



CHEL TENHAM
BOROUGH COUNCIL

**Notice of a meeting of
Cabinet**

**Tuesday, 13 September 2022
6.00 pm
Council Chamber - Municipal Offices**

Membership	
Councillors:	Rowena Hay, Peter Jeffries, Victoria Atherstone, Flo Clucas, Mike Collins, Iain Dobie, Martin Horwood, Alisha Lewis and Max Wilkinson

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Agenda

SECTION 1 : PROCEDURAL MATTERS			
1.		APOLOGIES	
2.		DECLARATIONS OF INTEREST	
3.		MINUTES OF THE LAST MEETING Minutes of the meeting held on 12 July 2022	(Pages 3 - 14)
4.		PUBLIC AND MEMBER QUESTIONS AND PETITIONS These must be received no later than 12 noon on Tuesday 6 September 2022	
SECTION 2 :THE COUNCIL <i>There are no matters referred to the Cabinet by the Council</i>			

		<i>on this occasion</i>	
		SECTION 3 : OVERVIEW AND SCRUTINY COMMITTEE <i>There are no matters referred to the Cabinet by the Overview and Scrutiny Committee on this occasion</i>	
		SECTION 4 : OTHER COMMITTEES <i>There are no matters referred to the Cabinet by other Committees on this occasion</i>	
		SECTION 5 : REPORTS FROM CABINET MEMBERS AND/OR OFFICERS	
5.		HEATING AND ENERGY POLICY Report of the Cabinet Member Climate Emergency	(Pages 15 - 36)
6.		LICENSED VEHICLE EMISSION AND WHEELCHAIR ACCESSIBILITY POLICY Report of the Cabinet Member Customer and Regulatory Services	(Pages 37 - 70)
7.		BUDGET MONITORING REPORT 2022/23 - POSITION AS AT 31 JULY 2022 Report of the Cabinet Member Finance and Assets	(Pages 71 - 88)
8.		FOOD SAFETY SERVICE PLAN Report of the Cabinet Member Customer and Regulatory Services	(Pages 89 - 112)
9.		AWARD OF RENT SUPPORT GRANT TO THE PLAYHOUSE CHELTENHAM Report of the Cabinet Member Finance and Assets	(Pages 113 - 126)
		SECTION 6 : BRIEFING SESSION <ul style="list-style-type: none"> • Leader and Cabinet Members 	
10.		BRIEFING FROM CABINET MEMBERS	
		SECTION 7 : DECISIONS OF CABINET MEMBERS Member decisions taken since the last Cabinet meeting	
		SECTION 8 : ANY OTHER ITEM(S) THAT THE LEADER DETERMINES TO BE URGENT AND REQUIRES A DECISION	
		Section 10: BRIEFING NOTES Briefing notes are circulated for information with the Cabinet papers but are not on the agenda <ul style="list-style-type: none"> • Health & Safety Service annual service plan update 	

Contact Officer: Harry Mayo, Democracy Officer, 01242 264211
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Cabinet

**Tuesday, 12th July, 2022
6.00 - 6.55 pm**

Attendees

Councillors: Rowena Hay (Leader of the Council), Peter Jeffries (Deputy Leader and Cabinet Member Finance & Assets), Victoria Atherstone (Cabinet Member Housing), Flo Clucas (Cabinet Member Safety & Communities), Mike Collins (Cabinet Member Cyber, Regeneration and Commercial Income), Martin Horwood (Cabinet Member Customer & Regulatory Services), Alisha Lewis (Cabinet Member Climate Emergency) and Max Wilkinson (Cabinet Member Economic Development, Culture, Tourism and Wellbeing)

Also in attendance: Howard Norris, Paul Jones, Harry Mayo, Bev Thomas, Gemma Bell, Tracey Birkinshaw, Steve Slater, Martin Stacy and Councillor Diggory Seacome

Minutes

- 1. APOLOGIES**
Apologies were received from Cllr. Dobie.

- 2. DECLARATIONS OF INTEREST**
There were none.

- 3. MINUTES OF THE LAST MEETING**
The minutes of the 5th April meeting were approved as a correct record.

- 4. PUBLIC AND MEMBER QUESTIONS AND PETITIONS**
Member Questions

1.	Question from Councillor Tabi Joy to Cabinet Member Customer & Regulatory Services, Councillor Martin Horwood
	<p>The council (and the public) should be aware that Cheltenham's Air Quality Action Plan expired in 2019. Questions chasing the preparation of the new AQAP have been asked at the January 2020 Cabinet; the February 2021 Council; the April 2021 Cabinet; and most recently at Cabinet in February 2022.</p> <p>At the Cabinet meeting on 15 February 2022, Cllr Max Wilkinson said that the long-delayed new Air Quality Action Plan would be published before the end of March 2022.</p> <p>I can't see any reference to it on the council website: <u><i>When will the AQAP</i></u></p>

	<u>be published?</u>
	Response from Cabinet Member
	<p>I thank Cllr Joy for her question as she highlights the issue of air quality in Cheltenham, which is a priority for me as it was for the previous cabinet portfolio holder, Cllr Wilkinson.</p> <p>In 2020 the council had examined data from 21 sites across Cheltenham, consulted with Defra and agreed to change the statutory Air Quality Management Area (AQMA) to rightly focus on the relatively small area where the Air Quality Objective of 40µg/m³ for NO₂ was being exceeded. Therefore, the earlier Cheltenham Air Quality Action Plan was made obsolete by changes to the Air Quality Management Area. This follows common practice by other boroughs such as Sutton and Brighton. However, it did then require a new statutory Air Quality Action Plan focussed on that most polluted area in the vicinity of Swindon Road, Poole Way and the Lower High Street but at a time when all staff were under pressure during the pandemic.</p> <p>Clean Air Cheltenham have nevertheless lobbied for a town wide plan and we agree with them. Air quality affects us all and WHO have recently recommended much lower threshold levels not only for nitrous oxides but for particulate matter as well.</p> <p>So we are maintaining air quality monitoring beyond the statutory AQMA and Cllr Wilkinson told Clean Air Cheltenham in June last year that we would go beyond the statutory minimum, produce a town wide plan, engage with the county council highways authority to tackle the major cause of air pollution which is traffic, and also with other partners like the NHS and local business. But, he rightly pointed out that this path “would take a little longer” and this has indeed proved to be the case.</p> <p>Cllr Wilkinson did say in February 2022, that he anticipated both the statutory AQMA action plan and the wider strategy would be published together and that this might happen in March but this has not proved possible. A lot of work has been done for us by consultants but given portfolio changes at both officer and cabinet level, new WHO guidelines and possible changes in levels of pollution as we recover from the pandemic, I would now like to take the time to review this area and make sure that the town-wide plan is right rather than produce an earlier but more limited document. I’m sure I will have all colleagues’ support in doing it right rather than too quickly.</p> <p>But in the meantime, Cllr Joy can be reassured that we continue to monitor air pollution levels across Cheltenham which are overwhelmingly within the Air Quality Objective level, that we continue to engage with Gloucestershire County Council to pursue strategies such as the cleaner transport plans set out in the Connecting Cheltenham report and that we will do everything in our power and resources to make the air that we all breathe cleaner and safer.</p>
	Supplementary question
	Today I had a query from a constituent living in a council-run flat on

	<p>Swindon Road, relating to my question on air quality management. Over the last few years (excluding the expected decrease in 2021), the air pollution level has been only half a percentage point underneath the legally enforceable threshold of 40. There is a serious issue with air quality on Swindon Road and in other monitored areas, and is particularly bad this hot weather. Has the council received permission or approval from DEFRA for the extended delay referred to in the Cabinet Member's answer, beyond the legal requirement for a new AQAP to be in place within 12 months of the previous one expiring?</p>
Response from Cabinet Member	
	<p>Thank you for your supplementary question on an issue we are all concerned about. It is not quite correct to say that the previous AQAP expired – in effect, it became out of date at our own request, following the example of councils like Brighton and Sutton, in consultation with DEFRA, designating a smaller AQMA focusing on the worst affected part of the town. This had the effect of making the previous plan obsolete. They could have just produced a plan for that one area, but Clean Air Cheltenham (along with Cllr. Wilkinson and I) were keen on developing a town-wide plan. This will be delivered, though it is taking some time to cross the Ts and dot the Is.</p> <p>In response to your specific query about DEFRA, I don't have the answer to hand but will seek a proper technical response from officers. They have been consulting with DEFRA, and it's partly at DEFRA's suggestion that we've taken this approach. We must be alert to air quality and work with all stakeholders. It is clear that key element is traffic (i.e. a county council responsibility) so their cooperation is essential. It is important to take time and get this right rather than rushing it.</p>

5. FINANCIAL OUTTURN 2021/22

The Cabinet Member Finance and Assets introduced the report, which covered the financial outturn from the budget approved in February 2021, and would go on to Council on 18th July. The outturn position as of 31st March 2022 reported an underspend of £229,116 against the revised budget. He acknowledged the current cost of living emergency, which paragraphs 2.5 and 2.6 made reference to. £60k of the underspend had been set aside to support Cheltenham's Food Network, with the remainder moved to general balances. During increasingly unpredictable economic and political times, they needed to focus on staff delivering core services and the four key priorities of Cyber Central, their £180m housing investment program, Net Zero Cheltenham and No Child Left Behind.

The Cabinet Member Safety and Communities highlighted the positive impact of the council's investment program, in particular the delivery of 2,000 food parcels to vulnerable families. In addition to this, she had recently spoken to a young person who wanted to get involved in finance but did not have access to the pathway to do so. She was delighted that the Executive Director Finance, Assets and Regeneration had invited them to do work experience, an invaluable opportunity that may well lead to a career in finance in the future.

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

RESOLVED THAT:

Council be recommended to:

1. Receive the financial outturn performance position for the General Fund, summarised at Appendix 2, and note that in delivering services in 2021/22, there was an underspend of £229,116 against the budget approved by Council on 21 February 2021;
2. Note £656,218 of carry forward approved by the Section 151 Officer under delegated powers at Appendix 5 and approves £48,500 of carry forward which require Member approval;
3. Approve the proposal for the use of the underspend after the carry forward requests outlined in Section 3 of this report and delegate authority to the Executive Director of Finance and Assets in consultation with the Lead Member for Finance and Assets to ensure the underspend is used in line with this proposal in Section 2.8;
4. Note the annual treasury management report at Appendix 7 and note the actual 2021/22 prudential and treasury indicators;
5. Note the capital programme outturn position as detailed in Section 6 and Appendix 8, approve the carry forward of unspent budgets into 2022/23 and the inclusion of two new projects in the 2022/23 capital programme with a funding commitment of £50k;
6. Note the year end position in respect of Section 106 and CIL agreements and partnership funding agreements at Appendix 9;
7. Note the outturn position in respect of collection rates for council tax and non-domestic rates for 2021/22 in Appendix 10;
8. Receive the financial outturn performance position for the Housing Revenue Account for 2021/22 in Appendix 11 and approve the carry forward of capital budgets in 2022/23 as set out in Appendix 12.

6. HOUSING, HOMELESSNESS & ROUGH SLEEPING STRATEGY 2018-23 - ACTION PLAN UPDATE 2022

The Cabinet Member Housing introduced the report, thanking officers for their hard work in putting it together. The strategy set out their vision and priorities in order to achieve four key outcomes, namely increasing the provision of affordable housing; making best use of existing housing and improving our neighbourhoods, tackling homelessness and rough sleeping; and improving the health and wellbeing of our communities. The strategy was originally approved by Cabinet in July 2018, and was a living document that was updated annually to reflect changing challenges and opportunities. This report sought to review the most notable achievements and look forward to the future.

71 new affordable homes had been provided during 2021/22, 69% of which were delivered over and above what would have been delivered through market forces alone. They were continuing to identify new sites for more CBC-owned affordable housing and had a strong pipeline of 366 affordable homes. That figure would continue to improve, and she was confident they would reach their pipeline target of 500 affordable homes by the end of the year. They were expecting to allocate approximately £17m from the Housing Revenue Account on new affordable homes for the period 2022/23, and were projecting further investment of c.£50m over the following 2 years to March 2025. This was in addition to the Golden Valley Development in West Cheltenham, which would see the provision of over 3,000 new homes, 35% of which would be affordable.

This increase in the delivery of affordable housing in Cheltenham was part of a wider £180m housing investment plan. As part of this plan, CBH had acquired, refurbished and let 13 high quality homes in the private rented sector at St George's Place in the town centre. They were also investing in new net zero carbon homes, with planning permission now granted at 320 Swindon Road for 24 highly energy efficient new homes.

In addition to this, they had improved the safety of more than 847 households in the private sector in Cheltenham, while three long term empty homes had also been brought back into use. Due to recent organisational improvements, the council was in a better position to explore options for the use of Compulsory Purchase Orders, with the aim of bringing the most difficult properties back into use. Through the Warm & Well scheme, which provides free, impartial home energy efficiency advice to fight fuel poverty, they had undertaken 88 energy efficiency measures across 70 properties in Cheltenham, leading to estimated lifetime savings of 1,871 tonnes of carbon, and reductions in energy bills.

Despite the significant impact of the pandemic on the sector, CBH had also ensured that their replacement doors and window programme would be completed by March 2023. Improvement so far had contributed to a further uplift in the SAP rating of their homes to 73.02, compared with 72.02 in 2019, and exceeding the average SAP rating of 69 for local authority housing stock. CBC (via CBH) also secured approximately £780k grant following a successful bid earlier this year to Wave 1 of the government's Social Housing Decarbonisation Fund Demonstrator Project, and helped 26 households to downsize from family-sized CBC accommodation via Cheltenham's Help to Move Scheme. In total, 30 unused bedrooms had been freed up for larger families under this initiative.

She continued by highlighting the topics of homelessness and of rough sleeping. Cheltenham was proud to be a town of sanctuary, and continued to resource all that was necessary to help displaced families from Afghanistan and the Ukraine to feel welcomed and settled in their new homes and communities. The measures required to end rough sleeping were complex, and required significant collaboration with partners across the county. Over the past 12 months, they had reviewed and strengthened their partnership arrangements, with Cheltenham's Housing Strategy & Partnership Manager now leading the county-wide Programme Management Partnership, involving District Authorities, the County Council, the Police and Crime Commissioner and Health. This partnership was responsible for the commissioning, monitoring and review of all jointly-commissioned rough sleeping services.

This year, the government had announced there would be a three year funding bid opportunity to support the delivery of rough sleeping services from July 2022. Districts from across the county had submitted a joint bid for approximately £2.9m. If successful, this funding would enable key services for rough sleepers to be commissioned across the county through to March 2025, providing much-needed certainty for commissioners and providers alike. In 2021/22 there were 216 households whose homelessness was either prevented or relieved, compared with 145 households during 2017/1, prior to the implementation of the Homelessness Reduction Act and CBC's Housing, Homelessness & Rough Sleeping Strategy. Cheltenham's Housing Options Service was one of the few homelessness services that also included a much-valued Benefits and Money Adviser. During the last 12 months alone, CBC's

adviser had generated an additional £1.4m for low-income households in Cheltenham. This year, they had also recommissioned the Advice and Inclusion Service, which began providing debt, benefits, financial inclusion and housing rights advice to Cheltenham residents on behalf of CBC from April 2022.

Finally, she highlighted the actions taken to improve the health and wellbeing of communities, including tackling antisocial behaviour (ASB). CBC had successfully resolved all 68 cases of ASB during 2021/22, while CBH's Employment Initiatives Service had enabled 127 people to access training locally and helped a further 93 people into work. A new Home-Sharing Scheme bringing together older people with spare rooms and people in need of affordable accommodation was being supported with their Health and Social Care partners. They were also continuing to invest in Cheltenham's park homes and had insulated a further 24 park homes this year. CBC's Lifeline Alarm service had carried out 173 new installations over the last 12 months, taking the total number of customers to 1,036 across Cheltenham. 64 Disabled Facilities Grants had supported major adaptations to people's homes, plus a further 10 discretionary grants which had enabled disabled or frail people to remain in their homes. Appendix 2 of the report provided a detailed breakdown of the range of activities that would be undertaken during 2022/23 and beyond in order to support the strategy.

The Cabinet Member Finance and Assets was impressed by the huge volume of activity taking place behind the scenes to tackle housing and homelessness issues. The report demonstrated the value of partnership working, and the need for it to continue. He placed on record his thanks to all the partners and organisations involved.

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

RESOLVED THAT:

1. The Housing, Homelessness & Rough Sleeping Strategy Action Plan Update for 2022 be approved.

7. STRONGER WORKING PARTNERSHIP PROGRAMME - PROGRESS REPORT

The Cabinet Member Housing introduced the report, highlighting the progress made within the council's partnership with CBH. The council and CBH had enjoyed a long and successful partnership, with tenant and customer satisfaction remaining high across their stock of 4,000 homes across Cheltenham. It was critical that the partnership continued to evolve and thrive, ensuring they were in the strongest possible position to support tenants, customers and the wider community. By working closely together, their collective capacity and ability to deliver for Cheltenham's communities could be enhanced, in addition to driving efficiencies and improving value for money. Following an independent review by Campbell Tickell, a Cabinet report was agreed in January 2021 developing a program of work setting out opportunities, outcomes, savings and efficiencies. This report, following in the same vein as the last one to Cabinet in November 2021, sought to update Members on the partnership's progress.

The Cabinet Member Cyber, Regeneration and Commercial Income thanked her for bring the report to Cabinet. He was familiar with the topic from his time in the Housing portfolio, and reiterated the value of partnership. It was important to keep in mind that the most important people were tenants and residents.

The Leader added that this was a positive update on where they were on their journey. It was essential to continually improve the service they offered and deliver the highest possible level of customer satisfaction.

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

RESOLVED THAT:

1. The positive progress on outcomes made on the recommendations from the Strategic Housing Review Cabinet Report January 2021 be noted;
2. To drive ongoing continuous improvement and to capitalise on further opportunities to strengthen the successful CBC/CBH partnership in the short, medium and long term:
 - a. the Strengthened Partnership Programme, including existing and future actions and projects be embedded within business planning and priority setting between CBC/CBH as set out in section 6;
 - b. A shared project be undertaken by CBC and CBH to drive continuous improvement in organisational culture to further embed and foster the ethos of partnership working and encourage shared values and behaviours that will deliver future positive change and success that will improve services and value for money for residents, tenants and customers.

8. CHELTENHAM CHRISTMAS ICE RINK

The Cabinet Member Economic Development, Culture, Tourism and Wellbeing introduced the report, describing the 2021 ice rink as a key success as they recovered from the pandemic and lockdowns. This report sought to build on that success and deliver an even better ice rink in 2022. He noted that last year's rink had seen a total of 43,000 visitors, an average of nearly 1,000 a day. Their statistics showed that the majority of visitors were local residents, with more than £14m spent in the local economy during that time, alongside the Christmas market. More than 500 vulnerable families received free or discounted tickets as part of No Child Left Behind. In addition to all this, the scheme had covered its costs, delivering a small surplus of around £5,000.

However, there were some responses which had given people pause for thought. Cllr. Seacome was present at the meeting on behalf of some of the residents who complained, and the Cabinet Member assured him that their concerns had been taken into account. This time around, there would be no diesel generator, and they were seeking a cleaner alternative power supply in keeping with the council's climate change goals. In summary, the report demonstrated their commitment to providing wholesome, fun activities at Christmas, as well as a commitment to reducing the impact of those activities.

The Cabinet Member Safety and Communities asked whether the same discounted and free tickets would be available as last year. The Cabinet Member Economic Development, Culture, Tourism and Wellbeing was sure that they would be. Last year's ice rink had delivered a small cash surplus, expected to be much higher this time, and he was confident this would be suitably reinvested.

The Cabinet Member Housing added that it was a shame many people had been unable to enjoy the rink last year due to fears around the Omicron variant, and she was pleased that visitors could attend with more confidence in their safety this year. It would be a huge economic boost to the town in tandem with

the Christmas market. The Cabinet Member Economic Development, Culture, Tourism and Wellbeing agreed that last year they had undertaken an ambitious project and the risk had paid off. This year, people could be much more confident about safety, and they could expect a higher turnout as a result.

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

RESOLVED THAT:

1. In advance of planning permission being considered by the Planning Committee on (anticipated 18 August 2022), and noting the costs and risks set out in this report, Cheltenham Borough Council agrees to lead the delivery of an Ice Rink in Cheltenham for the 2022 Christmas period;
2. A total potential financial commitment as set out in section 2.22 of this report alongside the income targets be approved;
3. It be noted that officers are progressing procurement, and that the authority to appoint a contractor to provide the Ice Rink be delegated to the Director of Communities and Economic Development, including agreeing the terms of the contract and entrance fees, in consultation with Director of Finance and Assets and the Cabinet Member for Economic Development, Culture, Tourism and Wellbeing.

9. LANSDOWN PLACE LANE CAR PARK

The Cabinet Member Finance and Assets introduced the report, reminding Members that Council and Cabinet had approved the updated Asset Management Strategy in February 2022. The strategy refreshed the council's approach to its assets, focusing on maximising benefits and looking closely at what they were generating or costing. The Lansdown Place Lane Car Park ran at a loss, with its income not sufficient to cover the business rates. It was therefore proposed that, subject to the proper consultation being undertaken, it be removed from the Car Parking Order.

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

RESOLVED THAT:

1.
 - a. The process of potential removal of the car park from the council's current Car Parking Order and, subject to the outcome of the proper consultation process, the car park's removal from the Car Parking Order be approved;
 - b. The declaration of the site as a Surplus asset be approved;
 - c. The disposal of the car park in return for a capital receipt be approved;
2. Authority be delegated to the Director of Finance & Assets, in consultation with the Cabinet Member for Finance & Assets, to market and dispose of the property for best consideration and upon such other terms as are deemed appropriate;
3. The Executive Director for Property, Finance & Assets be authorised,

in consultation with the Cabinet Member for Finance & Assets and the Borough Solicitor, to prepare and conclude the necessary legal documentation to reflect the terms negotiated.

10. CABINET APPOINTMENTS TO OUTSIDE BODIES

The Leader introduced the report, noting that since its publication Cllr. Flynn had withdrawn her nomination to Friends of Leckhampton Hill. However, the outstanding issue of Hesters Way Partnership and Sandford Park Lido having more nominations than spaces would be determined by Council on 18th July. A fourth recommendation had been added explaining this.

The Cabinet Member Finance and Assets queried whether he needed to declare an interest as one of the Members nominated in the report. The Monitoring Officer confirmed that he did not.

