓							✓		
3	Mr A	✓				✓									
4	Ms R	✓				✓									
5	Mr D	✓													
6	Ms G	✓	✓								✓				
7	Ms L	✓								✓				✓	
8	Mr R.E.	✓	✓								✓				
9	Mr Ma	✓	✓								✓				
10	Mr Ra	✓	✓								✓				
11	Mr E	✓	✓								✓				
12	Mr W	✓	✓				✓				✓				
13	Ms K & M	✓								✓		✓			
14	Ms M	✓				✓					✓				
15	Mr K	✓		✓					✓		✓				
16	Ms B	✓	✓			✓		✓		✓			✓		
17	Mr M. R	✓	✓			✓					✓				
18	Ms. B	✓			✓	✓	✓	✓			✓				
19	Ms. C	✓			✓	✓	✓	✓		✓					✓
Totals		18	9	1	3	8	3	2	1	4	12	2	3	2	1

Supportive correspondence received directly from the two trials (Burrows and Hatherley)

- 5 unprompted emails sent by members of the public to Property Services or Parks to flag how much the provisions have meant
- 26 hand written notes, scanned in and passed on to the Council. Notes the vendor had received in support at Burrows Field
- 3 direct approaches by local stakeholders (outside of the S123 Notice) in support of the kiosks at Burrows and at Hatherley

Over 1,000 emails generated by the Hatherley vendor, assuming in support. Emails have been sent directly to our legal representatives.

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CHEL TENHAM

BOROUGH COUNCIL

Vendor opportunities
On
Hartley Lane (LK Hill), Beeches Playing Field,
Burrows Playing Field and Hatherley Park

The four maps illustrate the locations of vendor opportunities. The top-left map shows the Leckhampton Hill area, highlighting Hartley Lane with a red 'X'. The top-right map shows the Beeches Playing Field area, with a red 'X' near the pavilion. The bottom-left map shows the Burrows Playing Field area, with a red 'X' near the pavilion. The bottom-right map shows the Hatherley Park area, with a red 'X' in the park grounds.

Pictures above show the location of the opportunities.

1.0 Background

The purpose of these opportunities is to explore the commercial viability of using our parks and popular locations to provide a provision that the communities say that they support and they want, as COVID pushes more people into our external recreational locations. This provision is also supporting our local vendors who have also been adversely affected by COVID by the loss of bookings through the cancellations of festivals, weddings and other events.

However, this is not an easy thing to achieve and there are a number of hurdles that have to be overcome in order to be able to provide more permanence.

Hurdles to a longer let (rather than a trial):

- We have to 'test the market' and ensure the opportunity is viable and sustainable in a given location.
- Adverse effects on local markets and businesses (we want to support the local economy, not compete with it)
- Restricts alternative opportunities if let on a longer basis, it has to be considered against emerging projects and adjustments made. This is particularly relevant at Burrows.
- Public Open Space is protected in law (S123). There is a set statutory process to follow for a longer letting. In order to commit the time and resource a trial is necessary to assess if it is viable.
- Restrictions on title. This could be a covenant restricting or preventing as a specific use. Some of our fields from part of 'Fields in Trust' and permission is required to proceed on a longer basis, this takes time and there is a cost associated with this. FiT can reject applications.
- Additional strain on current services, such as damage to playing field surfaces, additional rubbish generation, or lack of car parking resulting in local disruption for residents.
- No WC facilities, running water or electrical connections and how to overcome these.
- Ensure stakeholder buy in and support. Working with the stakeholders and the communities to ensure success and address concerns. This is part of a consultation process.
- For a longer term the opportunity we will also require Cabinet approval.

This is why the trials are so important, as they will help us overcome the hurdles and support a possible longer term future.

These four locations have been identified as the most viable opportunities currently.

1. Hartley Lane car park, Leckhampton Hill
2. Beeches Playing Field, Charlton Kings
3. Burrows Playing Field, Leckhampton
4. Hatherley Park, Hatherley (longer term opportunity post a successful trial)

2.0 Terms to be offered

No.	Name	Status	Length of term	Agreement type	Rent/ fee
1	*Lk Hill (Hartley Lane)	Trial	9 months	Licence	£
2	Beeches	Trial	9 months	TaW	£
3	Burrows	Trial	9 months	TaW	£
4	Hatherley Park	Tenancy	3 years (annual break clause)	Lease	£

TaW = Tenancy at Will

pcm = per calendar month

*Lk = Leckhampton abv.