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

RESOLVED THAT:

1. The nominations/appointments to the outside bodies as set out in Appendix 2A be made, in accordance with the following principles:
 - All nominations are made on the basis that the nominee/appointee is a representative of Cheltenham Borough Council insofar as that is compatible with any overriding legal duty to the outside body;
 - Cabinet/the Leader reserves the right at any time to withdraw/terminate a nomination/appointment which it has made;
2. The appointments to joint committees as set out in Appendix 2B be made;
3. The Cabinet Member responsibilities for the bodies/groups listed in Appendix 2C be noted;
4. The nominations/appointments to the West Cheltenham Partnership (formerly Hesters Way Partnership) and Sandford Park Lido be referred to full Council for determination as a consensus cannot be achieved between all the Political Groups of the Council, and, in those circumstances, the matter falls to be decided by the full Council under the terms of the Constitution.

11. BRIEFING FROM CABINET MEMBERS

The Cabinet Member Cyber, Regeneration and Commercial Income reported that on the 12th July, CBC had signed the contract with its development partner for the Golden Valley development. This was the biggest project the council had

ever undertaken, delivering 12,000 jobs and 3,700 houses alongside enormous benefits to the town, its economy and its young people.

The Leader added that there were now a total of 176 refugees from Afghanistan, Syria and Ukraine in the town. 117 sponsors' homes had been inspected out of 145 in total, and a further 214 guests were expected, along with 8 to 10 rematches. Cheltenham was living up to its reputation as a Town of Sanctuary, and she thanked officers for enabling this.

Decisions of Cabinet Members

The Cabinet Member Culture, Wellbeing and Business had taken a decision on 20th April to sign a contract with Watkins Isles Ltd for the maintenance of water features. It was noted that this decision was taken by the previous Cabinet Member for Culture, Wellbeing and Business, and before the portfolio title was changed to Economic Development, Culture, Tourism and Wellbeing.

The Cabinet Member Waste, Recycling and Street Services had taken a decision on 13th May to approve the award of a three year contract (with the option of a two year extension) to Yotta by Ubico Ltd, and to fund Ubico to facilitate implementation costs.

The Cabinet Member Finance and Assets had taken a decision on 13th May to dispose of the council's freehold interest in the Horse & Groom, 30 St. George's Place. He added that this was now completed.

The Leader had taken a decision on 18th May as the council's Ubico shareholder to approve their updated Business Plan.

The Cabinet Member Safety and Communities had taken a decision on 13th June to award a grant of £10k to the Cheltenham Alliance for Race Equity (CARE). She highlighted the excellent work done by this body and thanked Florence Nyasamo-Thomas in particular. CARE worked with numerous organisations across the town, including giving talks to schools, and it was all part of the essential work of achieving equity and equality in Cheltenham.

The Cabinet Member Finance and Assets had taken a decision on 22nd June to approve the Discretionary Council Tax Energy Rebate Scheme for the first phase of applications. He thanked the Revenues and Benefits team for working furiously behind the scenes to ensure funding was distributed promptly.

The Cabinet Member Customer and Regulatory Services had taken a decision on 24th June to approve consultation to see if there were local circumstances when CCTV in vehicles would have either a positive or adverse effect on the safety of taxi and private hire vehicle users. He added that this was part of their commitment to making Cheltenham safer, especially for women and girls, as it could help provide firmer evidence for potential victims. He stressed that at this point this was not a policy proposal, but rather the beginning of consultation into its possible impact.

Chair

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Cheltenham Borough Council Cabinet – 13th September 2022 Heating and Energy Policy

Accountable member	Cllr. Alisha Lewis, Cabinet Member Climate Emergency
Accountable officer	Gemma Bell, Director of Finance and Assets (Deputy S151 Officer) Mike Redman, Director of Climate Change and Place Services
Ward(s) affected	All
Key/Significant Decision	Yes
Executive summary	<p>The Heating and Energy Policy has been written as an addendum to our ‘Climate Emergency Action Plan’ to specifically expand on policies and practices in respect of Energy, which comprises a significant portion of our current carbon and financial footprints</p> <p>This policy sets out the key commitments which will be applied to all energy activity within the Council and Council-owned Properties. Our key objective to manage and reduce our energy usage within all Council buildings, particularly those that are part of our operational portfolio.</p> <p>Delivery of the objectives stated in this policy will be supported through the development and implementation of an energy action plan. This will include:</p> <ul style="list-style-type: none"> • Communications • Measuring and monitoring arrangements • Energy and emissions reporting • A sustainable procurement statement • Building refurbishment guidelines • Building energy performance review <p>There has never been a better time to review and reduce our energy consumption; the coming winter could well be the most expensive on record. By supporting staff to reduce consumption at work, we hope to introduce a wider culture of energy saving across the borough with benefits for financial, social and environmental well-being.</p>
Recommendations	<p>It is recommended that Cabinet:</p> <ol style="list-style-type: none"> 1. Recommend to Council the approval of the Heating and Energy Policy included in Appendix 4. 2. Delegate to the Director of Climate Change, in consultation with the Director of Finance and Assets (Deputy s151 Officer) responsibility for monitoring the implementation of the Policy.

<p>Financial implications</p>	<p>Rising energy costs and the uncertainty over the forecast cost of energy in 2022/23 mean the council are currently facing an unbudgeted pressure of almost £1m to operate the buildings in our portfolio. Work is ongoing to reduce our energy usage and make our buildings more energy efficient and this policy outlines the principles which will be underpin this work.</p> <p>For the most part this policy will mean a financial saving for the Council but may require some investment on “an invest to save” basis through the Climate Investment Fund. Funding bids will be supported by robust business cases which will be monitored as part of the monitoring arrangements for the strategy.</p> <p>Contact officer: Gemma Bell, Director of Finance and Assets, gemma.bell@cheltenham.gov.uk</p>
<p>Legal implications</p>	<p>This report is to provide an addendum: Heating and Energy Policy, to the existing Council’s Climate Emergency Action Plan: Pathway to Net Zero</p> <p>The overarching legislative context of the Council’s Climate Emergency Action Plan: Pathway to Net Zero, is the Climate Change Act 2008. This Act places a legal duty on central government to set legally binding targets to reduce UK greenhouse gas emissions to net-zero by 2050. The UK legal framework on climate change is also shaped by both case law and international agreements.</p> <p>Where specific projects or actions are required going forward to support the Climate Emergency Action Plan and ‘Cheltenham’s Green Deal’ (the Climate Change Investment Strategy) further legal advice and support should be sought.</p> <p>The Council must ensure that any decisions taken must be in accordance with the Council’s Constitution and Financial Rules, particularly in regard to decision making, implementation of strategy/action plans and any funding requirements</p> <p>Contact officer: One Legal, legalservices@onelegal.org.uk</p>
<p>HR implications (including learning and organisational development)</p>	<p>No material considerations.</p> <p>Contact officer: HumanResourcesCheltenham@publicagroup.uk</p>

<p>Key risks</p>	<p>If energy costs keep rising / fluctuating as per the current market then it impacts on our ability to accurately budget/forecast expenditure and may impact on our the investments we can make in projects / programmes whilst still being able to achieve our MTFS.</p>
<p>Corporate and community plan Implications</p>	<p>The proposed Heating and Energy Policy will support the council's stated ambitions to be net zero by 2030 through reducing energy usage and linked carbon emissions across our property portfolio.</p> <p>Contact officer: Richard Gibson, Head of Communities, Wellbeing and Partnerships, Richard.Gibson@cheltenham.gov.uk</p>
<p>Environmental and climate change implications</p>	<p>This policy is in line with our Climate Emergency Action Plan.</p> <p>Contact officer: Cllr. Alisha Lewis, Cabinet Member Climate Emergency, Cllr.Alisha.Lewis@cheltenham.gov.uk</p>
<p>Property/Asset Implications</p>	<p>All property and estates management decisions consider the impact on our energy usage. This policy will provide a framework for the council to hold third parties who use our buildings to account for their energy usage and support the corporate priority to become carbon net zero. The building management section of the policy is also aligned to the council's asset management strategy and will continue to ensure our portfolio continues to maximise the benefits our assets are generating for residents, tenants, staff and our communities.</p> <p>Contact officer: Gemma Bell, Director of Finance and Assets, gemma.bell@cheltenham.gov.uk</p>

1. Background

- 1.1** The current energy crisis is unprecedented. Last October, 4.5 million UK households were in fuel poverty. Now National Energy Action predicts this will rise to 8.4 million. The Council has been effected financially by the current cost rises and must therefore take urgent action to manage its energy usage. The current price increases are likely to continue for the foreseeable future unless there is a major change in the factors driving the market. There is no obvious evidence of such change on the horizon except the demand destruction that will inevitably follow. In line with other major organisations the Council must decrease its energy usage quickly in order to manage our expenditure this winter. This is also in alignment with the current ambition to be Net Zero by 2030.

2. Reasons for recommendations

- 2.1** These recommendations will measure, track and reduce our usage in a consistent way. This will offer both carbon and financial savings for the council.
- 2.2** It will upskill staff to manage their energy usage at home and work.

3. Alternative options considered

- 3.1** There are no other reasonable options which are aligned to the council's corporate priorities and with the current volatility of energy costs as a result of rising inflation and the current energy crisis.

4. How this initiative contributes to the corporate plan

- 4.1** The proposed Heating and Energy Policy will support the council's stated ambitions to be net zero by 2030 through reducing energy usage and linked carbon emissions across our property portfolio

5. Consultation and feedback

- 5.1** This report has been written in consultation with the Property team and the Climate Emergency Team. Discussions have been held with staff and the operators of our buildings about the best way to deal with the current crisis and it was felt that clear guidelines about responsibility are required. There is also a consistent requirement for clear information in regard to usage which this policy will provide.

6. Performance management –monitoring and review

- 6.1** Monthly review meetings will be held looking at each buildings usage with responsible operators
- 6.2** We are currently monitoring our energy results and trading position on Clearview, this will be expanded to track by each operational building

6.3 Energy budgets will be issued to building users and results will be published

6.4 Regular reforecasts will be produced monthly detailing our current financial position.

Report author	Alexandra Wells, Energy Officer, Alexandra.Wells@cheltenham.gov.uk
Appendices	<ol style="list-style-type: none">1. Risk Assessment2. Equality Impact Assessment3. Heating and Energy Policy
Background information	N/A

Appendix 1: Risk Assessment

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
347	If energy costs keep rising / fluctuating as per the current market then it impacts on our ability to accurately budget/forecast expenditure and may impact on our the investments we can make in projects / programmes whilst still being able to achieve our MTFS	Gemma Bell, Director of Finance and Assets	4	4	16	Reduce	This policy and the associated action plans.	Gemma Bell, Director of Finance and Assets	Page 20

Cheltenham Borough Council

Heating and Energy Policy

This document has been written as an addendum to our 'Climate Emergency Action Plan' to specifically expand on policies and practices in respect of Energy, which comprises a significant portion of our current carbon and financial footprints.

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1 Introduction

Cheltenham Borough Council (CBC) declared a climate emergency in July 2019 and committed to becoming a carbon neutral council and Borough by 2030. The motion received unanimous support and committed the Council to:

- Declare a 'Climate Emergency';
- Pledge to make Cheltenham carbon neutral by 2030, taking into account both production and consumption emissions;
- Call on the Government to provide the powers and resources to make the 2030 target possible; Work with other governments (both within the UK and internationally) to determine and implement best practice methods to limit Global Warming to less than 1.5°C;
- Continue to work with partners across the town, county and region to deliver this new goal through all relevant strategies and plans;
- Report to Full Council within six months with the actions the Council will take to address this emergency.

The production of Cheltenham Borough Council's 'Climate Emergency Action Plan' (CEAP) in 2022 set out our aim to achieve the 2030 target by acting holistically as a town, not just as a council working in isolation. It is well evidenced that climate action has a range of wider benefits for the health, equity and prosperity of towns and their citizens. We need to communicate our response to the climate and ecological emergencies and share good practice, including:-

- Influencing and shaping the development of strategy and policy for climate at county, regional and national levels;
- Making a positive impact to support the national effort to address climate change;
- Working in partnership to take forward projects and initiatives that will help to delay and reduce the impacts of climate change;
- Set an example to other local authorities yet to set a goal and pathway for becoming net zero.

This mitigation pathway is paving the way for Cheltenham to play its part in limiting the catastrophic impacts that will be and are being caused by climate change, harnessing the potential of our own residents, businesses, visitors and communities, to contribute locally to the national and global commitment required.

For clarity the relevant sections of the CEAP have been included to ensure the policies remain consistent.

2 Carbon Footprint Calculations

2.1 CBC Carbon Footprint 2019-21

Table 1.0 below shows CBC's carbon footprint in tonnes of carbon dioxide equivalent (CO₂e). We have striven to be as thorough as possible when calculating the carbon footprint and widened the scope in 2020/21 to include emissions from both waste and water. This means that some of the reductions in gas consumption resulting from the reduction in the use of our buildings during the Covid-19 pandemic were partially mitigated. This is presented next to our base year of 2019/20 as originally calculated, and the revised base year, which was calculated using the updated approach.

Table 1.0

	2020/21	2019/20 (Base Year)	2019/20 (revised)
Scope 1	2,954	3,620	3,650
Scope 2	1,047	868	1,279
Scope 3	1,069	1,134	1,178
TOTAL GROSS EMISSIONS	5,070	5,622	6,106
Carbon offsets	0		
Green tariffs	687		

2.2 Cheltenham Borough Carbon Footprint

Table 2.0

	2020	2019	2018
TOTAL GROSS EMISSIONS	539,856	555,568	570,993

3 Buildings & Energy

Overview

Heating for homes and workspaces currently makes up almost a third of all UK carbon emissions. Excessive use of energy due to inefficiencies and sourcing from fossil fuels also contributes significantly to climate change. Improvements urgently need to be made to advance the energy efficiency of housing and non-domestic properties, ensuring they require less energy to heat, making them cheaper to run and more comfortable to live and work in, whilst reducing our dependence on imported energy. In turn, we hope to tackle fuel poverty and thereby improve the health and wellbeing of residents that struggle to cover the costs of energy, particularly during the winter months. This needs to apply to both new and existing housing stock and other types of assets that utilise energy.

Ongoing & Completed

In spring 2021, CBC was awarded over £380k to install an integrated utility metering platform with works commencing November 2021 and an expected completion date in March 2022. The platform brings together all the available energy and water data for some of our biggest buildings, via mechanisms such as a network of sub-meters providing real time data on energy usage. The data and ensuing analysis will inform a programme of behavioural change, to target a reduction in our energy wastage in these buildings.

This project has also generated a decarbonisation plan for each of the identified buildings, such as Leisure@ and the Pittville Pump Room, which consider the viability of removing gas heating and cooking elements from each building and explore the required funding and permissions necessary for the Council to proceed with such actions.

The continued strong partnership between the Council and Cheltenham Borough Homes (CBH) will be vital in ensuring an inclusive approach, guaranteeing that the benefits of investment and climate mitigation through retrofit activities and sustainable new developments are far reaching. Collaboration to deliver shared climate priorities is already underway between CBC and CBH.

A 'fabric-first' approach is being taken with the existing council-owned homes managed by CBH which comprises housing stock of around 4,500 dwellings. Many of these homes are heated by GHG emitting gas boilers and improving the insulation and reviewing low carbon heating options will ensure that these homes are as energy efficient as possible. CBC and CBH have already been successful in a bid to the Social Housing Decarbonisation Fund (SHDF) Demonstrator for a deep retrofit scheme¹. This has demonstrated the potential of our existing homes to be more energy efficient through fabric improvements and low carbon heating. Following on from this, we have been awarded £800k of grant funding as part of Wave 1 of the SHDF towards a £1.4m project to install ground source heat pumps into a sheltered accommodation scheme of 25 units and external wall insulation to a further 34 homes. We will bid for future rounds of these funds and, where beneficial, strengthen bids through partnerships with other local authorities.

¹ <https://www.gov.uk/government/publications/social-housing-decarbonisation-fund-demonstrator-successful-bids>

New social housing developments in Cheltenham will seek to achieve the very highest standards of energy efficiency. CBC is working with CBH to regenerate existing redundant sites, as part of the commitment to provide 500 affordable homes delivered, or in the pipeline by 2026, made possible by £180m investment being made available by CBC to provide quality homes and support thriving communities. The work constitutes direct delivery of CBC's key priority to increase the supply of housing and investment to build resilient communities and CBH's priority to provide great homes to make Cheltenham a better place to live. CBH will also strive to make the best use of land in the interests of enhancing biodiversity performance, with insightful design for long-term ecological impact. The development of 320 Swindon Road² is an early example of this.

The below actions are taken from the CEAP and directly relate to our ambitions for improving the energy efficiency and sustainability of our built environment.

Actions

1. Measure the energy usage of CBC owned properties and develop a heating and energy efficiency strategy to set out actions needed to actively reduce energy consumption and move away from the use of fossil fuels. Introduce behaviour change programmes to reduce energy consumption in council owned buildings. Support businesses and residents to similarly reduce their consumption.
2. Retrofit council-owned social housing, focusing first on the homes most at risk of fuel poverty.
3. Develop a new 'Sustainability Design Code' for the Golden Valley Development, as a vision for integrated living in West Cheltenham that promotes a low carbon lifestyle. Our aspiration is for this thinking to then be replicated across the town, or within other districts and regions.
4. Explore the viability of a shared low-carbon heat network, to help reduce borough-wide emissions.
5. Retrofit council-owned properties with sustainable, energy-efficient solutions where feasible.
6. Help owner-occupiers to create more energy efficient homes. For example, by supporting energy companies to provide fuel-poor or vulnerable households with insulation, or by helping influence the retrofit market to ensure there is effective demand for energy efficient measures by those that are classified as "able to pay". This may include supporting the provision of skills-training for local workers, actively encouraging applications for new installations, and facilitating the applications of funding bids from home owners. Seek to invest in renewable energy generation by identifying suitable areas in future Planning Policy documents, such as the Cheltenham Plan and Joint Strategic Plan. Review the feasibility of alternative energy sources, new technologies and innovations and the potential to be a net contributor.
7. Commit to using 100% renewable electricity across council owned assets, including those operated by key partners. Support businesses and residents to do the same. Encourage developers to commit to renewable energy by stipulating requirements in a new Supplementary Planning Document (SPD). (now adopted)
8. Engage with landlords to improve the energy efficiency of homes in the private rented sector and commercial properties and encourage them to achieve good insulation.
9. Look for potential to align Conservation Area policies with climate emergency goals.

² <https://www.cbh.org/proposed-development-of-320-swindon-road/>

4 Vision and Statement of Commitment

4.1 Overview

The use of energy is vital to the delivery of Council services and day to day Council operations. With massively increasing energy costs, carbon reduction legislation and concerns over climate change, effective energy management is essential to the Council. This policy covers management of energy within the Council's commercial and residential portfolio, including those occupied by The Cheltenham Trust, Ubico, Cheltenham Borough Homes and others, especially where the energy costs are still borne by the Council.

The Council will ensure that:

- Sufficient resources are in place to meet adopted policy targets and objectives;
- Energy and carbon reduction initiatives will be recorded on Clearview (or the appropriate internal reporting platform), regularly reviewed and targets and objectives amended accordingly;
- There is a continued commitment from all staff to improve energy performance;
- There is a commitment to meeting the training and development needs of energy management staff and to raise the climate and energy awareness of all staff.
- We will continue to buy the greenest energy that is financially viable.

4.2 Benchmarking

1. The Council will analyse and benchmark every building that is part of the occupied current estate, based on its best energy use trend from either 2019/20 or 2021/22
2. We will install smart meters in every property to enable this exercise
3. These benchmarks will be utilised to identify targets which the internal teams will be asked to achieve (see responsible persons)
4. Buildings which are wholly leased will be reviewed as they become vacant and will be metered appropriately, ensuring that future occupiers are responsible for energy management and utility bills going forward.

4.3 Refurbishments and New Builds

1. The Council will incorporate energy efficiency measures, material selection, whole life costing and the recycling of building materials into the design and construction of all new build/ refurbishment schemes costing more than £5k.
2. The Council will conduct post occupancy assessments across new and refurbished sites.
3. The authority will have a presumption against the demolition and redevelopment of buildings, unless there is a robust financial and environmental case for doing so. This reflects the embodied carbon within existing structures and the carbon and environmental costs associated with any redevelopment proposal.
4. The authority will have a presumption against the installation of new or replacement appliances that burn fossil fuels.

5. Land and properties that are to be sold for development purposes will be offered for sale with the intention of securing the most energy efficient buildings.

4.4 Data Transparency

1. Energy, gas and water usage will no longer be included in service charges for new tenants; tenants will be responsible for viewing and managing their own consumption.
2. As the Council grants new Leases or Renewals, the energy arrangements will be updated to reflect this policy and the climate team will be consulted.
3. Energy data will be available for all users of buildings.
4. Reports on all usage will be given to building managers and where there is evidence of high usage this will be tackled in consultation with the energy officer.
5. New sites will have smart meters installed on purchase and will be tracked against targets as set out below.
6. If tenants approach the Council for consent for alterations, these must comply with our Net Zero ambitions including the highest standards of energy efficiency.
7. Standard provisions will henceforth be included in legal agreements to accommodate this, including the use of a standard legal agreement.
8. Managing agents will be expected to apply and enforce this agreement on our behalf.

4.5 Responsible Persons

1. Each operational building, or each area of a building where appropriate, will have an identified person responsible for managing energy use.
2. Responsible persons will:
 - a. receive automated regular emails (from the Stark energy portal) detailing energy usage in their area.
 - b. work in conjunction with the Energy Officer and potentially an appropriate surveyor /contractors to develop a shared understanding of current energy usage and work towards achievable reductions including reducing wastage.
3. Any planned increased in the consumption of energy above the budget/baseline must be part of a business case presented to the Property Team, which should be mitigated with at least balancing reductions in other areas.

4.6 All Staff

4.6.1 Awareness raising

1. The Council understands that energy/gas/water are scarce resources and especially considering the carbon implications, will endeavour to utilise them carefully.
2. The Council will implement a structured staff awareness programme as part of its training programmes (including new staff induction) in relation to energy management and good housekeeping in Council buildings.
3. An energy awareness week will be held annually.
4. Posters and information sheets will be posted regularly in all staff rooms/ kitchens etc.
5. Schemes will be run quarterly to show energy usage in comparison with other similar buildings.

4.6.2 Behaviour Change Campaign

1. The Council commits to developing an appropriate behaviour program for each of its occupied buildings to set expectations of both staff and customers
2. Energy usage will be published in each area including costs.
3. The behaviour change campaign will cover opening times/temperature settings/use of rooms etc.
4. Staff will be expected to take collective responsibility for their buildings – including following an energy efficient opening and closing process for every area of every building.
5. Staff will be asked to make sensible choices in relation to their use of council buildings outside standard hours, to ensure that heat and power is used in the most efficient way – for example, utilising the same shared space after 5:30pm in the Municipal Offices.
6. Staff will be expected to manage the energy usage of their own workstation/areas.
7. Staff will be offered advice and support to reduce their energy use at work and at home as part of hybrid working arrangements.

4.6.3 Meeting Policy

1. As part of utilising every building in the most energy efficient manner we ask that staff consider virtual meetings in favour of 'in person' meetings at Council buildings.
2. When deciding to meet face to face or in person staff should consider the following recommendations:-
 - a. **Should this be a meeting?** Less is more: The fewer meetings we have, the more valuable the ones we have become. It all comes down to purpose. Ask yourself: Why are you meeting?
 - b. **Are my meeting goals relationship-based, or task-based?** Task-based goals such as briefing staff or planning an event can often be accomplished in a virtual meeting. Relationship-based goals, which involve strengthening bonds between team members, are usually accomplished most effectively in person.
 - c. **How complex are my objectives?** The more complex the goals, the more efficient it is to meet in person.
 - d. **Could my meeting take an entirely different shape or form?** Could it be a learning module instead, for example?
 - e. **What type of meeting will be most inclusive?** Virtual meetings tend to be more accessible.

4.7 Members of the Public and the Local Community

1. The transition to a Net Zero Council will involve us reducing our energy use and placing more reliance on renewable heat sources. This may change internal conditions and trading hours in some of our buildings. Therefore, this transition can only be achieved with the full support of the local community.
2. Changes in properties open to the general public will be accompanied by announcements and press releases to help garner support and understanding for our efficiency aims
3. Consultations will occur when appropriate.
4. The council will also explore ways to make the most use of any essential energy use so it has a wider impact especially during winter months.

4.8 Council Members

1. Council Members will be expected to consider the energy implications of their own meetings and to adhere to this Building Heating and Energy Efficiency Policy when utilising council buildings.
2. Council Members will be expected to publicly support and effectively communicate this policy when appropriate.

4.9 Energy Saving Technology

1. The Council will review and test energy saving technologies by utilising the sub-meters on site to track and report on actual savings.
2. The Council will commit to reviewing and potentially upgrading the current building management systems where these are not performing effectively.
3. The Council will strongly consider any opportunities that are identified to install proven energy saving technology, particularly where the expected payback is less than five years.
4. The council will also install PIR/ sensors in all areas of intermittent use such as stairwells/ corridors/toilets etc. and will do so whenever reasonably practicable and affordable.

4.10 Reliance on Fossil fuels

1. Where fossil fuelled CHP units are active, the Council will prioritise their review and explore alternatives which utilise renewable energy, having regard to current leasing arrangements.
2. Renewable energy alternatives will also be investigated in more depth where any current heating systems are reliant on fossil fuels
3. The Energy Officer will continue to explore external funding as part of their current remit, including applications to various government funding streams.
4. As part of our carbon neutrality objectives, we will work to remove all gas heating and cooking systems by 2030.

5 Social Housing

1. The council's housing stock is managed by CBH and although the majority of tenants arrange their own energy provider and are responsible for their energy use, the council is currently responsible for purchasing energy for a number of domestic properties (258) on behalf of CBH. CBC will review this contract in March 2023 and purchase from renewable energy sources where viable.
2. The current system of recharging tenants is based on annual arrears agreements which fail to incentivise tenants to reduce their consumption. We will therefore ask our partners to review this charging arrangement by again utilising smart meters. This should enable dynamic rebilling and ensure easy access for tenants to be able to view and thus help to reduce their usage.

6 Continuous Improvement

1. Progress on the implementation of this policy and the meeting of targets will be reported via Clearview (or the appropriate internal monitoring system), with quarterly staff briefings at the 'all employee' WebEx
2. Progress towards the targeted reduction (for buildings) and the development of targets for other key areas of consumption will be reviewed and reported on annually to Council Members

7 Summary

This policy sets out the key commitments which will be applied to all energy activity within the Council and Council-owned Properties. Compliance with this policy, associated procedures and other linked policies is mandatory. Where the Council employs third party organisations to undertake activity on its behalf and there is an impact on energy consumption, they shall be required to comply with this policy. Interventions where this is not the case could include curtailment of activities, requests for financial contributions etc.

Delivery of the objectives stated in this policy will be supported through the development and implementation of an energy action plan. This will include:

- Communications
- Measuring and monitoring arrangements
- Energy and emissions reporting
- A sustainable procurement statement
- Building refurbishment guidelines
- Building energy performance review

There has never been a better time to review and reduce our energy consumption; the coming winter could well be the most expensive on record. By supporting staff to reduce consumption at work, we hope to introduce a wider culture of energy saving across the borough with benefits for financial, social and environmental well-being.

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Community impact assessments – for services, policies and projects

What is a community impact assessment? 1

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Step 2: What do you already know about your existing and potential customers? 2

Step 3: Assessing community impact..... 3

Step 4: What are the differences?..... 4

Step 5: Taking things forward..... 4

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:

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

Background

Name of service / policy / project and date	Heating and Energy Policy 12/08/2022
Lead officer	Gemma Bell Mike Redman

Other people involved in completing this form	Alexandra Wells
--	------------------------

Step 1: About the service, policy or project

What is the aim of the service / policy / project and what outcomes is it contributing to	The aim is to reduce energy wastage within Council Buildings
Who are the primary customers of the service / policy / project and how do they / will they benefit	Staff and external customers who use our facilities such as the Town Hall, Pump room etc.
How and where is the service / policy / project implemented	In all operational buildings plus investment portfolio
What potential barriers might already exist to achieving these outcomes	There may need to changes in the way some services will be implemented but this has yet to be confirmed

Step 2: What do you already know about your existing and potential customers?

What existing information and data do you have about your existing / potential customers e.g. Statistics, customer feedback, performance information	All information about existing customers comes from the Cheltenham trust
What does it tell you about who uses your service / policy and those that don't?	That some customers will be effected by reduction in temperatures etc. but that overall this would be better than removing services entirely which could be the outcome if action isn't taken now.
What have you learnt about real barriers to your service from any consultation with customers and any stakeholder groups?	N/A

If not, who do you have plans to consult with about the service / policy / project?

We will continue to consult with our operators

Step 3: Assessing community impact

How does your service, policy or project impact on different groups in the community? Please outline what you are already doing to benefit this group, what you are doing that might disadvantage this group, what you could do differently to benefit the group.

People from black and minority ethnic groups

People who are male or female

People who are transitioning from one gender to another

Older people / children and young people

People with disabilities and mental health challenges

People who have a particular religion or belief

People who are attracted to their own sex, the opposite sex or to both sexes.

People who are married or in a Civil Partnership

People who are pregnant or who are on maternity leave

Other groups or communities

We are taking this action in order to reduce impact on the wider community from complete loss of services.

Step 4: What are the differences?

Are any groups affected in different ways to others as a result of the service / policy / project?	It should affect all groups equally
Does your service / policy / project either directly or indirectly discriminate?	It should not discriminate against any group specifically but may indirectly effect those customers who need higher temperatures.
If yes, what can be done to improve this?	We will look at making provision in other buildings especially during the winter
Are there any other ways in which the service / project can help support priority communities in Cheltenham?	N/A

Step 5: Taking things forward

What are the key actions to be carried out and how will they be resourced and monitored?	Key actions are to reduce energy wastage without cancelling services
Who will play a role in the decision-making process?	The Cheltenham Trust, ELT
What are your / the project's learning and development needs?	N/A
How will you capture these actions in your service / project planning?	Regular monitoring and reporting

Cheltenham Borough Council Cabinet – 13th September 2022

Licensed vehicle emission and wheelchair accessibility policy

Accountable member	Cllr. Martin Horwood, Cabinet Member Customer and Regulatory Services
Accountable officer	Louis Krog, Head of Public Protection
Ward(s) affected	All
Key/Significant Decision	Yes
Executive summary	<p>In September 2021, the Leader made a decision to postpone the implementation of the authority’s requirement imposing a 100% wheelchair accessible licensed fleet for licensed taxis.</p> <p>In March 2022, the authority consulted on a draft “Licensed vehicle emission and wheelchair accessibility policy”. This draft policy set out the authority’s approach to implementing a carbon neutral licensed fleet by 2030.</p> <p>This report updates Cabinet on the outcome of the consultation and sets out the next steps.</p>
Recommendations	<p>Cabinet is recommended to:</p> <ol style="list-style-type: none"> 1. Following consultation and engagement adopt the policy sections outlined in paragraphs 3.3.1 to 3.3.3 of Appendix 3 with immediate effect 2. Note the next steps and further consultation as outlined in paragraph 3.2 of the report.

Financial implications	None arising directly from this report. Contact officer: Andrew Taylor, Andrew.Taylor@cheltenham.gov.uk
Legal implications	The Climate Change Act 2008 places national targets on the reduction of emissions by 2050. The Council has powers to do anything an individual could, under the power of general competence in the Localism Act 2011. This includes taking steps to reduce Council emissions, which contribute to the local and national targets. Contact officer: One Legal, legalservices@onelegal.org.uk, 01684 272 691
HR implications (including learning and organisational development)	None arising directly from this report. Contact officer: Clare Jones, HR Business Partner, clare.jones@publicagroup.uk
Key risks	Risk assessment in Appendix 1.
Corporate and community plan Implications	None arising directly from this report.
Environmental and climate change implications	Cheltenham Borough Council (“authority”) has declared a 'Climate Emergency' and committed to become a net zero carbon council and borough by 2030. In September 2021, the Cabinet Member Customer & Regulatory Services announced the authority’s ambition to transition its licensed Hackney Carriage fleet to a fully carbon neutral fleet. In addition, the authority’s draft Air Quality Action Plan sets out a number of actions, specifically relating to licensed vehicles, that seeks to implement a range of measures to improve emissions from licensed vehicles. This policy implements these plans and strategies.
Property/Asset Implications	None arising directly from this report.

1. Background

- 1.1 In September 2021, the Leader of the Council, in consultation with the Chief Executive, made a decision to postpone the implementation of the authority's requirement imposing a 100% wheelchair accessible licensed fleet for licensed taxis. This decision followed a petition from the licensed trade to review the mandatory wheelchair accessible licensed vehicle policy.
- 1.2 The September decision was also substantially influenced by the Cabinet Member for Customer and Regulatory Services' ambition to transition the licensed fleet to a carbon neutral, wheelchair accessible fleet by 2030.
- 1.3 In March 2022, the authority consulted on a draft "Licensed vehicle emission and wheelchair accessibility policy". This draft policy set out the authority's approach to implementing a carbon neutral licensed fleet by 2030.
- 1.4 This report updates Cabinet on the outcome of the consultation and sets out the next steps.

2. Draft Licensed Vehicle Emission and Wheelchair Accessibility Policy

- 2.1 A copy of the draft Licensed vehicle emission and wheelchair accessibility policy is attached at Appendix 2 of this report. This policy sets out the authority's approach to implementing a carbon neutral licensed fleet by 2030.
- 2.2 The proposed approach is summarised in the tables below:

Hackney Carriage Vehicles

Euro Emission Standards	Replacement Date	Replacement Requirement
Licensed vehicles manufactured to Euro 3 or 4 Standards	Must be replaced on 2023 renewal date	Must be replaced with: <ul style="list-style-type: none"> - silver WAV manufactured to Euro 6; - carbon neutral WAV; or - Euro 6 plug-in hybrid WAV.
		Euro 6 WAV/ plug-in hybrid replacement (above) to be replaced with carbon neutral WAV on renewal 2028.
Non-wheelchair accessible vehicles manufactured to Euro 5 or 6 standards	Must be replaced on 2026 renewal date in accordance with the requirements set out in paragraph 1.6 of the draft policy at Appendix 2.	By the dates specified, licensed vehicles manufactured to Euro 5 emission standards must be replaced with fully carbon neutral wheelchair accessible vehicles
Non-wheelchair accessible vehicles manufactured to Euro 6	Must be replaced on 2027 renewal date in accordance with	By the dates specified, licensed vehicles manufactured to Euro 6 emission standards must be replaced

standards	the requirements set out in paragraph 1.6 of the draft policy at Appendix 2.	with fully carbon neutral wheelchair accessible vehicles
Wheelchair accessible vehicles manufactured to Euro 5 or 6 standards	Will continue to be licensed in accordance with circumstances prior to mandatory WAV policy cancellation.	WAVs adapted 10 years from the date first licensed but with a maximum permitted licensing period of 2030; or Purpose built WAVs 14 years from the date first licensed but with a maximum permitted licensing period of 2030. Wheelchair accessible vehicles can only be replaced with another wheelchair accessible vehicle.

Private Hire Vehicles

Euro Emission Standards	Licence date	Replacement Requirement
Licensed vehicles manufactured to Euro 3 and 4 standards	Must be replaced on 2023 renewal date	<ul style="list-style-type: none"> - A petrol vehicle manufactured to at least Euro 6 Emission Standards; - A Euro 6 plug-in hybrid; or - A fully carbon neutral vehicle
		Euro 6 WAV/ plug-in hybrid replacement (above) to be replaced with fully carbon neutral WAV on renewal 2028.
Licensed vehicles manufactured to Euro 5 Standards	Must be replaced on 2025 renewal date	<ul style="list-style-type: none"> - A petrol vehicle manufactured to at least Euro 6 Emission Standards; - A Euro 6 plug-in hybrid; or - A fully carbon neutral vehicle

2.3 A summary of consultation feedback is attached at Appendix 3 of this report.

2.4 The main points arising from the feedback are:

2.4.1 Broad support for the 2030 date;

2.4.2 The current cost of carbon neutral, wheelchair accessible vehicles;

2.4.3 The current economic climate and the legacy issues associated with Covid making trading challenging for the licensed trade;

2.4.4 The fact that the authority should adopt a mixed, carbon neutral fleet rather than focussing

exclusively on wheelchair accessible vehicles;

2.4.5 Support for implementing a carbon neutral requirement for new licensed vehicles earlier than 2030; and

2.4.6 Lack of charging infrastructure.

3. Reasons for recommendations

3.1 The current rules require clarification particularly in relation to licenced vehicle replacements. At the moment, it is still possible for licensed Hackney Carriages to be replaced on a like-for-like basis.

3.2 The proposed policy changes are necessary to ensure that people with a range of disabilities have access to an accessible licensed fleet;

3.3 To ensure the authority continues to maintain momentum regarding its ambition to be carbon neutral by 2030;

3.4 To provide clarity to the licensed trade on a number of issues that were subject to the policy consultation; and

3.5 To ensure the authority's licensing policies remain effective and relevant.

4. Next steps

4.1 From the consultation feedback, certain sections of the draft policy require further work to gain a clearer understanding of the issues raised. The authority has therefore launched a further, more focussed, consultation to gain a clearer understanding of these issues. The further consultation is seeking views from people with disabilities and their experiences of using Cheltenham licensed vehicles.

4.2 A further report will be brought to Cabinet at the conclusion of this consultation and the implications for the wider policy.

4.3 There are certain sections of the draft policy, at Appendix 2, that Cabinet is asked to approve in the interim. These sections of the policy address more urgent matters as outlined below:

4.3.1 Sections 1.2 to 1.4 that will phase out the small number of Euro 3 & 4 licensed taxis by 2023;

4.3.2 Sections 1.10 to 1.11 that will clarify the "Exceptional Circumstances" policy;

4.3.3 Sections 2.3 to 2.4 that will phase out the small number of Euro 3 & 4 licensed private hire vehicles by 2023.

5. Alternative options considered

5.1 Cabinet can resolve not to approve the draft policy as outlined in this report. However, the consequence of doing so will mean continued uncertainty around the authority's approach and policies for the licensed trade, officers and service users.

6. Consultation and feedback

6.1 As outlined in the report.

7. Performance management –monitoring and review

7.1 Not applicable.

Report author	Louis Krog, Head of Public Protection, louis.krog.@cheltenham.gov.uk
Appendices	<ol style="list-style-type: none"> 1. Risk Assessment 2. Draft Licensed Vehicle Emission and Wheelchair Accessibility Policy 3. Consultation Responses 4. Climate Change Impact Assessment
Background information	<ol style="list-style-type: none"> 1. Urgent Decision on the Implementation of the Taxi Wheelchair Accessible Vehicle Policy 2. Survey of disabled people's experiences of using licensed taxis in Cheltenham

Appendix 1: Risk Assessment

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
	If Cabinet does not resolve to adopt the policy, the policy direction will remain unclear and uncertain for the licensed trade.	Head of Public Protection	August 2022	2	3	6	Accept	Adopt recommendations	
	If Cabinet does not resolve to adopt the policy it risks jeopardising aspects of the authority's ambition to commitment to be carbon neutral by 2030.	Head of Public Protection	August 2022	2	3	6	Accept	Adopt recommendations	Page 43
	If Cabinet does not resolve to adopt the policy, there is a risk that people with disabilities will could be disadvantaged if fewer vehicles are licensed or replaced as wheelchair accessible.	Head of Public Protection	August 2022	2	3	6	Accept	Adopt recommendations	

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CHELtenham
BOROUGH COUNCIL

Licensed Vehicle Emission and Wheelchair Accessibility Policy

DRAFT FOR CONSULTATION

Version Control	
1	Draft for consultation

Introduction

Cheltenham Borough Council (“authority”) has declared a 'Climate Emergency' and committed to become a net zero carbon council and borough by 2030. In September 2021, the Cabinet Member Customer & Regulatory Services announced the authority’s ambition to transition its licensed Hackney Carriage fleet to a fully carbon neutral fleet.

In addition, the authority’s draft Air Quality Action Plan sets out a number of actions, specifically relating to licensed vehicles, that seeks to implement a range of measures to improve emissions from licensed vehicles.

This policy implements these plans and strategies.

Scope & Implementation

This policy applies to Hackney Carriage and Private Hire vehicles licensed by the authority.

The substantive policy document sets out how and when the various measures will be implemented.

Any further questions can be directed to licensing@cheltenham.gov.uk.

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Policy Overview

This policy implements the ambition of the authority to operate a fully net zero carbon fleet by 2030. The stated approach by the authority is to implement these requirements in stages focussing on phasing out the most polluting vehicles as a first step.

This policy preserves the authority’s commitment to maintain a high level of accessibility. To this end, unless exceptional circumstances apply as outlined in this policy, the requirement for new and replacement vehicles to be fully wheelchair accessible remains unchanged.

This overview provides a quick reference and easy read guide for licence holders. The detail of this policy can be found set out further down this document.

Staged Implementation

Hackney Carriage Vehicles

The authority will implement its fully net zero carbon fleet in accordance with the table below:

Euro Emission Standards	Replacement Date	Replacement Requirement
Licensed vehicles manufactured to Euro 3 or 4 Standards	Must be replaced on 2023 renewal date	Must be replaced with: <ul style="list-style-type: none"> - silver WAV manufactured to Euro 6; - carbon neutral WAV; or - Euro 6 plug-in hybrid WAV.
		Euro 6 WAV/ plug-in hybrid replacement (above) to be replaced with carbon neutral WAV on renewal 2028.
Non-wheelchair accessible vehicles manufactured to Euro 5 or 6 standards	Must be replaced on 2026 renewal date in accordance with the requirements set out in paragraph 1.5	By the dates specified, licensed vehicles manufactured to Euro 5 emission standards must be replaced with fully carbon neutral wheelchair accessible vehicles
Non-wheelchair accessible vehicles manufactured to Euro 6 standards	Must be replaced on 2027 renewal date in accordance with the requirements set out in paragraph 1.5	By the dates specified, licensed vehicles manufactured to Euro 6 emission standards must be replaced with fully carbon neutral wheelchair accessible vehicles
Wheelchair accessible vehicles manufactured to Euro 5 or 6 standards	Will continue to be licensed in accordance with circumstances prior to mandatory WAV policy cancellation.	<ul style="list-style-type: none"> - WAVs adapted 10 years from the date first licensed but with a maximum permitted licensing period of 2030; or - Purpose built WAVs 14 years from the date first licensed but with a maximum permitted licensing period of 2030. <p>Wheelchair accessible vehicles can only be replaced with another wheelchair accessible vehicle.</p>