All agreements to commence 1st March 2021, subject to a satisfactory conclusion to the work that is currently being undertaken to secure these opportunities. The 9 month opportunities will end on 1st December 2021 (subject to no issues during the trial periods).

2.1 Opportunity details

- **Leckhampton Hill**
This will be offered on a Licence Agreement via Cheltenham Borough Council are landowner. A Licence is a form of permission to use the Councils land. The vendor must remove their vehicle every evening and re-position it every morning. The location will be set. Due to our experience this area can be targeted by thieves and it is unwise to leave anything unattended overnight.

The footfall is unknown but considered high enough to warrant a trial. There are no WC's, electricity or running water. These all have to be considered by the vendor and further discussions may be needed as to what can and can't be done.

This offering is located in Tewkesbury Borough Council and matters such as planning and street licencing is outside of our jurisdiction. Cheltenham Borough Council are the land owners. All the unknowns and potential hurdles are reflected in the fee payable per calendar month.

- **Beeches Playing Field**
This will be offered on a Tenancy at Will (TaW). The vehicle can be left in position for the duration of the TAW and the vendor must take the necessary precautions to protect their property. The exact location is likely to be North of the pavilion in Beeches playing field. This can be discussed further with the selected applicant.

Footfall is regarded as being potentially high with the fields being very popular with the skate park, playground close by, football and associated sports, and popularly used for fitness and general recreation, such as dog walking. Balcarras and the Junior school are very close by and the pavilion will be situated on a well-used pedestrian route. The high footfall at this location should be reflected in any rent offered.

It is possible to connect an electricity supply to a vendor's vehicle, and the vendor will have use of the pavilion for water and their own WC usage. The electrical supply will come at an extra cost and the use of a generator is unlikely to be supported.

This will be a trial only at this juncture as it is uncertain if this opportunity would negatively affect the current local economy. The Council will seek to end this opportunity (possibly earlier than the end of the term) should it result adversely on local businesses and it will not be offered again until this can be resolved. However, the Parish Council feels that the location proposed is removed enough from local businesses not to adversely impact them.

- Burrows Playing field

As above with the exception that this is a 9 month period due to further works being planned on Burrows playing field to improve the playing surface. This could start in 2021 and it is possible that it could have an effect on trading. The works are subject to obtaining funding and the vendor will be kept informed, as soon as any works are scheduled to start and the proposed timetable.

There is a current trial occurring on Burrows and business has been good. In terms of this particular opportunity, the lack of WC's facilities for the general public has definitely been an issue and this is something that needs to be considered and addressed by any interested party. There is also a lease being proposed to a local football club for the Pavilion. If this lease is successful then use of the changing rooms for the vendors personal WC's requirements and water provision will need consideration.

- Hatherley Park

A trial has been successful and this trial is coming to an end. We are very pleased to be moving to the next phase and now the offer will have a bit more security in terms of longevity.

We still have lots of hurdles to overcome to move to the next phase but, we are working hard in the background to overcome these. Should you be interested in what we are doing please contact us directly. This opportunity is subject to Cabinet approval.

In terms of this particular opportunity, the lack of WC facilities has definitely been an issue and this is something that needs to be considered by any interested party. Electricity supply is being reviewed and a supply will hopefully be in place from the pavilion and will be charged as an extra cost.

3.0 What we have learnt from our current trials :

3.1 Type of vendor

Market research suggests the optimum opportunity will be for; selling teas and coffee, quiche, sausage rolls, bacon sandwiches, sandwiches, rolls, salads, cakes etc... focusing on mainly cold foods and snacks but the provision of some hot foods maybe an option. We wish the applicant to consider the location that they are considering and remain sympathetic to the setting, no alcohol.

3.2 Trading hours

We are happy to discuss these with you, but ideally we do not want to encourage late night gatherings. We would not want you to trade after 8pm. No parties to be arranged by our vendors in our parks!

3.3 Vendor size

3m x 6m, however this is open to discussion. It is important that it has the right aesthetic in terms of size and design, with nothing offensive printed on the vehicle (or trailer). We would like you to submit a photograph of the vehicle/ trailer you have in mind for the site, for our consideration.

3.4 The 4 opportunities

You are able to submit a proposal for all four opportunities. If you are able to take up more than one of the four opportunities please be clear from the outset. Please rank your preferences: 1. Being your most preferred option. Please state why this is your preferred option e.g. you live nearby, you have connections with other local businesses and you will sell their cakes etc... Ranking one option as your preferred option will not guarantee that you are the successful candidate for that option. If you are unsuccessful this time, it does not mean that you will not be considered again.