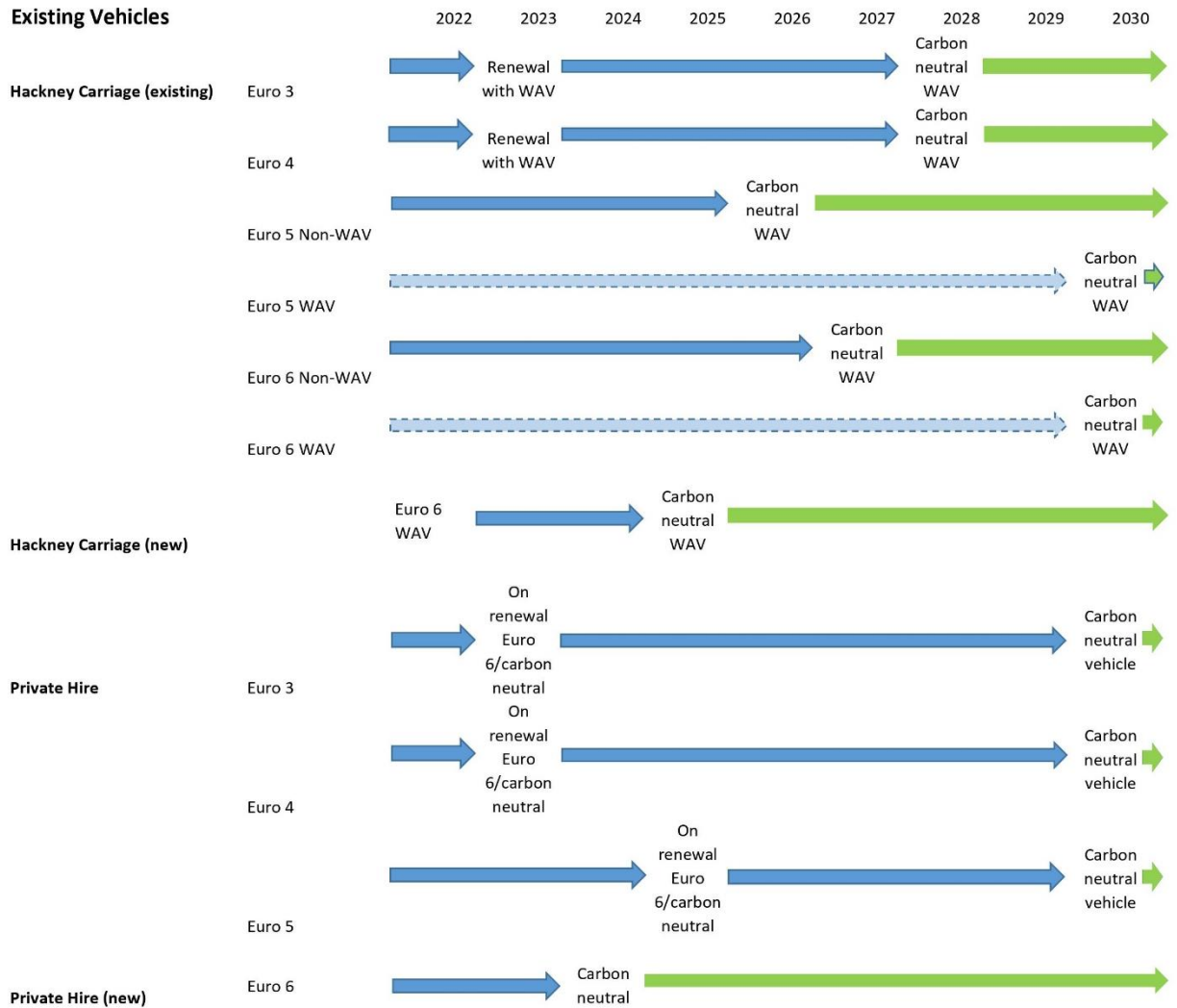
Private Hire Vehicles

Euro Emission Standards	Licence date	Replacement Requirement
Licensed vehicles manufactured to Euro 3 and 4 standards	Must be replaced on 2023 renewal date	<ul style="list-style-type: none"> - A petrol vehicle manufactured to at least Euro 6 Emission Standards; - A Euro 6 plug-in hybrid; or - A fully carbon neutral vehicle
		Euro 6 WAV/ plug-in hybrid replacement (above) to be replaced with fully carbon neutral WAV on renewal 2028.
Licensed vehicles manufactured to Euro 5 Standards	Must be replaced on 2025 renewal date	<ul style="list-style-type: none"> - A petrol vehicle manufactured to at least Euro 6 Emission Standards; - A Euro 6 plug-in hybrid; or - A fully carbon neutral vehicle

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Overview Chart

Existing Vehicles



Hackney Carriage Vehicles

Existing Licensed Vehicles

- 1.1 The general approach adopted by the authority to facilitate the transition from fossil fuel vehicles to a fully carbon neutral and accessible fleet, is to gradually implement higher emission standards.
- 1.2 In line with this general approach, the oldest and most polluting fossil fuel vehicles will be phased out as an immediate first step:

Euro Emission Standards	Licence date
Licensed vehicles manufactured to Euro 3 Standards	Must be replaced on 2023 renewal date
Licensed vehicles manufactured to Euro 4 Standards	Must be replaced on 2023 renewal date

Table 1

- 1.3 Subject to 1.6 and 1.7, licensed vehicles manufactured to Euro 3 and Euro 4 standards must be replaced with either:
- 1.3.1 Silver WAV manufactured to Euro 6;
- 1.3.2 Fully carbon neutral WAV;
- 1.3.3 Euro 6 plug-in hybrid WAV.
- 1.4 Euro 6 WAV/ plug-in hybrid replacement (above) to be replaced with fully carbon neutral WAV on renewal 2028.
- 1.5 Other vehicles will continue to be licensed in accordance with the table below:

Euro Emission Standards	Licence date
Non-wheelchair accessible vehicles manufactured to Euro 5 Standards	Must be replaced on 2026 renewal date in accordance with the requirements set out in paragraph 1.6
Wheelchair accessible vehicles manufactured to Euro 5 Standards	Will continue to be licensed in accordance with paragraph 1.7.

Vehicles manufactured to Euro 6 Standards	Must be replaced on 2027 renewal date in accordance with the requirements set out in paragraph 1.6
Wheelchair accessible vehicles manufactured to Euro 6 Standards	Will continue to be licensed in accordance with paragraph 1.7.

Table 2

- 1.6 Licensed vehicles manufactured to Euro 5 or Euro 6 emission standards must be replaced with fully carbon neutral wheelchair accessible vehicle.
- 1.7 Recognising that some vehicle proprietors have already converted to WAVs under the previous policy, the authority will honour the maximum vehicle age limits under which they were licensed but subject to a maximum period to 2030 to coincide with the authority’s carbon neutral commitment:
 - 1.7.1 **WAVs adapted** 10 years from the date first licensed but with a maximum permitted licensing period of 2030; or
 - 1.7.2 **Purpose built WAVs** 14 years from the date first licensed but with a maximum permitted licensing period of 2030.

Replacement Vehicles

- 1.8 Wheelchair accessible vehicles can only be replaced with another wheelchair accessible vehicle.
- 1.9 Unless exceptional circumstances apply, non-wheelchair accessible vehicles must be replaced with:
 - 1.9.1 silver WAV manufactured to Euro 6;
 - 1.9.2 fully carbon neutral WAV; or
 - 1.9.3 Euro 6 plug-in hybrid WAV.

Exceptional Circumstances

- 1.10 The authority will, on a case-to-case basis, allow existing vehicle licence holders to, in exceptional circumstances, replace their vehicle on a “like for like” basis. Exceptional circumstances would relate to an *acute* situation where an existing licensed vehicle either:
 - 1.10.1 sustains *significant* damage that renders the vehicle unroadworthy; and/or
 - 1.10.2 suffers *acute* and substantial mechanical failure

but where the licensed vehicles would otherwise have been considered fit for licensing had the damage or mechanical failure not occurred.
- 1.11 Note that exceptional circumstances will not apply in cases where a licensed vehicle comes to a *natural* end of its fitness due to, for example, natural wear and tear, age of the vehicle or inability to pass statutory or other fitness assessments.

Maximum Age Limits

Carbon neutral Wheelchair Accessible Vehicles

- 1.12 The authority does not impose a maximum age limit for licensed carbon neutral wheelchair accessible vehicles provided the licensed vehicle continues to comply with the authority’s fitness standards for licensed vehicles.

New Vehicles

- 1.13 The policy requirement that all new Hackney Carriage vehicles must be fully wheelchair accessible is preserved in this policy.
- 1.14 The authority will impose an additional requirement that from 1 January 2025, any new Hackney Carriage vehicles to be licensed must be fully carbon neutral wheelchair accessible vehicles.

Private Hire Vehicles

Existing Licensed Vehicles

- 2.1 The authority does not currently have plans to implement a mandatory carbon neutral vehicle policy for licensed private hire vehicles.
- 2.2 To mitigate the environmental impact of the licensed private hire fleet however, this policy aim is to improve the environmental impact by ensuring that older and more polluting vehicles are gradually phased out and replaced by less polluting fossil fuel vehicles.
- 2.3 To this end, the authority will impose the following licensing requirements:

Euro Emission Standards	Licence date
Licensed vehicles manufactured to Euro 3 Standards	Must be replaced on 2023 renewal date.
Licensed vehicles manufactured to Euro 4 Standards	Must be replaced on 2023 renewal date
Licensed vehicles manufactured to Euro 5 Standards	Must be replaced on 2025 renewal date

Table 3

- 2.4 Licensed private hire vehicles must be replaced with either:
 - 2.4.1 A petrol vehicle manufactured to at least Euro 6 Emission Standards;
 - 2.4.2 A Euro 6 plug-in hybrid; or
 - 2.4.3 A fully carbon neutral vehicle.

Maximum Age Limits

- 2.5 Subject to table 3 and 2.6, licensed private hire vehicles will be licensed for a maximum period of 8 years provided the licensed vehicle continues to comply with the authority’s fitness standards for licensed vehicles.
- 2.6 The authority does not impose a maximum age limit for licensed carbon neutral vehicles provided the licensed vehicle continues to comply with the authority’s fitness standards for licensed vehicles.

New vehicles

- 2.7 1 January 2024, all new private hire vehicles must be either:
 - 2.7.1 A petrol vehicle manufactured to at least Euro 6 Emission Standards; or
 - 2.7.2 A hybrid vehicle; or
 - 2.7.3 A fully carbon neutral vehicle.

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Responder	Generally in support/not supported	Response
HC Driver	Not	<p>I have looked at your idea for electric WAV's and I think you have lost all grasp of logic and sensibility!</p> <p>You will put I would guess 90% or more of the trade on universal credit or lose the loss of one couples income, causing financial hard ship and or poverty especially now with domestic bills rapidly escalating and the cost of living. But in the name of carbon targets etc. you don't care that you will be ruining decent people's lives do you? But we know how bombastic this council is one could quote the boots corner fiasco, even Gloucestershire highways didn't buy into it!! But I digress I will raise my points as to why I think this is an untenable idea from a council who in my opinion is unfit for purpose.</p> <ol style="list-style-type: none"> 1. the cost... no cab driver can afford £30k to £40k or over for an electric taxi. Whether second hand or not! Especially if you're going to keep the Draconian age threshold. 2. no infrastructure for charging especially on taxi ranks let alone only a couple around the town, and if drivers live in a flat 3 stories up... Well unless they're going to run a 60ft extension lead out of the window!?! Or they have no off road parking or nearby (can't have a lead obstructing the foot way and verges)!! 3. the limited range of battery, no good to drivers or companies trying to run airport/seaport transfers. Most mass produced so called affordable cars range vary. Some only appx 150 miles max. 4. also if the rumours are correct you will also force this onto private hire. So it will be only a short time before the public suffer, because across the taxi and PH trade there will be next to no taxis left to service the public!! 5. so from point 4 people won't be able to book taxis or hire taxis from the ranks, affecting people across the board going to school or the doctors or hospital appointment etc. etc. 6. public order and more important safety of the public at weekend nights. <p>But yes you know best despite the chaos you'll cause and the fact this idea will do next to nothing in affecting the air quality, may I remind you that you also have a duty of care and consideration of the drivers!</p>
HC Driver	Supported	<p>Thank you for taking into account feedback from your licence holders</p> <p>The following is my personal viewpoints</p>

		<p>1) happy for a 2030 deadline with regards to current vehicle guidelines Personally I'd hope to be in a full electrical vehicle way before this date. As soon as it is affordable and the infrastructure to support owning one is improved.</p> <p>2) there is no practical or ethical benefit in the enforcement of an electric WAV before or after 2030 The market for WAV vehicles does NOT justify a wholesale fleet policy</p> <p>My suggestion would be for things to continue along the same guidelines as current I.e Current saloon type vehicles must be electric by 2030 and the choice of electric vehicle resides with the plate licence holder Any electric WAV vehicle can be licenced as a Hackney vehicle from 2030 as it is now.</p> <p>These are the 2 most fundamental points that I am concerned about.</p>
HC Driver	Not supported	<p>I am writing regarding the draft consultation.</p> <p>As you are aware, the Euro 3 and Euro 4 vehicle owners already pay more on road tax and pay the ULEZ charge and more on fuel due to price increase in fuel. Forcing those vehicle owners to buy a Euro 6 Wav is unacceptable.</p> <p>The car prices skyrocketed and it is not cheap and easy to find a second hand car, let alone the SILVER ones. Now, there is even more pressure to find a Wav that is SILVER and Euro 6. The council has not done a proper survey in order to decide whether the town needs 100% Wheelchair fleets, and now forcing those with EURO 3 and EURO 4 vehicle owners to buy a Euro 6 Wav on its own will cause significant hardship when the prices of a second hand car skyrocketed. The decision makers should check the second hand car prices in order to decide whether it is actually the high time to do anything with the current policy. I do not think the council would be happy to cause those who already struggle to become unemployed. Some of us hardly ever make enough to provide enough income and bring food to the table. The council should understand that the cost of living has increased, and by making those vehicle owners buy another vehicle at the moment will cause significant hardship and debt that needs to be repaid.</p> <p>I believe the council should delay any policy changes until the economy recovers. At least give the drivers the option of buying any vehicle that can suit their budget.</p>

HC Driver	Support	<p>It's a good step from council to make carbon free by 2030 but the decision to change all hackney licenced vehicle as wheel chair access EV is practically impossible.</p> <p>EV itself is unaffordable. So wheelchair access EV may cost more than 40000 pound. If the council's intention is genuine to protect the environment (which is more priority than WAV since there are more than WAV on fleet), it is better to make high end EV as a criteria to give new hackney licence.</p> <p>So my suggestion is:</p> <ol style="list-style-type: none"> 1) give new hackney permit for only EV 2) allow renewal of the WAV only if it meet Euro 6 standards. So that we can make sure there is enough WAV on fleet 3) by these changes all the good intention of council can fulfil. <p>It is driver friendly, environmental friendly and disabled friendly.</p>
HC Driver	Not supported	<p>As the council have changed their minds so many times about this policy, and in my opinion have lied to the Taxi trade! Firstly I was told when I asked the question why you have changed the policy, I was told several times by individual councillors, and categorically that the policy was not changed! Lies ,</p> <p>You then told us it would be unfair illogical, and even that it would punish us drivers that have complied with your policy! But still you changed it, even though it cost me thousands of pounds, to comply with your policy!!</p> <p>You then told those that didn't comply to your policy, that they could only change their vehicles to another saloon car in exceptional circumstances, i.e. if there car was damaged beyond repair, and then only Like for Like.</p> <p>This again has been made a joke of.</p> <p>By allowing drivers to get rid of perfectly good cars, and buy completely different cars, One driver being allowed to change his non electric car for a brand new electric vehicle!</p> <p>On a second occasion a driver has been allowed to change a perfectly good hybrid car , for a brand new car completely different from the car he had !</p>

		<p>Now it seems that the car he sold to another taxi driver has been re licensed can how can we be expected to trust policy makers that change policies at the drop of a hat ☹???</p> <p>All the statements I have made can be verified by emails received by the council over the years.</p> <p>I have been denied the same choices as these other drivers, and that's not right!</p> <p>After reading your consultation reasoning I see it only refers to your clean air policy!</p> <p>Making me realise that I was right when I said at a meeting with councillors that the WAV policy change was purely because of the realisation by the council that they had made a blunder, in telling taxi drivers they could license zero 5 emissions vehicles, The consultation process is therefore floored, I don't believe that the council listens to any debate made by the taxi drivers, and I believe that they have already made their decision over what they are going to do!</p> <p>This is just a box ticking exercise by the council, and as they have done with previous policy can change it at will.</p> <p>For the record my view is all taxi drivers should be treated equally, not letting some drivers use saloon cars, but others cannot.</p> <p>Showing them that by not complying to your policy, they have been rewarded, But those drivers who did comply to your policy have been left financially out of pocket, and in debt!</p>
HC Driver	None	<p>My Peugeot E7 (Silver) Hackney Carriage vehicle is licensed since July 2015 and is a purpose built Wheelchair Accessible Vehicle.</p> <p>It is a Euro 5 emission standard according to the V5 Logbook. I have read the 'Licence Vehicle Emission and Wheelchair Accessibility Policy' (Draft for Consultation) and I understand how various measures will be implemented as the authority's ambition is to transition it's licensed Hackney Carriage fleet to a fully Carbon Neutral fleet by 2030.</p>
HC Driver	Not supported	<p>Cheltenham Borough Council are in danger of scoring a horrendous own goal if they continue to pursue a fully wheelchair accessible net carbon zero policy for all Hackney vehicles by 2030.</p>

		<p>It is absolutely essential that the council looks again at the all WAV policy as these vehicles clearly discriminate against people who are less able bodied such as the elderly or those with "minor" disabilities.</p> <p>As you will know, I have been a private-hire operator for almost ten years now and my business model was to enable wheelchair bound passengers to be able to access cab services with no limitations. This model was extremely successful for the first seven and a half years. However, during that time we had noticed an increasing number of clients who were requesting not to have WAV cars sent as they found them more difficult to get into and out of. We are able to add a note to client's telephone numbers not to send a WAV or a car with sliding doors. A simple fix for us, but when you have a taxi rank filled with nothing but WAVs the customer has no choice. Well they do, they can walk away and call a private-hire company to send a saloon car.</p> <p>The problem with these vehicles is the sills are considerably higher than a standard saloon car. They are all converted vans that have bench seats in the back that provide significantly less leg room. The side rear seat belts are often set in a position that makes it almost impossible for passengers to reach and the sliding doors have a lock position when fully open that makes them almost impossible to close, even for most able bodied people. As a result, on almost every journey, the driver will need to get out of the car to assist with seatbelts and close the doors.</p> <p>It is complete and utter madness to pursue a policy that so blatantly discriminates against so many, and for what purpose? The average number of wheelchair journeys completed by the entire fleet of Hackney vehicles is somewhere between 5 and 10 a week, and most of these are because they can't access an appropriate vehicle from any of the private-hire companies.</p> <p>A lack of private-hire vehicles.. why would that be? Before the pandemic we had started to see a decline in the number of drivers willing to do wheelchair pick-ups. The main reason for this is the fear of liability issues. Since starting Dial-a-Cab there have been three legal cases brought against my drivers for alleged negligence in performing their "duties". All the incidents involved the loading or unloading of wheelchairs. It is not the driver's responsibility to load the wheelchair into the car or remove it at the end of the journey. His duty is to attend the pick-up, prepare his ramp, apply the front harnesses and then when the passenger is in the</p>
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car, apply the rear harnesses. He is not responsible for pushing the wheelchair into the car or removing it at the end of the journey. This should be done by a family member, friend or carer who should oversee the safe harnessing of the wheelchair.

I fear that in the near future we will reach a point where we will no longer be able to provide any wheelchair cars. The less vehicles we have the more damaging the effect on the earnings of the remaining WAV drivers.

We currently have 7 WAV vehicles on Dial-a-Cab. One belongs to me and I have very little opportunity to get out on the road, but do what I can. One is a dedicated night driver who so far this year has been required to do zero wheelchair jobs. One is a part time driver in an E7 that hasn't been able to carry wheelchairs for 8 years due to a bowed floor, but as accessibility isn't part of the fitness test the driver has been able to renew his licence every year. One is a private-hire vehicle, the only one in Cheltenham. This is driven by guy who has exceeded retirement age but continues to work and is a vital asset to this company. One is licensed by Tewkesbury Borough Council but is a side loader which means it is useless for about 50% of our wheelchair work as the side access height is too low and the other two are C.B.C. Hackney vehicles that do as much as they can. Both of these drivers have significant family commitments and are restricted to working around 6-8 hours a day.

The WAV drivers I have are realising that they are not getting their fair share of quality work as they are constantly being held in reserve for upcoming WAV bookings. Taxi drivers talk to each other and word soon spreads across the entire trade that it is a bad idea to own a WAV. My own son drove a WAV from 2016 to 2021 but changed to a luxury saloon car last summer. He says there hasn't been a moment when he regretted that decision. He's driving a car he can be proud of and, most importantly his income has increased by around 25%.

So, we move on to Martin Horwood. A lovely guy with a really good heart. He is genuinely trying to seek a solution to the problem but will not find one until he recognises that he and the licensing officers need to be more connected to the trade. In the 10 years of running Dial-a-Cab I have never seen a licensing officer at my office. This was standard practice in years gone by that gave C.B.C. a real insight into the day to day issues of running a private-hire office.

My phone operators are constantly fending off abuse, accusations and general unpleasantness from customers trying to book WAV vehicles but being told that due to fleet restrictions we can no longer accept advance bookings. As a result of being held up on lengthy phone calls other calls are being missed, so drivers are missing out on work... and why? Because it is generally considered that Dial-a-Cab is the place to call if you need a WAV. So you may ask "What are the other companies doing?". The answer, "Sorry we don't have any WAVs, you need to ring Dial-a-Cab"

I have been forced to remove all references to wheelchair accessible vehicles from our website to try to reduce the amount of pressure my staff are under but I am in danger of losing good people because they are sick of the abuse and accusations directed at them on a daily basis.

I digress.. back to Martin Horwood. His solution to the problem seems to be developing a ride hailing app so people in wheelchairs can book Hackney vehicles that are parked on the taxi rank. Given the lengthy delay getting a response from legal about whether this is a viable and legal proposition I am not confident that it will ever see the light of day. If it does you then need to force all Hackney drivers to subscribe which cannot and will not happen and, even if they do they are not likely to actually accept any bookings as they can't be forced to log-on to the system. They have chosen to be Hackney drivers because they want to be completely free agents to do as they please, when they please with no subscription costs.

I am also certain that if C.B.C. does want to become a private-hire operator the combined operators that pay their annual fees will launch a legal challenge as it is clearly not right that the council should compete in the marketplace.

In the most recent online meeting I made a suggestion to Cllr. Horwood that was met with a smirk and "that sounds expensive". That suggestion was for the council to offer a limited number of grants each year to drivers who wished to licence a private-hire WAV. As I said earlier in the piece, there is effectively only one private-hire WAV licenced by CBC and there lies the problem.

If a grant scheme was made available, lets say for £5,000 for up to 10 vehicles a year I am certain that, given the right publicity there would be a take-up. Within 4 years you would probably have an additional 30 WAV private hire vehicles on the road.

	<p>This could be carried out in partnership with the operators so you could receive a monthly report on how many WAV jobs are being completed by each driver.</p> <p>Expensive? Nowhere near as expensive as forcing 200 plus Hackney drivers to buy ridiculous £70k faux electric WAV vehicles that spend more than half their life running off a petrol generator. Zero emissions, I think not. Just a total embarrassment to CBC. How expensive will it be to have to move the Promenade taxi rank to a location where wheelchairs can access these electric WAVS safely from the pavement? How expensive will it be to provide the correct infrastructure to allow these vehicles access to fast charging points whilst they are waiting on the rank? How expensive will it be when a passenger tries to sue a driver for injury caused getting in and out of one of these WAVs and the driver argues in court that he was forced to drive one by CBC and then hung out to dry when the inevitable happens?</p> <p>On the subject of access to fast charging points, the council had the opportunity to install these on the site of the Royal Well taxi rank. An upgraded hut would have given drivers access to rest and refreshment facilities whilst they waited for their vehicles to charge. Instead, under cover of covid restrictions the council saw fit to rid the town of that facility in an attempt to make a little extra cash from a parking meter. A clear swipe at the trade for it's previous protests and incredibly short sighted. No taxi rank now means that everyone coming off National Express coaches etc have to drag their cases all the way round to the Promenade... more age discrimination and suffering.</p> <p>Undoubtedly there will come a time when all taxis will be electric, but they need to be real electric cars that aren't going to leave the fleet decimated whilst drivers are searching for fast charging points so they can carry on working. In the meantime, until the infrastructure is in place a mixed fleet of hybrid cars would have a significant effect on reducing carbon emissions in the town centre.</p> <p>Martin Horwood has consistently sought advice from a disability forum. I have regular conversations with almost all the wheelchair users in Cheltenham and none of them are represented on this forum. When I talk to them about the council's plans for the trade and Martin's proposals they all say that he clearly has no idea about the trade and the needs of wheelchair users. I personally wouldn't go that far. It is clear that he is trying to fix something that is broken but without understanding how it</p>
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		<p>works in the first place you can't possibly fix it. So I would invite Martin, or any licensing officer to come and spend some real time at the sharp end of the trade, in my office and on some ride-alongs, getting to meet the real people affected by the shortage of WAVs. He may also wish to brush up on his local knowledge as he claims that the Star College have their headquarters in Overton Road, but Overton House was taken over by the Barnwood Trust some years ago.</p>
HC Driver	Not supported	<p>Thank you for having published the Draft licensed vehicle emission and wheelchair accessibility policy for consultation. I have the following observations...</p> <p>Vehicle Emissions</p> <p>The current policy allows a Euro 5 Private Hire Vehicle that was first registered in 2013 to remain licensed for 14 years until 2027. This time-scale would have been used by the owner of the car when assessing it's viability as a private hire vehicle. The new policy would not allow such a vehicle to remain licensed beyond 2025, which is 2 years earlier than the current policy.</p> <p>This 2 year loss is material to the owner of such a vehicle for the following reasons:-</p> <p>It removes 2 years of life that would have been used by the owner of the car when assessing it's viability as a private hire vehicle.</p> <p>Its use over the last 2 years for private hire work has been severely restricted due to Covid.</p> <p>So by reducing the period it can be licensed for by 2 years this doubles the period of loss of business the owner will suffer, when adding in the effects of Covid.</p> <p>The aims of the council re vehicle emissions are commendable; however, they should also take into account the severe hardships vehicle owners have suffered recently due to the pandemic. By allowing current vehicles to continue in use according to the current policy would achieve such an aim because the rational expectations of the vehicle owner would be met.</p> <p>Moreover, private hire vehicles, unlike hackney carriages, are required by clients to travel long distances, whilst carrying large amounts of luggage. As the years pass, the range of carbon neutral vehicle that can match the ability of petrol cars to achieve</p>

		<p>these requirements will grow. So by allowing the current policy to continue, this will give owners plenty of time to plan ahead to purchase a council approved replacement vehicle that is fully carbon neutral and not just Euro 6 compliant. This in turn will accelerate the Council's ambition of a carbon neutral council by 2030.</p> <p>In conclusion, by allowing the current policy to prevail, the council will facilitate the following benefits...</p> <p>Vehicle owner's original calculations re the economic viability of the car will be met The harsh effects of Covid will be alleviated by not curtailing the life span of the current vehicle Vehicle owners will have a realistic amount of time to plan well ahead and go straight for a carbon neutral vehicle that will be much more capable as manufacturers develop their products over the next few years.</p> <p>Vehicle Age Limits</p> <p>The Consultation Paper includes the following:-</p> <p>Paragraph 2.5 states: <i>Subject to table 3 and 2.6, licensed private hire vehicles will be licensed for a maximum period of 8 years provided the licensed vehicle continues to comply with the authority's fitness standards for licensed vehicles.</i> Paragraph: 2.6 states: <i>The authority does not impose a maximum age limit for licensed carbon neutral vehicles provided the licensed vehicle continues to comply with the authority's fitness standards for licensed vehicles.</i> Paragraph 2.7 states: <i>1 January 2024, all new private hire vehicles must be either: a petrol vehicle manufactured to at least Euro 6 Emission Standards or a hybrid vehicle or a fully carbon neutral vehicle.</i></p> <p>Comments</p> <p>Please confirm that Paragraph 2.5 reads as follows: the age limit of existing vehicles is not restricted to 8 years but rather dictated by the content of Table 3.</p> <p>Please confirm that the combination of Paragraphs 2.5 & 2.7 has the following implications: If a Euro 6 compliant vehicle is licensed after 1st January 2024 and it is just under 5 years old then it cannot be licensed for more than 3 years. Might it not be better to apply the following approach: that any non-carbon-neutral vehicle cannot be licensed beyond 31st January 2029, so that the Council's ambition of a carbon neutrality by 2030 is achieved.</p> <p>I trust my observations are of value to the Council.</p>
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HC Driver	Not supported	<p>I would agree in principle for Hackney vehicles to be environmentally more acceptable.</p> <p>During this precarious financial time you do need to take into account the costs involved. A large hike in fares will be needed.</p> <p>Cheltenham has never needed a fully wheelchair accessible fleet. Check the number of registered disabled people in the borough, then look at the proportion that use a wheelchair.</p> <p>Even your own licensing team say that most of the wheelchair accessible Hackney's are not fit for purpose.</p> <p>Passengers not using a wheelchair find them very unpleasant to travel in.</p>
HC Driver	Not supported	<p>Please find in this email my response to the proposed licensed vehicle emission and wheelchair accessibility policy.</p> <p>Firstly, I would like to say that the policy makes NO mention of maximum renewal dates for current licensed carbon neutral non-WAV vehicles. I did email to this effect on March 13th but have had NO response ??</p> <p>This may be a golden opportunity to revisit the WAV policy in its entirety. We all know that the original policy was not correctly adopted in that the Cabinet Member at the time ignored the findings of the Public Consultation carried out. This was further exacerbated by the Member stating he was forced to go 100% WAV because of Government legislation, namely the 2010 Equalities Act (for which there is still a radio recording of this statement). This was subsequently shown to be incorrect. The only sections of this Act relating to the Taxi industry were 161-165. 161-164 were/are/ and probably will be prospective sections of the Act that were never enacted in Law. These were the sections the Member was using to justify the policy.</p> <p>Government guidelines also recommended that Local Authorities carried out a Public Consultation (there was NO PC on 100% WAV) on this matter and carried out an un-met demand survey to see if there was a need for this policy. Neither of these were done.</p> <p>To the present:</p> <p>There is a current national Public Consultation for 'Taxi and Private Hire vehicle best practice guidance' to Local Authorities:</p> <p>Taxi and private hire vehicle best practice guidance - GOV.UK (www.gov.uk)</p>

		<p>This still recommends that Local Authorities adopt a mixed fleet to cater for ALL abilities/disabilities. This runs side by side with the recommendation from DPTAC (Disabled Persons Transport Advisory Committee) who also recommend a mixed fleet to cater for all abilities/disabilities. They also state that it is acceptable for a wheelchair user to wait for up to twice as long as a non-wheelchair passenger for a vehicle:</p> <p>DPTAC position on taxis and PHVs - GOV.UK (www.gov.uk)</p> <p>Cheltenham Borough Council Constitution states that all policy decisions should be 'evidence led'. The policy currently put forward does not take into account there is NO provision or plan for charging infrastructure on any of the ranks in the town or that the ONLY vehicle which is suitable for the proposed policy (Mercedes-Benz EV WAV) has a starting retail price of £75,000. This is an immediate bar to, I would suggest, the vast majority of the HC trade in Cheltenham. I know I would not be able to finance such a vehicle.</p> <p>You may also be interested to know that there is also a Public Consultation going on in the West Suffolk district. They are proposing REMOVING the WAV policy they have had in place due to it not meeting the demands of users of ALL abilities/disabilities:</p> <p>It's time to have you say on package of taxi proposals (westsuffolk.gov.uk)</p> <p>I do also believe that the person invited to act as a representative for a major disabled group in the town, namely Anne Lightfoot from Insight Gloucestershire, voiced her concerns about access to WAV's in a recent meeting (Andy Pyrka & Nick Fisher witnessed this) and stated she felt a mixed fleet was more suitable.</p> <p>Whilst the policy, on paper, would appear to be a laudable suggestion by CBC to remove discrimination for wheelchair users, if you carry on with this, you will actually create a situation where YOU will discriminate against people who cannot access these vehicles. These people:</p> <p>...</p> <p>Are passengers that I, personally, have carried within the last few months from the Promenade rank after trying and being unable to access WAV vehicles. Unfortunately for the trade, these people tend not to complain to CBC about this situation, they just 'soldier on', so you do not get a balanced view about access issues.</p>
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		If you introduce this policy and only ONE person cannot access a Hackney Carriage, once all WAV, then you will have introduced a policy which discriminates and leads to the very situation you say you wish to eliminate.
HC Driver	Not supported	The change to carbon neutral is very expensive and difficult so I (as a taxi driver) would like the cars to stay as they are for now.
HC Driver	None	<p>The licensed vehicle emission consultation does not provide enough information to enable a decision and opens many questions that should be answered before providing a detailed response and decision by the council. These mainly focus around costs and range anxiety.</p> <p>If you could add the answers to these following questions as part of the draft consultation a more considered response could be provided, namely:</p> <ol style="list-style-type: none"> 1. The electric WAV vehicles that we were shown by levc have 2 models that are considered electric (Range Extended and Battery Electric). The range extended has a backup of petrol, therefore would a petrol backup vehicle be excluded? 2. LEVC says vehicles are good for 377 miles between top ups, though only 64-80 of those miles would be using batteries alone. Is this still considered carbon neutral for licensing purposes? 3. These vehicles are very expensive and my home does not have a charge point. Will there be grants available from the council for purchasing the vehicles and infrastructure especially as the legal target is 2050? 4. Current ranges from these WAV vehicles are exemplified at 80 miles which is not very practical on a busy weekend or race week. I am conscious of range anxiety that has not yet been solved for WAV, although non-wavs are reaching 225 miles (tesla 600 miles if I have £100K to spare). Therefore will you be providing rapid 30 min charge points at ALL the hackney ranks for average 10-20 vehicles or are you expecting us to go home for 8 hours? 5. If you do provide rapid charge points, will the compatible charge points be a mix for most manufacturers (bear in mind that the manufacturers are implementing different and not universal power points) or will we have to buy LEVC vehicles which has a CCS and CHAdeMO charging socket ? 6. Are we calculating carbon neutrality which includes the cost of new manufacturing batteries and cars for a forced 2030 timescale in our consultation compared to the legally required 2050 timescale? 7. Lithium batteries are devastating to the environment and recycling is currently at 5%-25%, not exactly environmentally friendly when you look at the end-to-end process. Can this be considered as part of the consultation?

		<p>8. Does our small council have the financial support to push a 2030 target or are we just setting an ambitious project but not providing me with the financial support to achieve it with detrimental effect. Especially when I have just been wiped out by a pandemic and now a massive increase in cost of living including an increase in council tax. Surely there are larger and more supported verticals that could take the pain ready for us to implement by 2050 when technologies will be more energy secure and infrastructure/vehicles will be cheaper.</p>
HC Driver	Not supported	<p>Hi surly it makes sense to have a mix of wav and cars that are obviously fully Eclectic. Not every passenger wants to get into a wav. So I would suggest the drivers with a WAV need to get an electric WAV . Then the drivers with a car get an electric car. So by 2030 you have a mix but all electric.</p>
HC Driver	Not supported	<p>Think all electric wheel chair vehicles are not a good idea as a lot of elderly people can't get in them so that would be discriminating against them. A mixed fleet of all electric vehicles would be a better option.</p> <p>Classic example we've had elderly customers come to a ordinary car as they couldn't get into a wheelchair accessible vehicle</p>
CBC Climate Emergency Programme Officer	Supported	<p>Great to see the direction of travel (no pun intended) with this policy.</p> <p>However, we need to go through the document and replace every instance of 'carbon neutral' vehicle with 'zero emissions' vehicle. Will you also be considering ultra-low emissions vehicles?</p> <p>Net Zero and carbon neutral were once used interchangeably but now there are clearer definitions between the two. Essentially, carbon neutral means you can continue to release emissions as long as you offset them later, but to make sure we aren't releasing and emissions from the outset, we need to be pushing for zero emissions vehicles. See below for the definitions outlined in our Climate Emergency Action Plan:</p> <p>Carbon neutral means that any carbon dioxide (CO2) released into the atmosphere from an organisation's activities is balanced by an equivalent amount being removed. Typically, this would be achieved by determining the organisation's carbon footprint and deciding how best to counteract these emissions via renewable energy generation or carbon offsetting, and sometimes carbon emissions reductions. An organisation can demonstrate carbon neutrality, whilst still increasing its own carbon emissions.</p> <p>Net-Zero emissions means not adding any greenhouse gases to the atmosphere through an organisation's activities. Becoming net-zero starts with a plan to rapidly reduce GHG emissions to zero by a specified date. However, most organisations find that some emissions can't be reduced to zero. These are expected to be small and are usually then offset</p>

		<p>by initiatives aimed at removing an equivalent amount of GHG from the atmosphere. The UK became the world's first major economy to set a target of being net zero by 2050. Cheltenham has set a more ambitious target of being net zero by 2030.</p> <p>Happy to have a chat about this on the phone if easier.</p>
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**Cheltenham Borough Council
Cabinet – 13th September 2022**

Budget Monitoring Report 2022/23 – position at 31st July 2022

Accountable member	Cllr. Peter Jeffries, Cabinet Member Finance and Assets
Accountable officer	Gemma Bell, Director of Finance and Assets (Deputy S151 Officer)
Ward(s) affected	All
Key/Significant Decision	No
Executive summary	<p>This report provides the monitoring position statement for the financial year 2022/23 against the budget approved by Council on 21 February 2022. The purpose of this report is to notify members of any known significant variations to the revised budgets for 2022/23 and highlight any key issues.</p> <p>Regular budget monitoring exercises for services are carried out in liaison with Directors and cost centre managers. The budget is also regularly discussed with the Lead Member for Finance and Assets and the Cabinet. One of the key purposes of this exercise is to identify any major variations from the current approved budget that are anticipated to occur in the financial year. Any variations of more than £50,000 to revenue budgets identified at 31 July 2022 are outlined in this report.</p>
Recommendations	It is recommended that Cabinet note the contents of this report including the key projected variances to the 2022/23 budget approved by Council on 21 February 2022 and the actions to ensure overspends are reduced as far as possible by the end of the financial year.

Financial implications	As detailed throughout this report. Contact officer: Gemma Bell, Director of Finance and Assets (Deputy S151 Officer), gemma.bell@cheltenham.gov.uk
Legal implications	None arising from the report recommendations. Contact officer: One Legal, legalservices@onelegal.org.uk
HR implications (including learning and organisational development)	As detailed in the report. Contact officer: Julie McCarthy, HR Manager, Julie.mccarthy@publicgroup.uk
Key risks	Risk assessment in Appendix 1
Corporate and community plan Implications	Taking action to ensure overspends are reduced as far as possible by the end of the financial year will help ensure that the council can continue to deliver its corporate objectives as set out in the 2019-2023 Corporate Plan. Contact officer: Richard Gibson, Head of Communities, Wellbeing and Partnerships, Richard.Gibson@cheltenham.gov.uk, 01242 264 280
Environmental and climate change implications	The mitigating actions, in particular in relation to the increasing cost of energy, are in line with our Climate Emergency Action Plan. A reduction in energy consumption spawns a reduction in overall greenhouse gas emissions, and therefore aligns with our Climate Emergency Action Plan. The mitigating actions, in particular, the winter energy usage reduction target of 20-25% and the exploration of a more efficient building management system will expedite our progress towards becoming a net zero Council. Contact officer: Laura Tapping, Climate Emergency Programme Officer, Laura.Tapping@cheltenham.gov.uk, 01242 264 263
Property/Asset Implications	None specific directly arising from the recommendations. Contact officer: Gemma Bell, Director of Finance and Assets (Deputy S151 Officer), gemma.bell@cheltenham.gov.uk

1. Background

- 1.1 On 21 February 2022, Council approved the budget for 2022/23, including setting the Council Tax. The 2022/23 approved budget identified ambitious efficiency savings and additional income of £1.507m and was set at a time of huge financial uncertainty over long term impact of the pandemic on customer behaviour and the emergence of the Omicron variant in the winter of 2021. Only at the point that changes to customer behaviour and the way our services are accessed has started to be understood, we are now faced with the most significant cost of living crisis in a generation.
- 1.2 This report draws together the Council's budget forecast for 2022/23 at 31 July 2022 against the budget approved on 21 February 2022. It also summarises the Housing Revenue Account (HRA) revenue and capital budgets.

2. Net Revenue Budget Position

- 2.1 The current forecast overspend for 2022/23 in £2.834m, of which £1.8m is estimated to relate to economic pressures as a result of rising inflation and interest rates. The table below details the breakdown of the variances against the approved budget with further explanation provided in Sections 3, 4 and 5.

Significant budget variances	Overspend / (Underspend) £	Para. Ref.
Finance, Assets and Regeneration		
Municipal Offices	100,000	3.1
Cemetery and Crematorium	100,000	3.2
Other Net Budget Variances < £50,000	134,000	
Net Base Budget Variances	334,000	
Wider Economic Pressures		
Est. Rise in Interest Rates	200,000	4.4
Est. Inflationary pressures on commercial	250,000	4.5 – 4.7
Est. Inflationary Increase in energy costs	1,000,000	4.8 – 4.11
Est. Pay Award Increase	700,000	4.12 – 4.13
Total Economic Pressures	2,150,000	
At Risk Savings	350,000	5.1 – 5.5
Total projected overspend for the year	2,834,000	

3. Base Budget Variances

- 3.1 The base budget for the Municipal Offices includes a £150k budget for rental income generated

from third parties who have rented space in the building. A tenant who previously rented the entire second floor of the building has moved out and the space remains vacant. New tenants have been moved into other smaller areas in the building but there has been no interest from the market post pandemic in occupying space on the scale of the previous tenants. To offset this pressure, work is ongoing to condense the space used on the third floor by council officers to reduce the overall running costs of the building.

- 3.2** This variance is made up of a £50k pressure on the income budget and a £50k pressure on the expenditure incurred by the service. Income generated from sales and fees was significantly impacted by the pandemic when services were limited and included much fewer mourners. The council are still experiencing a reduction in this income which hasn't recovered post pandemic. In addition, the costs of tools, equipment, grounds and vehicle maintenance have all been subject to inflationary increases which has placed pressure on the expenditure budgets. Work is ongoing under the recently appointed Head of Commercial and Income Generation to undertake a detailed review of the service and identify opportunities to mitigate these pressures.

4. Wider Economic Pressures

- 4.1** We are now faced with the most significant cost of living crisis in a generation. In the six months between the 2021/22 outturn report being presented to Cabinet in July 2022 and the report deadline for this committee, inflation has increased from 6.2% to 10.1% and is expected to hit 13% in the winter of 2022. Interest rates have also increased again since this date to 1.75%.
- 4.2** These pressures come at a time when commercial income was bouncing back post pandemic – a significant amount of which has been used to support the delivery of our services since 2010 when Government funding was reduced through austerity policies.
- 4.3** In the 2021/22 outturn report we provided indications of the level of pressures we were likely to face due to the economic outlook for 2022/23. These have been revised again after the first quarter of the year and are summarised below.
- 4.4** Following the recent interest rate increase of 0.5% on 4 August 2022, the council's treasury management advisors have forecast that the Bank Rate will rise to 2.75% by December 2022. This is expected to take place with three separate incremental rises through the autumn and winter. This will impact the expenditure required to service our current borrowing levels, with a subsequent pressure of £344k on the cost of borrowing. Partly this will be offset against an increase in investment income of £144k, leaving a net pressure of £200k on our 2022/22 budget position.
- 4.5** Following the implementation of Government austerity policy since 2010, the council have worked towards being financially self-sufficient through the implementation of a commercial strategy. The objective of this policy is to meet the reduction in funding pressure through generating income from commercial ventures and investments in a risk aware manner.
- 4.6** The council have a number of large contractual commitments, both impacting expenditure budgets but also generating income across a number of services and commercial investments. The impact of inflation and interest rates have increased the base cost of key elements of these contracts; from fuel in waste and recycling vehicles to rental income generated through our property portfolio.
- 4.7** The variance of £250k is an estimate of the inflationary increase we expect to be passed onto the council through these contracts for 2022/23. This is currently based on the figures at July 2022, may be subject to change throughout the year and will be monitored for fluctuations.
- 4.8** In the same way that energy costs have increased for households across the borough, the council are also seeing an increase in costs albeit without any price cap to mitigate the inflationary increases. Since April 2022, we have been purchasing our energy through the summer on the day ahead market on the advice of our broker. This has proved cheaper than it would have been to

lock into a fixed term contract and we have been purchasing gas at 6-10p per kWh and electricity at 25-35p per kWh. This is against a budgeted unit cost of 6p per kWh for gas and 15-20p per kWh for electricity.

- 4.9 The greatest pressure we are facing is the forward market for energy between October and March when our usage will be at its highest. The market for purchasing electricity for this period has increased from 40p per kWh to over 70p per kWh and there is significant uncertainty about if this will continue to increase and for how long this will continue for.
- 4.10 In order to try to mitigate these rising costs as much as is feasible, energy usage targets have been set for all our major buildings and this is monitored using the recently installed sub meters. The focus is on working with our partners and staff who operate from our buildings to reduce overnight energy usage. To facilitate this there is re-procurement activity to implement a more efficient building management system which can be used to automatically set where energy is used to run operationally systems and set limits for when these are switched off.
- 4.11 The overall target is to reduce our winter energy usage by 20-25% when compared to the same period in 2021/22. Despite this work, it is currently expected that the total cost of electricity and gas for buildings operated by the council in 2022/23 will be close to £2m, against a budget of £978k.
- 4.12 The 2022/23 approved budget included a provision for a 2% Local Government pay award with an additional 1% contingency if needed. As inflation has increased since the original budget was approved, it has become clearer that this is unlikely to be sufficient to cover both council officer and partner pay increases for 2022/23.
- 4.13 On 25 July 2022, the National Employers put an offer to the NJC Trade Unions. Although this pay offer has not yet been balloted by the recognised Trade Unions, a pressure has been included in the monitor for prudence. This is estimated to cover the additional cost of a pay award for council officers and the contract cost increase of our partner organisations which will be required to cover a pay award.

5. Delivery of the 2022/23 Savings Strategy

- 5.1 As part of the 2022/23 approved budget, a four year savings strategy was approved which was weighted towards delivering £1.5m of base budget savings in 2022/23. This is an incredibly ambitious target, particularly in the current economic environment. The detail of these savings have been included in Appendix 3 of this report and have been risk rated as follows:

Risk Rating	% Delivery Confidence	£'000
Green	> 90%	375
Amber	> 60%	782
Red	< 20%	350
		1,507

- 5.2 Action has already been taken by officers and Members on the £1.157m of savings categorised as green or amber and these will continue to be monitored through the rest of the financial year. Explanations have been provided below for the three savings strategies which at have been categorised as at risk for 2022/23.
- 5.3 Modernisation Programme Saving 2022/23 – the modernisation programme was delayed in 2021/22 due to resource being redeployed to support the response to the pandemic which has

pushed back the profiling of savings the programme is expected to deliver. The implementation of the digital platform is now progressing and it is expected to deliver savings from 2023/24.