3.5 Consents required (if you are successful in securing this opportunity)

- **Tenancy at Will (TAW), Lease or Licence subject to contract** – legal contract with the Council as its capacity as Landowner. Please seek your own professional advice as this is a legal document.
- We will need to agree Heads of Terms for the legal contract, please propose terms as part of your submission.
 - 3.5..1 **RAMS** – Risk Assessment Method Statement including a risk assessment for the management of COVID.
 - 3.5..2 **Public Liability insurance** for a minimum of £5million
- **Street Trading Consent** is required - https://www.cheltenham.gov.uk/info/41/licences_-_streets/109/street_trading/2 . This is for the vendor to make their own enquiries, complete any paperwork necessary and to cover all fees and charges due. This is a statutory requirement. Please note that the Lk Hill opportunity is based in Tewkesbury Borough Council and you will need to enquire direct with them.

- **Planning consent** – the Council will seek the necessary consents for the **temporary opportunities** and will look to optimise any relaxations due to COVID. However, these may be time limited and once you have secured an opportunity you will need to apply for a full planning application for the duration of the intended occupation.

For clarity, the Council will seek a temporary consent to allow you to move onto a pitch in which you have been successful in securing, but you immediately need to make a formal planning application to remain for the duration of the term. You risk being asked to leave, if you have not secured a sufficient planning permission.

The planners will need to know the dimensions of the van, trailer or whatever vehicle will be used as well as photographs of the design. We also need to know if you would like to have an outside seating area and therefore whether you would like to provide a marquee or some sort of undercover arrangement (we need to know numbers, for example number of outside covers, and dimensions if a marquee is proposed). Any changes (no matter how temp.) to the outside areas will need to go through planning, this could also include signage. We expect all these elements to be covered in your submission.

- **Building Regulations** – it is unlikely that Building Regulations would apply and your unit will qualify as an exemption, but please evidence that you have checked and that you can satisfy yourself that they are not required.

3.6 Potential areas for use by a vendor and potential layout plan (the eventual layout plan needs to be agreed by all parties and will form part of the TAW, Lease or Licence). Please contact us to discuss our thoughts.

Please consider your visibility to passing trade, **protecting the grass** if you are on an unsurfaced area and the aesthetics of the area you will locate to. You will need to consider how you will limit any potential impact on current Council services such as waste collection or grass cutting difficulties.

Areas for use:

- **Vendor** – for positioning of a temporary vending vehicle or trailer. The Council will not request that the vehicle is moved daily (apart from at Lk Hill). Please make this clear in your application as to your preference.
- **Outdoor seating area** – do not disadvantage yourselves by considering areas that could be used for car parking, or restrict the use of the field. Please ensure that you show that you understand the area that you are interested in and are sympathetic to its limitations and sensitivities. Any furniture, marquees etc is for the vendor to supply. How you intend to use and position everything should be covered in your RAMS.
- **Matting or surfacing** - for the protection of the grassed area (if applicable) and to stop the area becoming overly muddy or worn because of the Kiosk and its use.

- **Weeds and aesthetics** – please keep weeds at bay as they can quickly spread and keep the kiosk and surrounds well maintained and pleasing aesthetically. Please refer to this in your submission.
- **Weather conditions** – wind and rain can make trading uncomfortable, for the traders and for the customers, consider driving rain and penetrating winds when having discussions about positioning.
- **WC's** – The main feedback has been that the presence of WC's would encourage customers to buy more drinks. The Council cannot facilitate these, so the vendors should consider how they could facilitate these if they feel it is a necessity to increase revenue.
- **Car parking** – Car Parking needs may require further discussion, to agree the optimum solution.

3.7 Costs and charges

- Please note that you are required to make your own enquiries into licencing consents, planning and building regulations, services (electricity, gas and water as applicable) and all fees and charges for this are for the vendor to cover.
- The rent or fee payable for the opportunity

4.0 If you are interested?

4.1 We would like you to bid. What rent you would pay for any of the given opportunities and what you can bring to the table and to be guided on the information contained within this document. This is known as an 'informal tender process'. Elements have been flagged throughout the document and these are fundamental to supporting any submission. You can submit your proposal by email or in a more formal document attached to an email. abigail.marshall@cheltenham.gov.uk. Please request acknowledgment of your submission.