- 5.4** Existing Investment portfolio income generation – within our investment and overall property portfolio a number of our assets are leased or let by third parties. At the point that the budget was approved, a number of rent reviews were being undertaken and there was opportunity to also lease what was being held as vacant space to maximise the benefit these assets were bringing to the general fund. However, the escalating economic situation has adversely impacted the market and there are fewer opportunities to implement this strategy. Once the economy has stabilised this strategy will be reviewed again and it is expected that in future a saving will be delivered. However, this will not crystallise in 2022/23.
- 5.5** Energy usage review across asset portfolio – at the point that the budget was proposed there had been significant investment in installing sub meters into council buildings which was providing much more accurate data to monitor energy usage across our portfolio. It was expected that using this data to change operational practices would help reduce usage and deliver a £100k saving energy costs against a £978k budget, equivalent to a 10.2% reduction. However, due to the inflationary pressures outlined in section four above the efficiencies generated have now been subsumed by the rising price of energy. Again, once the economy has stabilised and energy prices reduce the ground work undertaken may generate a saving in future years.

6. The 2022/23 Capital Programme

- 6.1** A monitoring exercise has been carried out to ensure that the capital programme, approved by Council on 21 February 2022, are being delivered as planned within allocated capital budgets, some of which are timetabled to straddle two or more financial years. The 2022/23 capital programme approved as part of the 2021/22 outturn report totals £18.261m.
- 6.2** At present, the capital projects are all forecast to be delivered on budget based on the activity incurred to date and the planned activity until 31 March 2023.
- 6.3** During the 2022/23 financial year, other projects and schemes may come to light which require investment by the Council. These proposals will be considered by the Cabinet and approval will be requested through the relevant channels in line with the Council's Budget and Policy Framework Rules.

7. Housing Revenue Account Revenue Budget

- 7.1** The forecast revenue position after the first four months of 2021/22 shows a negative variance of £240,000 from budget, reducing the operating surplus for the year from £1,042,400 to £802,400.
- 7.2** The following significant variances have been identified:
- In April 2022 the HRA Commercial Properties (shops and other commercial leases) were appropriated to the Council's General Fund. As a consequence, non-dwelling income will reduce by £290,000.
 - Interest Payable has been reduced by £50,000 to reflect a lower borrowing requirement to finance the reduced Capital Programme (see below).

Capital Budget

- 7.3** The HRA capital programme shows no significant variation in forecast spend on existing stock (£11,327m.) but the new build programme is anticipated to reduce by £5m from £17m to £12m. This removes the contingency for further Section 106 acquisitions from developers in the current

year. The market continues to be uncertain and identified opportunities have been either delayed or planning permission refused.

8. Funding of the Projected Overspend

- 8.1** The assessment of the adequacy of reserves and balances in the 2021/22 outturn report used a risk based approach to determine an optimum level of general fund balance of £3.256m. Following the 2021/22 outturn report, the council currently hold £3.571m in general balances which was considered sufficient in line with this assessment.
- 8.2** The current projected overspend of £2.834m clearly demonstrates the validity of this assessment and the potential need to use a large proportion of our general balances to support the budget in 2022/23.
- 8.3** At the date this report was published, no additional Government support to Local Authorities to manage the financial pressures caused by the current economic conditions has been announced and, in line with the 2021/22 outturn report, we are currently reliant on the resilience of our general balances to balance the 2022/23 budget.
- 8.4** With diminishing long term central government support in the form of direct grant and New Homes Bonus, uncertainty over the long term impact of the cost of living crisis, and the impact on individual's ability to pay council tax or business rates, it may be the case that that some difficult choices need to be made in respect of service provision.
- 8.5** Members should acknowledge that the recommendation in the outturn report to use the under spend against the 2021/22 budget to further support general balances has increased the Council's resilience to the financial pressures we face through 2022/23 but this may not be sufficient if pressures continue into 2023/24 and beyond. It is recommended that the long term sustainability of the costs and funding associated with delivery of new projects are considered and reviewed before commitments are made to ensure the scarce resources available are able to generate the maximum value.

9. Conclusion

- 9.1** The current monitoring position of the 2022/23 budget demonstrates that even with the financial planning decisions taken by Officers and Members over the last two years, we are still facing significant uncertainty and volatility in managing the resources available to the Council to deliver services to our residents and communities.
- 9.2** The proposal to fund the projected overspend using general balances will provide the council with short term resilience through a cost of living crisis where inflation has now reached the highest rate for 40 years. Available resources will also be reviewed to enable the Council to support the most vulnerable residents in our town through the financial pressures they will also be facing.
- 9.3** The long term impact of the pandemic and the extent of the cost of living crisis on our resources will continue to be closely monitored and reported to Members throughout 2022/23 together with frequent and proactive review of reserves to ensure the Council has robust arrangements in place to respond to any future impacts on our funding or resources.

10. How this initiative contributes to the corporate plan

- 10.1** Taking action to ensure overspends are reduced as far as possible by the end of the financial year will help ensure that the council can continue to deliver its corporate objectives as set out in the 2019-2023 Corporate Plan.

11. Consultation and feedback

- 11.1** Appropriate members and officers were consulted in the process of preparing the monitoring position and associated reports and appendices.

Report author	Contact officer: Gemma Bell, Director of Finance and Assets (Deputy S151 Officer), Gemma.Bell@cheltenham.gov.uk
Appendices	<ol style="list-style-type: none"> 1. Risk Assessment 2. Capital Programme Monitor to 31st July 2022 3. Savings Strategy 2022/23
Background information	N/A

Appendix 1: Risk Assessment

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
347	If energy costs keep rising / fluctuating as per the current market then it impacts on our ability to accurately budget/forecast expenditure and may impact on our the investments we can make in projects / programmes whilst still being able to achieve our MTFS	Gemma Bell, Director of Finance and Assets	4	4	16	Reduce	This policy and the associated action plans.	Gemma Bell, Director of Finance and Assets	Ongoing
	If the Council is unable to come up with long term solutions which close the gap in the medium term financial strategy then it will find it increasingly difficult to prepare budgets year on year without making unplanned cuts in service provision.	Cabinet	5	3	15	Reduce	The budget strategy projection includes 'targets' for work streams to close the funding gap which aligns with the council's corporate priorities.	ED Finance and Assets	Ongoing

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
	If the Budget Strategy (Support) Reserve is not suitably resourced insufficient reserves will be available to cover anticipated future deficits resulting in the use of General Balances which will consequently fall below the minimum required level as recommended by the Section 151 Officer in the council's Medium Term Financial Strategy	ED Finance and Assets	5	4	20	Reduce	The MTFs is clear about the need to enhance reserves and identifies a required reserves strategy for managing this issue. In preparing the budget for 2020/21 and in ongoing budget monitoring, consideration will continue to be given to the use of fortuitous windfalls and potential future under spends with a view to strengthening reserves whenever possible.	ED Finance and Assets	Ongoing
	If income streams from the introduction of the business rates retention scheme in April 2013 are impacted by the loss of major business and the constrained	ED Finance and Assets	5	4	20	Accept & Monitor	The Council joined the Gloucestershire pool to share the risk of fluctuations in business rates revenues retained by the Council.	ED Finance and Assets	Ongoing

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
	ability to grow the business rates in the town then the MTFS budget gap may increase.						<p>The Gloucestershire S151 Officers continue to monitor business rates income projections and the performance and membership of the pool / pilot.</p> <p>Work with members and Gloucestershire LEP to ensure Cheltenham grows its business rate base.</p>		
	If the robustness of the income proposals is not sound then there is a risk that the income identified within the budget will not materialise during the course of the year.	ED Finance and Assets	4	4	16	Reduce	<p>Robust forecasting is applied in preparing budget targets taking into account previous income targets, collection rates and prevailing economic conditions. Professional judgement is used in the setting / delivery of income targets. Greater focus on cost control and</p>	ED Finance and Assets	Ongoing

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
							income generation will be prioritised to mitigate the risk of income fluctuations.		
	If the assumptions around government support, business rates income, impact of changes to council tax discounts prove to be incorrect, then there is likely to be increased volatility around future funding streams.	ED Finance and Assets	5	3	15	Reduce	Work with Publica and countywide CFO's to monitor changes to local government financing regime including responding to government consultation on changes Business Rates and the Fair Funding review. The assumptions regarding government support have been mitigated to a certain extent by the acceptance of a multi-year settlement agreement.	ED Finance and Assets	Ongoing
	If government support to compensate this Council for the impact of COVID-19 is insufficient, greater reliance will be placed on the use of reserves, service reduction and	ED Finance and Assets	5	3	15	Reduce	The Council will continue to lobby for additional resource, as promised by Central Government from the outset of the pandemic.	ED Finance and Assets	Ongoing

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
	asset sales.						Work programmes are underway to review service provision, capital programmes and rationalisation of assets.		

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Appendix 2 - The Capital Programme

Code	Directorate / Scheme	Scheme Description	Approved Budget £	Actual Spend July 2022 £	Forecast Spend 2022/23 £	Variance £
FINANCE & ASSET MANAGEMENT						
Property Services						
CAP516	Gloucestershire Airport Limited	Runway repairs	5,200,000	3,025,000	5,200,000	-
CAP515	Minster Innovation Exchange	20,000 sq ft purpose-built commercial space adjacent to the Minster	1,718,191	395,963	1,718,191	-
CAP522	Electric Vehicle Charging Points	Infrastructure to support the delivery of EV charging points	75,000	-	75,000	-
CAP523	Refurbishment of the Reception	Refurbishment of the Reception in advance of re-opening	125,000	83,040	125,000	-
CAP513	Smart working	Project to implement agile working in the Municipal Offices	200,000	-	125,000	(75,000)
CAP518	Sandford Park toilets	Provide for new public toilet provision at Sandford Park	150,000	-	150,000	-
CAP208	Clarence Fountain	Refurbishing the Clarence Fountain area in line with Green Economic Recovery and Investment strategy outlined in the 2020/21 outturn report.	95,000	86,387	95,000	-
CAP521	Montpellier Toilets	To improve public toilet provision in the town.	100,000	1,404	100,000	-
CAP517	Imperial Gardens Railing Restoration	The restoration of the Imperial Gardens Railing to be funded by external resources and project managed by CBC. £100k	50,000	7,553	50,000	-
			7,713,191	3,599,346	7,638,191	(75,000)
PEOPLE & CHANGE						
ICT						
CAP030	Carbon Neutral agenda	Seed funding to deliver the actions needed, as outlined in the report to Full Council in October 2019, to facilitate the Council's ambition to become carbon neutral by 2030.	332,016	22,826	100,000	(232,016)
CAP032	Public Sector Decarbonisation Scheme		149,517	143,269	149,517	-
CAP010	Digital Platform	Implementation and roll out of the new digital platform across the Council	94,846	43,200	94,846	-
CAP026	IT Infrastructure	5 year ICT infrastructure strategy	250,000	735	50,000	(200,000)
CAP131	One Legal case management system	The new Case Management System, when fully implemented, should deliver staffing efficiencies of between 5% - 10% which would free up resource to take on additional third party work as envisaged by the Business Plan and the anticipated increase in third party income would be estimated to exceed, over the three year period, the procurement cost	40,000	-	40,000	-
Leisure Trust						
CAP135	Commercialisation opportunities within the Cheltenham Trust	Invest a sum of £1m to pump prime the commercial opportunities identified by The Cheltenham Trust (including investment which both sustains and grows income at the Town Hall);	650,000	-	250,000	(400,000)
			1,516,379	210,030	684,363	(832,016)
PLACE & GROWTH						
CAP306	In Cab Technology	The introduction of an In-Cab system would reduce the mileage required to be completed by Ubico, because it would guide the crew around their collection route and would largely eliminate mistakes.	200,000	-	-	(200,000)
CAP601/2/3	Crematorium Scheme - new chapels	Construction of new chapels	-	-	-	-
CAP606	Crematorium Scheme - existing chapel	Redevelopment of existing chapel	285,000	-	-	-
CAP607	The Burrows Improvement Project	Forward funding for the Leckhampton playing field works.	298,159	162,587	298,159	-
CAP204	Public Realm Investment - Grosvenor Street Car Park	Improving linkages to the High Street, signage and decoration.	115,500	-	-	(115,500)
CAP201	CCTV	Additional CCTV in order to improve shopping areas and reduce fear of crime	104,781	-	104,781	-
CAP205/6/7	Public Realm Improvements - High Street Phase 2	Public Realm in the Strand / Cambray	412,914	12,000	12,000	(400,914)
CAP506	Enterprise Way Phase two		-	22,651	22,651	22,651
CAP507	Changing Places	Two changing room accessible toilets in the town centre	42,185	-	42,185	-
Housing						
CAP221	Disabled Facilities Grants	Mandatory Grant for the provision of building work, equipment or modifying a dwelling to restore or enable independent living, privacy, confidence and dignity for individuals and their families.	500,000	281,461	500,000	-
CAP223	H&S, vacant property & renovation grants	Assistance available under the council's Housing Renewal Policy	206,400	-	206,400	-
CAP224	Warm & Well	A Gloucestershire-wide project to promote home energy efficiency, particularly targeted at those with health problems	18,400	-	18,400	-
CAP227	Housing Delivery	Enabling the delivery of Private Rented Sector (PRS) Housing through Cheltenham Borough Homes	4,500,000	-	4,500,000	-
CAP228	Housing Enabling	Expenditure in support of enabling the provision of new affordable housing in partnership with registered Social Landlords and the Homes and Communities Agency (HCA)	252,746	-	252,746	-
Parks and Gardens						
CAP101	Clyde Scooter Skate Park	Developer Contributions	50,000	20,260	50,000	-
CAP102	Play Area Enhancement	We are tendering one large playground improvement contract. Both will be committed this year, but paid for in next financial year.	123,800	99,248	123,800	-
	The Burrows Improvement - phase two	Contribution to the works required to build the storage room for Leckhampton Rovers	25,000	-	25,000	-
	Naunton Park	Contribution to pathways and drainage work	25,000	-	25,000	-
CAP501	Allotments	Allotment Enhancements - new toilets, path surfacing, fencing, signage, and other improvements to infra-structure.	161,000	-	161,000	-
CAP133	Replacement Parks & Gardens Vehicles	Replacement vehicles for parks and gardens	-	-	-	-
Waste & Recycling						
CAP301	Vehicles and recycling equipment and receptacles	Replacement vehicles and recycling equipment	1,710,795	223,629	1,710,795	-
			9,031,679	821,836	8,052,916	(693,763)
TOTAL CAPITAL PROGRAMME			18,261,249	4,631,211	16,375,471	(1,600,779)

Funded by:				
General Fund Capital Receipts	4,902,990	281,841	3,017,211	(1,600,779)
Capital Reserve				
Revenue Reserve	414,846	214,031	414,846	
Prudential Borrowing	11,418,191	3,420,963	11,418,191	
Partner Funding	807,305	269,387	807,305	
Capital Grant or Contribution	149,517	143,269	149,517	
Better Care Fund	518,400	281,461	518,400	
s106 Funding	50,000	20,260	50,000	
Other Revenue Reserves				
Total	18,261,249	4,631,211	16,375,471	(1,600,779)

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Appendix 3 - Budget Efficiencies and Savings

Description	2022/23 £	Narrative	Delivery Risk
Cross Council Budget Efficiencies			
Re-alignment of resourcing with Corporate Priorities	175,000	The re-alignment of resourcing against Corporate priorities is ongoing through the organisational review.	Amber
Modernisation Programme Saving 2022/23	100,000	See 5.3	Red
Commercial income generation opportunities	50,000	Initiative to be launched by Commercial and Income Generation team on 1 September 2022 with full year income target of £100k.	Green
Sub total	325,000		
People and Change			
Reduction in the Cheltenham Trust management fee	100,000	Delivered.	Green
Maximise opportunities to strengthen CBC-CBH partnership	300,000	The appropriation of properties between the HRA and GF on 01.04.2022 has delivered £180k of this target with other proposals such as office space in the Municipal Offices being considered to deliver the remaining target.	Amber
Review of the commercial viability of pest control service	50,000	Delivered.	Green
Sub total	450,000		
Place and Growth			
Review of the trade waste service	120,000	Proposal to be reviewed by Cabinet in the autumn on the Household Waste Recycling and Trade Waste.	Amber
Efficiency review of the Household Recycling Centre	87,000		Amber
Marketing and destination - service redesign	50,000	Delivered.	Green
Sub total	257,000		
Finance and Assets			
Value for money review of our planned maintenance and reactive repairs contracts	125,000	Movement of repairs work in-house and review of asset portfolio has delivered £50k up to 31.07.2022 and will continue throughout the year	Green
Existing Investment portfolio income generation	150,000	See 5.3.	Red
Energy usage review across asset portfolio	100,000	See 5.4.	Red
New Housing supply - mark-up on borrowing / equity	50,000	This may be impacted by the wider economic activity but other proposals are currently being reviewed, such as the commercial income generating activities and rationalisation of the asset portfolio to make savings on costs such as Business Rates and repairs for assets	Amber
Treasury Management activity	50,000	which do not contribute to our corporate priorities.	Amber
Sub total	475,000		
Total	1,507,000		

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**Cheltenham Borough Council
Cabinet – 13th September 2022
Food Safety Service Plan**

Accountable member	Cllr. Martin Horwood, Cabinet Member Customer and Regulatory Services
Accountable officer	Darren Knight, Executive Director Place and Communities
Ward(s) affected	N/A
Key/Significant Decision	No
Executive summary	<p>The Council is required to produce a Food Safety Service Plan under the Framework Agreement with the Food Standards Agency (FSA). Local Authorities are required to consider and approve the Plan to help ensure local transparency and accountability.</p> <p>The Food Safety Service Plan ensures national priorities are delivered locally and linked to corporate and financial planning. It also provides a means of managing performance and providing relevant information to stakeholders.</p>
Recommendations	It is recommended that Cabinet approve the appended Food Safety Service Plan 2022-23.

Financial implications	There are no financial implications of the recommendations in the report. Contact officer: Gemma Bell, Director of Finance and Assets (Deputy S151 Officer), Gemma.Bell@cheltenham.gov.uk
Legal implications	It is confirmed that in approving the Food Safety Plan contained in this report, the Council are acting within their legal powers. The report satisfies the requirements of the Framework Agreement on Official Feed and Food Law Controls by Local Authority. Failure to provide the Agency with requested information reasonably required for the purpose of carrying out its function of monitoring the performance of enforcement authorities is an offence under s16 of the Food Standards Act 1999 which is punishable by a fine. Contact officer: Rachael Baldwin, One Legal, Rachael.Baldwin@onelegal.org.uk
HR implications (including learning and organisational development)	The Food Safety Service Plan clearly details employee resourcing requirements and these are currently sufficient in order to meet the council's statutory food safety functions, due to the current engagement of agency services. Any implications of under resourcing are detailed in the report, HR will support the service ensuring that it maintains and meets its required resourcing levels, as well as supporting any identified training and development needs. Contact officer: Clare Jones, HR Business Partner, Clare.Jones@publicagroup.uk
Key risks	Risk Assessment in Appendix 1.
Corporate and community plan Implications	Cheltenham has a collective commitment to ensure that everyone thrives and that they are supported by a thriving economy and our objectives within this Food Safety Service plan align with this commitment. It ensures that the food sold and distributed within the Borough is fit for human consumption and does not cause illness. Business owners are given advice on best practice helping them to thrive and the operation of the food hygiene rating scheme allows consumers to make informed choices about where to eat or purchase food. It links to our corporate enforcement policy and departmental policies such as the sampling plan, the consistency framework and the intervention policy. Contact officer: Richard Gibson, Head of Communities, Wellbeing and Partnerships, Richard.Gibson@cheltenham.gov.uk
Environmental and climate change implications	Approval of this statutory plan does not have any environmental or climate change implications. Contact officer: Laura Tapping, Climate Emergency Programme Officer, Laura.Tapping@cheltenham.gov.uk
Property/Asset Implications	Approval of this statutory plan does not have any property or asset implications. Contact officer: Gemma Bell, Director of Finance and Assets (Deputy S151 Officer), Gemma.Bell@cheltenham.gov.uk

1. Background

- 1.1** The Food Standards Agency (FSA) *Framework Agreement on Official Feed and Food Law Controls by Local Authorities, Amendment number 5* requires Cheltenham Borough Council to have an Approved Food Safety Service Plan. The framework agreement sets out a standard approach to service planning which is used by the Food Standards Agency (FSA) for audit and monitoring purposes. As we recover from the impacts of Covid 19, this plan sets out how Cheltenham Borough Council intends to deliver the food safety service. It outlines the activities and milestones set out in the FSA's Covid 19 recovery plan for 2022-23 and the resources needed to enable delivery. It takes into account the requirements of the Food Law Code of Practice, the Practice Guidance and the Framework agreement. Due to the varying challenges and varying resources currently available to Local authorities the level of detail required within the document is less prescriptive as in previous years and thus a simplified service plan has been formulated.

2. Reasons for recommendations

- 2.1** It is a statutory requirement to produce a Food Safety Service Plan, and allows for the efficient planning of resource to deliver official controls as required by the Food Law Code of Practice and to deliver other commitments such as sampling, internal monitoring and business advice as required by the Framework Agreement.

3. Alternative options considered

- 3.1** This plan relates to the delivery of a statutory function, so no alternative options are available at this time.

4. How this initiative contributes to the corporate plan

- 4.1** Cheltenham has a collective commitment to ensure that everyone thrives and that they are supported by a thriving economy and our objectives within this Food Safety Service plan align with this commitment. It ensures that the food sold and distributed within the Borough is fit for human consumption and does not cause illness. Business owners are given advice on best practice helping them to thrive and the operation of the food hygiene rating scheme allows consumers to make informed choices about where to eat or purchase food. It links to our corporate enforcement policy and departmental policies such as the sampling plan, the consistency framework and the intervention policy.

5. Consultation and feedback

- 5.1** A copy of the plan is made available on the Council's website.

6. Performance management –monitoring and review

- 6.1** For the purposes of this plan the performance measurement is based on the service plan objectives. External monitoring by the Food Standards Agency is being reviewed. The previous Local Authority Enforcement Monitoring System (LAEMS) of performance management is no longer being used following the Covid 19 pandemic. The new intelligence led system will be implemented from 2023. In the interim there will be a series of targeted 'Temperature Check Surveys' to monitor food team performance against clearly identified milestones. There will also be a full bespoke end of year return to provide statistics for performance management. The Team leader will monitor internal performance against milestones. This plan, its format and content will be reviewed post April 2023 to include all requirements and recommendations of the new food delivery model as required by the Food Standards Agency.

Report author	Contact officer: Bernadette Reed, Interim Public and Environmental Health Team Leader, Bernadette.reed@cheltenham.gov.uk
Appendices	<ol style="list-style-type: none"> 1. Risk Assessment 2. Food Safety Service Plan 2022-2023
Background information	<ol style="list-style-type: none"> 1. Food Law Agreement on Official Feed and Food Controls by Local Authorities https://acss.food.gov.uk/sites/default/files/multimedia/pdfs/enforcement/frameworkagreementno5.pdf 2. Food Law Code of Practice and Food Law Practice Guidance 2021 https://www.food.gov.uk/about-us/food-and-feed-codes-of-practice

Appendix 1:Risk Assessment

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
1	If the council is unable to deliver the Food Safety Service plan then high risk food businesses will not be inspected thus posing a potential public health risk to consumers	B Reed	4	2	8	Contingency plan	The service plan is achievable within resource plan outlined in the Food Safety Service Plan and if no other circumstances change. If the situation does change, resource implications will be escalated to the Head of Service	Louis Krog	At each FSA milestone 'temperature check' as detailed in the delivery plan. Use of contract staff if necessary
2	If the Council is unable to deliver the Food Safety Service plan then it is in contravention of the requirements of the FSA recovery plan and poses a reputational risk for the Council. The rating scheme will lose	B Reed	4	2	8	Contingency plan	As above	Louis Krog	Early escalation to the FSA where applicable for advice and joint working to formulate a suitable action plan At

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
	credibility with consumers and could jeopardize the mandatory introduction of the scheme.								each FSA milestone 'temperature check' as detailed in the delivery plan. Use of contract staff if necessary
3	If there is an emergency which requires redeployment of Food EHOs or if there is a large scale outbreak then there is no resilience within the team to continue implementing the recovery plan.	B Reed	2	4	8	Contingency plan	Redeployment of existing staff where possible use of contract staff where appropriate	Louis Krog	At each FSA milestone 'temperature check' as detailed in the delivery plan, Use of contract staff if necessary
4	Cyber security incident which locks down access to all food database	IT	5	2	10	Avoid Risk	All staff have completed the data security module on the LMS all concerns to be reported to IT adherence to	All IT users	On going

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
							the IT user policy		

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FOOD SAFETY SERVICE PLAN 2022-2023

1. FOOD SAFETY SERVICE AIMS AND OBJECTIVES

Background

The Food Standards Agency (FSA) *Framework Agreement on Official Feed and Food Law Controls by Local Authorities, Amendment number 5* requires Cheltenham Borough Council to have an Approved Food Service Plan. The framework agreement sets out a standard approach to service planning which the Food Standards Agency (FSA) uses for audit and monitoring purposes. As we recover from the impacts of Covid 19, this plan sets out how Cheltenham Borough Council intends to deliver the food service. It outlines the activities, milestones set out in the FSA's Covid 19 recovery plan for 2022-23, and the resources needed to enable delivery. It takes into account the requirements of the Food Law Code of Practice, the Practice Guidance and the Framework agreement. Due to the varying challenges and varying resources currently available to Local authorities the level of detail required within the document is less prescriptive as in previous years and thus a simplified service plan has been formulated.

The Covid recovery plan:

Due to the pandemic and restriction that were in place there was a reduction in the number of planned interventions we were able to carry out. We also saw an increase in the numbers of new food business registrations received as many started food businesses from home and operated food delivery services online. We also saw Officers redeployed and Officers leave and/or take internal promotions. The FSA formulated a Covid recovery plan for Local Authorities to implement. Cheltenham Borough Council was successful in a bid application as part of this recovery for extra funding for Food Officers to triage the backlog of unrated business and prioritise those for onsite inspections.

A series of bespoke interim 'temperature check' surveys have been conducted by the FSA to check compliance of Cheltenham Borough Council against each milestone, seeking assurance of preparedness for the Council to achieve the next milestone.

Aim

The key food safety function of Cheltenham Borough Council is to ensure that the food sold, offered, stored for sale or entering the Borough is safe and fit for human consumption. Everyone has a right to expect that the food they eat will not make them ill. As detailed in the corporate plan, Cheltenham has a collective commitment to ensure that everyone thrives and that they are supported by a thriving economy and our objectives within this plan align with this commitment.

Objectives:

- To restart the delivery system of food premises control within the Borough in accordance with the Food Law Code of Practice (FLCOP) to include high risk and non-compliant businesses. We will move at a faster pace on our inspection programme for lower risk and complainant businesses where resources allow. This approach will be adopted until the new inspection delivery model is introduced by the FSA in 2023-24.
- To investigate and manage complaints of noncompliance with appropriate enforcement actions.

- To manage food incidents and hazards including outbreaks of food borne illness.
- To conduct reactive samplings or where sampling is necessary to determine business compliance with legal requirements.
- To conduct pro-active surveillance to obtain an accurate picture of the local business landscape to include new or recently closed businesses plus businesses where the overall risk has increased.
- To prioritise new businesses for an onsite intervention where there are concerns around public health.
- To maintain the credibility of the Food Hygiene rating Scheme, in particular responding to requests for revisits.
- To conduct sector specific controls to support trade and enable export
- To ensure all Officers delivering official controls meet and maintain the competency requirements within the Food Law Code of practice.

Principles of service delivery

We aim to maintain a level playing field for honest and diligent businesses, whilst reducing the burden on businesses with an intelligence led approach. As we continue to recover from the impact of Covid 19 our resources will be targeted where they have most value for public health in relation to food. Service capacity is prioritised at the high-risk food activities and/or the poorest performing food businesses, with the aim of improving standards across Cheltenham whilst supporting business growth.

Organisational Structure and Resources:

The organizational review Phase 1 came into effect for this Service area on 1 July 2022. The food safety function sits within the Environmental Health Team under the newly appointed Head of Public Protection and the Communities and Place Director. The new structure is shown in Appendix 1. The Interim Public and Environmental Health Team Leader manages the Food Team and other Environmental Health teams on a day-to-day basis and the current team structure is shown in Appendix 2. This structure will be reviewed as part of the Phase 2 reorganisation. From 1 August 2022 the Neighbourhood Team will report to the Head of Public Protection thus allowing the Interim Public and Environmental Health Team Leader more time to focus on the Food Safety Service and the Recovery Plan.

The Interim Public and Environmental Health Team Leader acts as the Lead Officer for Food Safety as required by the FSA. There are normally 3 authorised officers to deliver the service. 1 x Senior Environmental Health Officer, 1 x EHO and 1 x Senior Technical Officer. They are supported by 0.8 FTE Business Support Officer. The Team leader post has been filled for the past year on an interim basis by the Senior EHO thus creating a vacant Senior Officer post. The Senior Technical Officer retired in March 2022 and this vacancy was filled in July 2022 by an Officer who is currently working through the detailed competency framework as required by the FLCOP. A contractor EHO is currently employed until March 2023 to help meet our objectives and is backfilling the redeployment of Food EHO's during Covid duties and test, and trace. Once the Phase 2 reorganization of the Council is complete then posts will be filled on

a permanent basis. It is recognized that recruitment of fully qualified officers is currently challenging for all local authorities due to a number of factors.

The Officer salary costs are approximately £138,000 (not including any on costs) (estimating that 0.2 of the Head of Public Protection and 0.4 of the Team Leader time is spent on the food service).

The Team applied for and were successful with grant funding of £2,200 for help to prioritise new business registrations.

There is not a separate sampling budget for analysis of samples by the Public Analyst but we have a service level agreement with UKHSA for microbiological testing. Cheltenham Borough Council is allocated a baseline level of sampling credits for testing. Once the credits are used then costs may be incurred however in some cases credits can be shared between County liaison groups. Samples directly associated with an outbreak will not be charged and the cost will be borne by UKHSA but certain sample types will incur a charge. The allocation for 2022-23 is £4,948.

The Officers in the food Team also have duties in relation to infectious disease, Health and Safety in food premises and other general enforcement of Environmental Health legislation. They also provide some resilience when necessary to other environmental health functions in emergencies.

Food Officers are also responsible for food safety advice at events and festivals in the district of Cheltenham, and for monitoring planning and licensing consultations as a means of identifying and engaging with new or developing food businesses. We continue to offer chargeable service for advice, sampling and certification and attestations for export and are looking to develop this further as we move out of the recovery phase. The lead Officer for food has revalidated her training as the Food Competent Certifying Officer (FCCO) on behalf of the Animal and Plant Health Agency APHA. We continue to be an active partner of the Gloucestershire Food Safety Liaison Group.

Specialist services such as the public analyst and the food examiner are provided externally by Public Analyst Scientific Services (PASS), Wolverhampton and UK Health Surveillance Agency (UKHSA formerly PHE) Food, Water & Environmental Laboratory, Porton Down, respectively.

Scope of the Food Service

The Council is not a Unitary Authority and therefore shares its duties under the Food Safety Act with the Trading Standards Department of Gloucestershire County Council. Cheltenham Borough Council is responsible for food hygiene and Gloucestershire County Council Trading Standards are responsible for food standards. Where there are areas of overlap, appropriate Memoranda of understanding are in place.

Demands on the Food Safety Service

There is an out of hours emergency service available which addresses the emergency closure of premises, food product withdrawal and outbreaks of food associated disease.

Establishment Profile:

At the time of writing 28 July 2022, there were 1113 registered food premises. This number changes daily as new business open and others close. The business type distribution is shown below

Business Type	Number
Restaurant/Café/Canteen	280
Restaurant and caterers- other*	160
Small retailer	126
Take away	111
Pubs/Clubs	100
Caring premises	92
Schools/colleges	66
Mobile Food Units	43
Hotel/Guest House	34
Supermarket/Hypermarket	32
Retail other**	31
Manufacturers/Packers	21
Distributors/Transporters	12
Importers/Exporters	3
Primary Producers	2

*Home caterers and village halls

**retailers who sell a very limited range of food products

Approved Premises

The council has two premises approved under Regulation (EC) No. 853/2004: These are premises which handle products of animal origin and require approval (as oppose to registration) before trading.

- a) Soho Coffee Shops Ltd, approval number UK CT007 EC (meat products). The business is a manufacturer and packer supplying to its own-brand shops.
- b) Cheltenham Catering Supplies, conditional approval number UK CT008 EC
The business provides stand-alone cold storage.

Specialist or complex processes

The council does not currently have any such processes in its area.

Business compliance within the Borough is high with 85% of registered businesses rated 3 (satisfactory) or above on the Food Hygiene rating Scheme with 66% rated 5 (very good). Only 0.6% of businesses are currently recorded as non-compliant. New business which have not yet been inspected are also classed as non-compliant until they receive a rating. When these businesses are included, the figure is approximately 5.5%. The full break down is shown in Appendix 3

In addition to the hygiene ratings above, each business is given a risk rating in accordance with the FLCOP. The risk rating is graded A-E. This is based on a number of set criteria, which determine potential risk, both inherent risks, which the business operator cannot control, and risks over which the food business operator has full

control. It is this rating which determines the frequency of inspection as shown in Fig 1.

Figure 1: Intervention policy schematic



The current risk ratings for businesses within Cheltenham is shown below:

Risk Rating	Number of businesses in Rating
A inspection every 6 months	0
B inspection every year	40
C Inspection every 18 months	175
D inspection every 2 years (can alternate with another intervention in some cases)	462
E Alternate enforcement strategy	316

The majority of businesses are currently D rated, requiring an intervention every 2 years, however it is common for some business not to have sustained compliance or allow compliance to fall and thus move between ratings so this is only ever a 'point in time' overview.

The demand on the service is currently driven by the Covid recovery plan. The demand below is the FSA expected minimum service delivery by 31 March 2023. Periodic 'temperature checks' are submitted to the FSA as a means of providing the necessary assurance that the delivery of controls by Cheltenham Borough Council is in line with government expectations.

Activity	Demand on Service
Inspect all A rated establishments	0
Inspect all B rated establishments	12
Inspect all non-compliant C rated premises	4
Inspect all non-compliant D	0
Inspect all Compliant C	97
Prioritise new business registrations*	173 received 2021-22 45 currently to Jul 22
New businesses yet to be inspected**	100
Investigate and manage complaints (including request for advice, complaints about premises, food and allegations of food poisoning)***	268 received 2021-22 94 currently to Jul 22
Investigations of confirmed infectious disease	148 received 2021-22 51 currently to July 22
FHRS requested revisits	16 received 2021-22 4 currently to July 22
Food Alert for action****	14 received 2021-22 4 currently to July 22
Food Sampling	Reactive and as required in the context of assessing food business compliance
Ongoing proactive surveillance	Monthly check of delivery platform websites and social media.

*All new businesses and new food business operators must register with the Council 28 days before they intend to open. There is no charge for registration and it cannot be refused. A large proportion of businesses register but do not subsequently trade for a number of reasons.

**Normally, businesses would be inspected within 28 days of registration. The recovery plan requires Officers to focus on risk by considering the information provided at registration together with any intelligence. Site interventions are carried out where there are concerns around public health. Where there are no immediate concerns around public health then they will be inspected in accordance with the Code of Practice and practice guidance. Many are low risk domestic caterers.

*** The measures to be taken to control the spread of infectious diseases are contained in various acts of Parliament and their associated Regulations. This legislation places a duty on local authorities to control the spread of food poisoning and food and water borne diseases. Annual notifications vary from year to year

The policy in respect of this infectious disease service is to:

- To administer and implement our statutory responsibilities relating to the control of infectious disease.
- Investigate all notifications of food poisoning cases and likely sources of infection whether confirmed or not at the earliest opportunity in accordance with standard procedures developed by UKHSA.
- Where a source is identified take appropriate action to ensure risk of spreading is controlled.
- Protect the well-being of individuals at risk by taking action to contain the spread of infection and provide advice and information regarding personal hygiene, food handling and control of infection.

- Exclude food handlers and people working with high-risk groups in consultation with the Consultant for Communicable Disease Control (CCDC).
- A Countywide “Outbreak Control Plan” is operated including standardised food poisoning investigation questionnaires together with standard operating procedures for the investigation of single cases of infectious disease.

**** The Food Standards Agency operates a system to alert the public and food authorities to serious problems concerning food that does not meet food safety requirements. Food alerts vary in significance and require an appropriate response. Some are of high priority and are food alerts for action. Others are for information only. Only food alerts for action are recorded on the Council’s Uniform system.

All alerts are received directly from the Food Standards Agency via a secure dedicated ‘Smarter Comms’ platform. The Public & Environmental Health Team Leader will instigate the necessary response and provide the necessary out of hours cover for this service. Where the Council becomes aware of a serious localised incident or a wider food safety problem, it will notify the Food Standards Agency in accordance with the Code of Practice.

Where possible we aim to move at a faster pace than the minimum required in the recovery plan. Where resources permit the below will be included in service delivery:

Additional objectives not included in recovery plan	Demand on Service
All Category D inspected by 31 March 2023	462
All Category E ‘inspected’ by 31 st March 2023*	316
Proactive Sampling	Participation in National, Regional and local sampling studies as required by UKHSA and local intelligence

*Businesses rated as E are classed as low risk and can be subject to an Alternate Enforcement Strategy. This strategy ensures surveillance of such establishments is maintained and any increase in risk is captured.

External factors that may impact on service delivery

Covid-19

The significant impact of Covid 19 on the Council and in particular the food team in terms of staff redeployment to urgent reactive work and to other wider local public health work has been recognize by the Food Standards Agency by way of the Covid recovery plan as detailed earlier. As restrictions have been lifted there are no officers currently redeployed however should the need arise officers may be required to support the work of the County Public Health teams on request.

Competency:

This plan can only be effectively delivered by fully competent officers. The competency framework required for officers carrying out Official Food Controls was revised in July 2021. It is expected that the vacant Senior Officer post will be filled later in the year with the knowledge that recruiting fully qualified experienced officers is very challenging in the current climate. The newly appointed Technical Officer is currently working through this competency framework and will expect to meet the necessary competencies and associated authority within 6 months. The contractor can leave this

contract with 5 days notice. The Interim Team Leader is competent to carry out official controls but also leads other Environmental Health Teams thus capacity is limited. There is little resilience in the event of any long-term sick or absences. As a team we work with our recruitment and Human Resources partners to ensure there is no hindrance to the flow of potential new officers in the official control system by recruiting to 'career graded' posts and supporting 'on the job' training where possible. This results in additional supervision and monitoring work for the team leader and existing qualified staff.

Time factors:

The time taken to carry out an inspection has increased due to a number of factors including the introduction of new legislation regarding allergen labelling for food pre packed for direct sale and where businesses have struggled during Covid. There is evidence from the national temperature checks that standards within some businesses have dropped. This will have an impact on the number of inspections done in a given time.

The modernization of the delivery model:

When implemented the new model will redefine the expectations of local authorities enabling us to make more effective use of resources to address risks in the food system. This intelligence led model is in the pilot stage with full implementation from 2024. It also includes the use of artificial intelligence to predict FHRS ratings for newly registered establishments to assist with triaging and prioritisation. Any such changes to processes will require training and information cascade during the transitional period. This will be introduced to Officers towards the end of the recovery plan.

In conclusion, subject to the above it is considered that we will have sufficient resource to meet the milestones of the FSA Covid recovery plan and move at a faster pace for the inspection of the medium risk premises. This is based on the establishment profile in the Cheltenham area, including new businesses, the number of staff within the food team and the work done in phase 1 of the recovery plan, analysis of historic service data and maintenance of a duty officer system. 392 official controls were carried out 2021-22 including intelligence gathering (36) alternate enforcements (3), verifications (8), surveillance (7) and inspections (338). However, the considerable uncertainty of the current operating environment must be recognized.

Performance measurement

For the purposes of this plan, the performance measurement is based on the service plan objectives. The monitoring milestones are shown below. The FSA is reviewing the way it monitors the performance of Local authorities. Previously the Local Authority Enforcement Monitoring System (LAEMS) was used to collect performance data prior to the pandemic. This cannot be reconfigured to collect new data and support a transition to a more intelligence based risk assessment approach. Change is required to reflect the significant changes to the operating environment. It will result in a more qualitative assessment of Local Authority performance focusing on achievement of outcomes within the food system with less emphasis on inputs and outputs. The aim is to have this system ready for 2023 and replace the current interim monitoring arrangements in place covering the period of the recovery plan.

Monitoring against the Recovery Plan

October 2021	Short Targeted Temperature Check survey to <ul style="list-style-type: none"> •Monitor progress against phase 1 of the Recovery plan •to identify risk of not meeting the Phase 2 requirements •to identify the rate of compliance progress across the recovery plan
April 2022	Full End of Year bespoke return to: <ul style="list-style-type: none"> •provide statistics for annual reporting •Assess the progress being made against the recovery plan •Assess compliance against the first milestone of phase 2
July 2022	Short targeted temperature check survey to; <ul style="list-style-type: none"> •assess compliance with the 30 June 2022 milestone
October 2022	Short targeted temperature check survey to; <ul style="list-style-type: none"> •Assess compliance with the 31 Sep 2022 milestone
January 2023	Short targeted temperature check survey to: <ul style="list-style-type: none"> •Assess compliance with 31st December 2022 milestone
April 2023	Full end of year bespoke return to: <ul style="list-style-type: none"> •provide statistics for annual reporting •assess the final progress being made against the recovery plan to 31 March 2023 •Help transition to the new reporting arrangements as part of the new arrangements for monitoring the delivery of official controls.
Post April 2023	Use the new monitoring system, which will be developed to gain assurance and support local authorities in the delivery of official controls.

Internal monitoring

All officers use standard inspection/audit forms and have undergone consistency training.

The Uni-Form database (which also forms the Public Register of food premises) is audited on a fortnightly basis for data accuracy before upload to the Food Hygiene Rating Scheme portal.

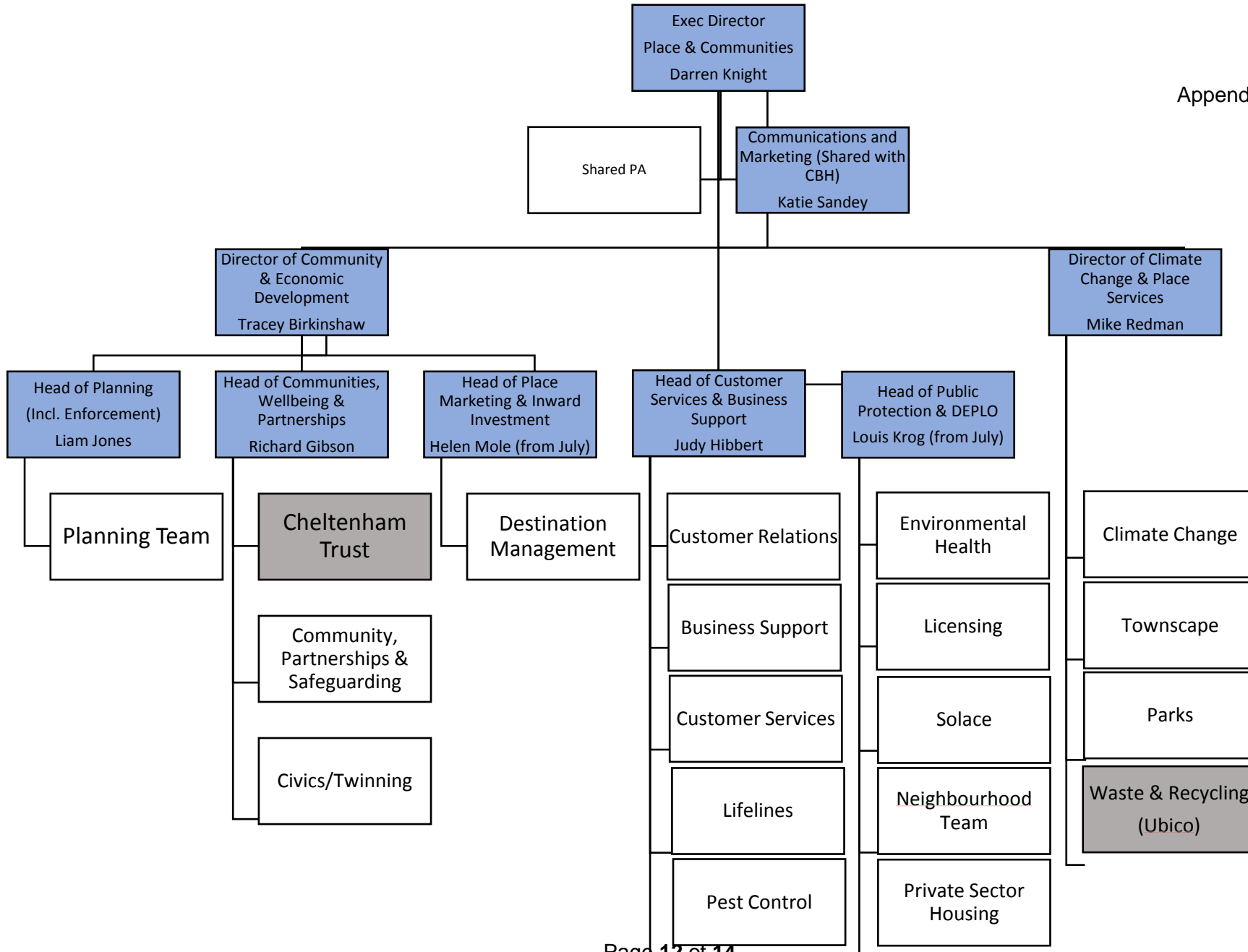
Data checking is undertaken when quarterly inspection lists are produced.