4.2 Other elements that are important to the Council (but are desirable rather than crucial), that will help inform our decision are:

- **Business proximity** - are you based or do you live in Cheltenham? We prefer to support our local economy.
- **Green credentials** – carbon footprint, recycling, green incentives, etc. what do you have in place? Tell us how you work?
- **Local economy/ local suppliers** – will you work with other businesses and use your network to broaden out what you can offer (for example, all sandwiches are made by a local firm, individual etc.)
- **Rubbish and waste mitigation**, including waste removal
- **Qualifications, certificates, experience**, tell us what you have or what you are striving for.
- **Customer reviews** – what do people say about you. Do you have a web presence that we could look at and see.
- **Ideas**; we would love to see what is possible and there may be things we have not considered. We would love to hear your ideas.

The opportunity is 'subject to contract', the contract is the Tenancy at Will, Lease or Licence. If you are interested please submit a proposal for the Councils consideration by: **date**

5.0 Important notes

The Council are looking for the 'best fit' and will consider all the information submitted by an applicant. We will not be able to release information of a sensitive nature to other applicants who were not successful, especially if it is commercially sensitive or personal information. We reserve the right not to opt for the highest bidder, please be realistic as to what you can afford.

Any information submitted will be held for the purposes of selecting a vendor/s that we wish to work with in relation to the opportunities on offer and outlined in this document. Information will be retained if you are successful and destroyed within a two week period if you are not successful for GDPR reasons.

Should you wish to be considered for future opportunities please let us know and we will continue to hold basic contact information for you. You may be required to submit similar information again for future opportunities, so please hold on to information for your own records, do not assume the Council already have it. Your information may be shared with internal Council teams and partner organisations for the purposes of furthering this opportunity in isolation. It will not be used for marketing purposes.

The applications will be considered by the Green Spaces (Parks and Gardens) Team and the Property Team, and they will make recommendations to Cabinet. The final decision is subject to Cabinet Approval. The final Decision will be published on the Councils website.

You are able to contact the Estates Surveyor to discuss this opportunity further and request to meet on site; the best time to raise concerns or questions is PRIOR to the submission date. Things you flag or highlight may be shared with other interested parties, as we want everyone to have the same opportunity. Please ask if you require any further information.

6.0 Contact information:

Abigail Marshall – Estates Surveyor

Tel: 01242 264240 (only active whilst at work) please do not leave automated voice mails, these are not guaranteed to reach me.

Email: Abigail.marshall@cheltenham.gov.uk (best form of contact)

Appendix One

**Summary of what to include in in your
'Informal Tender'**

Please do not use this in isolation of the wider document and information available to you, this is meant as a guide only.

Item	Overview	Document reference
Location	Which one/s are of interest. Please rank.	Paragraph 2, pages 3 -4
Rent/ Licence fee	How much are you willing to pay to secure the opportunity? Please quote per calendar month. We will expect you to make payments in advance, not in arrears.	Table paragraph 2, p 3
Agreement type	Ensure you understand the type of agreement on offer and for which opportunity. All are 'subject to contract'.	Paragraph 2, pages 3 -4
Vendor	Who are you and what can you bring to the opportunity	Paragraph 3.1, page 4
Hours and days	When do you propose to trade, what would you like you core trading days and hours to be?	Paragraph 3.2, page 5
Size of unit	How big is your kiosk and what does it look like?	Paragraph 3.3, page 5
RAMS + Insurance	Risk Assessment Method Statement and Insurance details need to be submitted with your proposal	Paragraph 3.5, page 5
Planning	Please demonstrate that you understand what is required in terms of planning when you submit your proposal. You do not have to secure planning for the proposal stage.	Paragraph 3.5, page 5
Building Regulations	Demonstrate your understanding and indicate if you feel that you are / or are not exempt. You do not have to secure building regs. for your proposal.	Paragraph 3.5, page 6
You, the location, the community and the environment	Who are you, how do you operate and how can you demonstrate that you understand the location, the community and the environment.	Paragraph 3.6, page 6
Costs and charges	Demonstrate that you understand all the costs and charges that might be associated with this opportunity, this should also help inform the informal tender and amount of rent offered.	Paragraph 3.7, page 6
Desirable criteria (not crucial)	Further information that you can provide about yourselves that will help inform the decision making process.	Paragraph 4.2, page 7
Important note	Please read to better understand our decision making process.	Paragraph 5, pages 7 -8
Contact information for the Council	Please get in touch if you have any further questions.	Paragraph 6, page 8

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