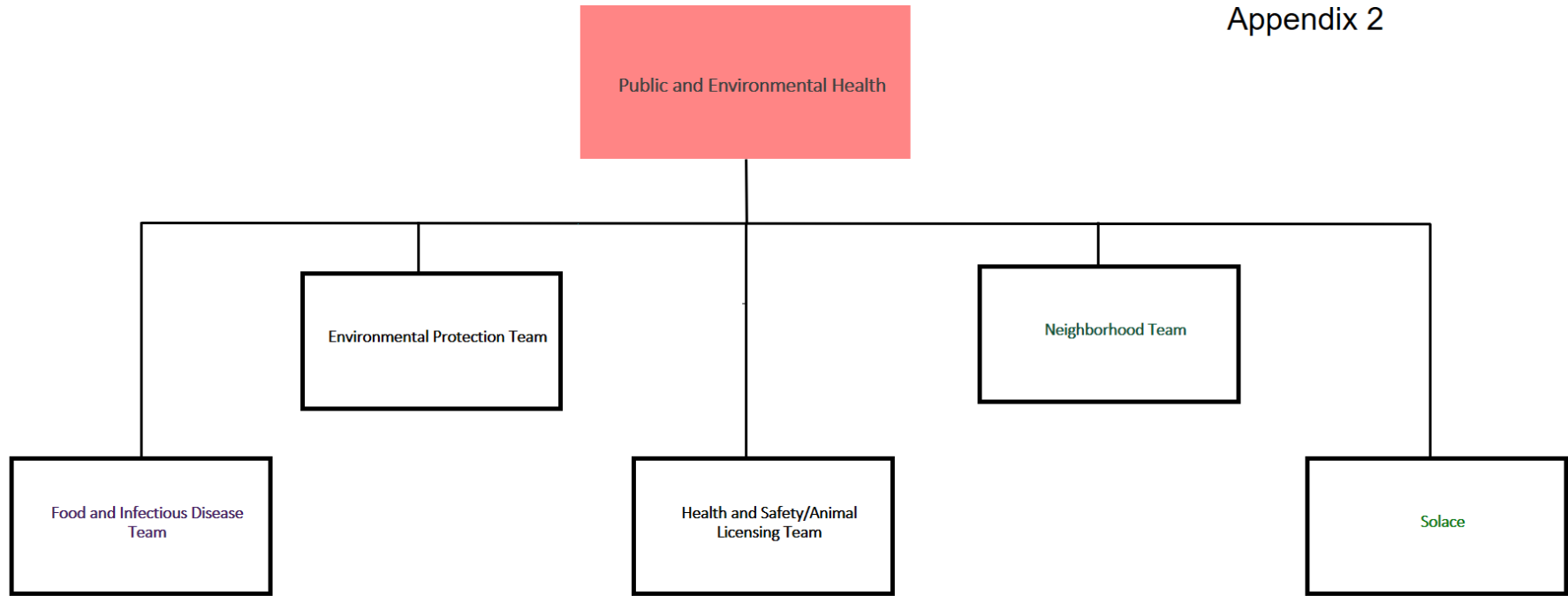
Officers have a monthly consistency check with each other; internal monitoring checks are carried out in 121s; and accompanied visits occur quarterly. Feedback is given in

team meetings. Liaison group training is arranged where possible and the authority participates in inter-authority audits when they are planned. KPI's are being reviewed in light of the above changes.

Review:

This plan, its format and content will be reviewed post April 2023 to include all requirements and recommendations of the new food delivery model.





Food Hygiene Rating System

Distribution of FHRs ratings for Cheltenham at 03/08/22 22:00



Number of establishments in each rating

FHRs rating	Restaurant/ Cafe/ Canteen	Hotel/ Guest House	Small Retailer	Superm arket/ Hyperm arket	Caring Premises	Restaur ants and Caterers - Other	Distribu tors/ Transp orters	Pub/ Club	Retailer - Other	Take- Away	School/ College	Mobile Food Unit	Manufa cturers and Packer s	Importe rs/ Exporte rs	Primary Produc ers	Total
5 - Very good	201	29	63	28	74	119		68	11	55	60	16	14		1	739
4 - Good	51	4	33	4	11	13		22	2	23	2	7	1			173
3 - Generally satisfactory	13	1	4		4	1		3	1	7	1					35
2 - Improvement required	2		1													3
1 - Major improvement required	1		1							2						4
0 - Urgent improvement required										1						1
Total rated establishments	268	34	102	32	89	133		93	14	88	63	23	15		1	955
Establishments with rating of 3 or better	265	34	100	32	89	133		93	14	85	63	23	15		1	947
Awaiting inspection	9		9			23	5	6	2	21	3	18	3		1	100
Exempt	1		13			3	1		13							31
Sensitive	2		1		2								1			6
Excluded			2		1	1	5	1	1				2	3		16
Total establishments	280	34	127	32	92	160	11	100	30	109	66	41	21	3	2	1108

**Cheltenham Borough Council
Cabinet – 13th September 2022**

Award of rent support grant to the Playhouse Cheltenham

Accountable member	Cllr. Peter Jeffries, Cabinet Member Finance and Assets
Accountable officer	Paul Jones, Executive Director Finance, Assets and Regeneration
Ward(s) affected	College
Key/Significant Decision	Yes
Executive summary	<p>As part of Cheltenham Borough Council's wider ambitions to support a thriving voluntary and community sector (VCS), the council enables VCS groups to rent its properties through offering a rent support grant scheme.</p> <p>The current policy was adopted in December 2016 which permits VCS groups to apply for a rent support grant either at the start of a lease or at the time of a rent review. Applications are scored against four criteria with the amount of subsidy awarded being proportionate to the degree to which the applicant meets the criteria.</p> <p>An application for a rent support grant has been received from The Playhouse Cheltenham. This report sets out the proposed level of rent support grant to be awarded.</p>
Recommendations	<ol style="list-style-type: none"> 1. To agree a rent support grant of 90% of current market rent totalling £27,720 per annum to the Playhouse Cheltenham. 2. To delegate authority to the Participation and Engagement Team Leader, in consultation with the Director One Legal and the Cabinet Member Finance and Assets, to agree the terms of a rent support grant agreement with the applicant.

Financial implications	<p>The Playhouse Cheltenham has previously paid rent of £1 per annum and has been in receipt of an annual grant of £5,699.</p> <p>Under the current proposal, they will pay rent of £3,080 per annum and will no longer be in receipt of the grant payment.</p> <p>The combined affect will benefit the general fund by £8,778 per annum.</p> <p>It is however worth pointing out that if we were to rent the property to an alternative tenant on commercial terms, the market rate is £30,800.</p> <p>Contact officer: Andy Taylor, Finance Business Partner, Andrew.taylor@cheltenham.gov.uk</p>
Legal implications	<p>Under S123 Local Government Act 1972, leases for a term greater than 7 years must be for the best consideration reasonably obtainable. The only exception to this is where the letting at less than best consideration contributes to the 'social, economic or environmental well-being' of the council's area or residents. Whilst leases for a term of less than 7 years do not have to be for the best consideration reasonably obtainable, the council must still have regard to its general fiduciary duty.</p> <p>Granting a lease at market rent, whilst implementing a policy of grant support, means that if the tenant at any time fails to meet the grant criteria, there is no complicated legal mechanism for ensuring that the rent is uplifted to market value: the grant is simply suspended. Accordingly, the Policy for Property Lettings and Disposals to the Third Sector,</p> <p>Voluntary and Community Groups was adopted by Cabinet on 13 December 2016.</p> <p>When considering the giving of financial assistance, the council must ensure that it is not giving an unlawful subsidy under the Subsidy Control Act 2022. The subsidy control regime has replaced state aid which applied before the UK's withdrawal from the EU.</p> <p>It is our advice that the financial assistance proposed will not constitute an unlawful subsidy because, due to the local nature of the theatre, the assistance will not affect competition or investment within the UK or trade and investment between the UK and any country outside of the UK.</p> <p>Contact officer: One Legal, legalservices@onelegal.org.uk</p>
HR implications (including learning and organisational development)	<p>There are no direct HR implications identified within this report.</p> <p>Contact officer: Clare Jones, HR Business Partner, clare.jones@publicagroup.org.uk</p>
Key risks	<p>Risk assessment in Appendix 1</p>

<p>Corporate and community plan Implications</p>	<p>The Playhouse’s application for a rent support grant has been assessed against four criteria:</p> <ul style="list-style-type: none"> • Cheltenham's environmental quality and heritage is protected, maintained and enhanced • Sustain and grow Cheltenham’s economic and cultural vitality • People live in strong, safe and resilient communities • We will work to strengthen the emotional and physical wellbeing of all Cheltenham residents. <p>The criteria have been developed with regard to the council’s corporate plan 2019-2023 and the council’s recovery plan to ensure that the size of the rent support grant reflects how well the proposed use of the building meets the council’s priorities.</p> <p>Contact officer: Richard Gibson, Head of Communities, Wellbeing and Partnerships, Richard.Gibson@cheltenham.gov.uk</p>
<p>Environmental and climate change implications</p>	<p>The Playhouse Cheltenham has received planning permission from Cheltenham Borough Council for a £4-million improvement scheme for the Playhouse, which would enable them to make far greater use of the building as a real, thriving arts centre in the heart of the community.</p> <p>The sensitive reconfiguration of much of the building that the project entails provides the chance to reduce carbon emissions and be an exemplar for sustainability, as well as preserving one of Cheltenham’s best loved heritage buildings. Without the rent support grant, there is a possibility that the improvements would not take place, therefore the building would remain energy inefficient and the opportunity to reduce carbon emissions would be missed.</p> <p>Contact officer: Laura Tapping, Climate Emergency Programme Officer, laura.tapping@cheltenham.gov.uk</p>
<p>Property/Asset Implications</p>	<p>The rental implications of the subsidy are set out in the report.</p> <p>The Council will be charging an initial market rent for the property of £30,800 per annum against a 35 year lease, which represents Best Consideration within the context of s.123 Local Government Act 1972.</p> <p>A rent support grant will be given of 90%. The rent grant will be £27,720 per annum.</p> <p>The Council will be receiving a rent after grant of £3080 per annum. This will be an increase in rent of £3079 per annum from the rent currently being received.</p> <p>All other usual terms and conditions will be contained within the lease in respect of rent reviews, insurance, repairs, compliance, etc, and will be monitored on an ongoing basis to ensure compliance.</p> <p>Contact officer: Peter Woodley, Senior Estates Surveyor, peter.woodley@cheltenham.gov.uk</p>

1. Background

- 1.1 As part of Cheltenham Borough Council's wider ambitions to support a thriving voluntary and community sector, the council enables VCS groups to rent its properties through offering a rent support grant scheme.
- 1.2 We know that appropriate rent support to community-based organisations and services can support the viability of such organisations and the services they provide to the benefit of the social and economic well-being of the town. However, the Council will continue to encourage voluntary and community sector organisations to become more self-sufficient and less reliant upon financial support from the Council.
- 1.3 A revised rent support grant process was adopted by the council in December 2016. This is based on assessing an application against the following four outcomes:
- Cheltenham's environmental quality and heritage is protected, maintained and enhanced
 - Sustain and grow Cheltenham's economic and cultural vitality
 - People live in strong and safe communities
 - We will work to strengthen the emotional and physical wellbeing of all Cheltenham residents
- 1.4 The maximum rent support grant that any organisation will be able to apply for will be 80% of their current market rent and that the assessment process will determine the level of grant to be offered up to this maximum and will be staggered incrementally, as follows:
- Meeting one outcome –up to 20% grant
 - Meeting two outcomes –up to 40% grant
 - Meeting three outcomes –up to 60% grant
 - Meeting four outcomes –up to 80% grant
- 1.5 Each outcome is subject to a stepped discount between 0 and 20% depending upon the impact of the defined sub-elements of each outcome.
- 1.6 Cabinet retains the discretion to award a further grant of 10%, bringing the maximum rent support grant that any organisation could receive to 90%. This will only be in exceptional cases and any such decision will only be taken after detailed consideration of the organisation's financial and business case for the rent support.
- 1.7 In addition, the council will scrutinise the applicant's financial standing and make an assessment of the following:
- That the reason for applying for the rent support grant is backed up by the organisation's financial health in that the grant award will support the financial viability of the operation of the building
 - That the organisation has reasonable longer-term plans in place to be able to sustain activities being delivered from the building beyond the term of the grant.
- 1.8 The offer of a grant will be for a maximum of three years that will be reviewed at the end of each 12 month period to ensure that the applicant continues to deliver the activities set out in the original application. The council reserves the right to either review the grant amount awarded or withdraw it completely if there are changes to the activities being delivered. In addition, if the organisation is in debt arrears to the council; the grant will be withdrawn.

2. Reasons for recommendations

- 2.1 The Playhouse has demonstrated strong evidence of its important role in all of the themes assessed against (please see Appendix 2), as well as commitment and desire to become an arts

centre and community hub which will further increase its scope. The recommendation is for a rent support grant of 90%, given that the annual grant of £5699 will also come to an end and the Playhouse Cheltenham is responsible for managing one of the town's important historical buildings. It is a small organisation, dependent on volunteers, with any annual profits used for continual repair, restoration and improvement of the Grade II listed building.

Applicant	Current rent paid	Recommended rent support grant	Assessment
The Playhouse Cheltenham	Market rent is £30,800 for the new lease. Current rent paid is £1 per annum.	<p>A rent support grant of 90% of the revised market rent of £30,800 per annum, equating to a subsidy of £27,720 per annum.</p> <p>The net rent paid will therefore be £3,080, representing an increase of £3,079 per annum against the previous lease.</p>	See appendix 2

3. Alternative options considered

3.1 None.

4. How this initiative contributes to the corporate plan

4.1 The Playhouse's application for a rent support grant has been assessed against four criteria:

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

4.2 The criteria have been developed with regard to the council's corporate plan 2019-2023 and the council's recovery plan to ensure that the size of the rent support grant reflects how well the proposed use of the building meets the council's priorities.

5. Consultation and feedback

5.1 None.

6. Performance management –monitoring and review

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

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

Report author	Helen Down, Participation and Engagement Team Leader, helen.down@cheltenham.gov.uk
Appendices	<ol style="list-style-type: none"> 1. Risk Assessment 2. The Playhouse Cheltenham Assessment
Background information	<u>Report to Cabinet 13 December 2016 “Award of rent support grants to Cheltenham’s Voluntary and Community Sector Organisations”</u>

Appendix 1: Risk Assessment

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
	If appropriate and transparent grant agreements are not put in place, tenants may not understand the consequences if they fail to meet the terms of any subsidised letting arrangement.	Helen Down	2	2	4	Accept	Rent support grant agreement to be put in place, in conjunction with One Legal	Helen Down	October 2022
	If prospective tenants cannot demonstrate a robust business plan when taking on property commitments from the Council, there is an increased risk of failure and associated financial and reputation impacts for the authority.	Gemma Bell	2	3	6	Accept			
	If the grant expires or is terminated, tenants will remain responsible for payment of rent at market value. This may result in an increase in arrears.	Gemma Bell	2	2	4	Accept			

Cabinet 13.09.22 Appendix 2 - Rent Support Assessment Process, The Playhouse Cheltenham

Date of rent support assessment:	09/06/2022
Carried out by:	Richard Gibson, Helen Down
Name of Applicant:	The Playhouse Cheltenham
Is the applicant a legally constituted, not-for-profit voluntary and community sector organisation?	Yes – charitable incorporated organisation (1196217)
Name /address of property	47-53 Bath Road, Cheltenham, GL53 7HG
Current rent	£1 plus grant of £5699 per annum

Rent Support outcomes	Submission	Proposed score against the sub-elements (up to a maximum of 20% per outcome)
<p>Cheltenham's environmental quality and heritage is protected, maintained and enhanced.</p> <p>This could include</p> <ul style="list-style-type: none"> • Promoting bio-diversity • Responding to climate change • Promoting sustainable living • Protecting and enhancing parks, gardens and open spaces • Protecting and enhancing the built environment 	<p>The Playhouse has received planning permission from CBC for a £4-million improvement scheme for the Playhouse (funding applications currently submitted to Heritage Lottery) which would enable them to make far greater use of the building as a real, thriving arts centre in the heart of the community – which has been identified as a much-needed resource for Cheltenham – while also becoming a heritage destination in its own right.</p> <p>The sensitive reconfiguration of much of the building that the project entails provides the ideal chance to install new infrastructure at the same time – for example, LED lighting throughout the complex including the stage, new heating systems in different areas rather than one centralised boiler, the possible use of solar panels on the expansive roof – so that the organisation can play its part in CBC's commitment to be a carbon neutral borough by 2030, as well as making it more cost effective and therefore easier to protect for future generations.</p> <p>The permanent revealing of many of the mostly hidden heritage features as part of the project – from the remains of</p>	<p>Promoting bio-diversity</p> <p>Responding to climate change</p> <p>Promoting sustainable living</p> <p>Protecting and enhancing parks, gardens and open spaces</p> <p>Protecting and enhancing the built environment</p> <p><u>The recommended rent support for this element is 20%.</u></p>

Rent Support outcomes	Submission	Proposed score against the sub-elements (up to a maximum of 20% per outcome)
	<p>the Real Cheltenham Salts Manufactory, to the Victorian swimming and plunge pools, and the medical baths of the Edwardian era – will further enhance and protect the building, allowing people to learn far more about its importance as one of the earliest surviving spa buildings. It is one of the two most-visited venues in town each year during Heritage Open Days and the refurbishment will allow the popular guided tours to become more frequent.</p> <p>The Playhouse recognises that investment is needed and has demonstrated real desire and commitment to responding to the climate crisis by bringing forward plans to reduce their carbon emissions and be an exemplar for sustainability, as well as preserving one of Cheltenham’s best loved heritage buildings.</p>	
<p>Sustain and grow Cheltenham’s economic and cultural vitality. This could include:</p> <ul style="list-style-type: none"> • Helping people into employment • Helping businesses to get established • Supporting cultural activity • Providing advice and information • Supporting tourist activities 	<p>The Playhouse has provided very good evidence of their contribution to Cheltenham’s economic and cultural vitality, with ambitions to create an arts centre and heritage destination which will also provide employment. It will also enable them to expand the cultural activities on offer to both residents and visitors to the town. The organisation is part of the Cheltenham Culture Board and provides a venue for other festivals such as Cheltenham Film Society, Cheltenham Poetry Festival which it also provides box office facilities for, plus the Music, Jazz and Literature Festivals.</p>	<p>Helping people into employment Helping businesses to get established Supporting cultural activity Providing advice and information Supporting tourist activities</p> <p><u>The recommended rent support for this element is 20%.</u></p>
<p>People live in strong and safe communities. This could include</p> <ul style="list-style-type: none"> • Enabling local residents to meet together and socialise • Engaging residents in positive social networks • Enabling local residents to contribute their time and efforts into community activity • Enabling local residents to feel safer in their communities 	<p>The submission provides strong evidence of the role of the Playhouse in supporting safe and strong communities, with programmes, classes and acting, singing and dance activities for all, including children and young people and isolated older people, as well as offering opportunities to volunteer and gain skills through certificated training. There are also informal and relaxed activities on offer, providing opportunities for social interaction and making new friends.</p> <p>The submission shows a high level of take up and involvement in activities on a weekly basis.</p>	<p>Enabling local residents to meet together and socialise Engaging residents in positive social networks Enabling local residents to contribute their time and efforts into community activity Enabling local residents to feel safer in their communities A place for young people to meet and feel safe</p> <p><u>The recommended rent support for this element is 20%.</u></p>

Rent Support outcomes	Submission	Proposed score against the sub-elements (up to a maximum of 20% per outcome)
<ul style="list-style-type: none"> A place for young people to meet and feel safe 		
<p>We will work to strengthen the emotional and physical wellbeing of all Cheltenham residents</p> <p>This could include:</p> <ul style="list-style-type: none"> Enabling local people to be active Helping local people make healthy lifestyle choices Reducing the harm caused by alcohol Improving mental health Improving health & wellbeing into older age 	<p>The current activities on offer and being reinstated since the pandemic, along with the ambition to become an arts centre and community hub demonstrate that the Playhouse plays an important role in supporting the emotional and physical wellbeing of residents.</p> <p>Established after World War 2, in recognition of the need to provide a venue for local people to take part in drama, music, and other art forms, for their emotional and physical well-being following the restrictions and deprivations of war, the Playhouse gradually taken over almost the entire premises, improved the facilities and widened the range of activities on offer. The importance of ensuring the provision of events that help improve mental health, promote more active lifestyles, combat loneliness and social isolation, and bring older and younger people together, are as important now, as we emerge from the pandemic as they were in 1945.</p> <p>In addition to drama and musical theatre classes offered by Theatre Studio, the Playhouse was also pre-pandemic (and is working to become again) home for many amateur theatre groups to rehearse regularly, as well as a range of groups including adult singing, ballet, comedy workshops, parent and toddler groups, knitting, Irish dancing, yoga, pilates and open mic music nights, all of which help with mental and physical health and are aimed at various age groups, including a teen yoga class aimed at helping them cope positively during the sometimes difficult transition between teenage to adulthood.</p> <p>The Theatre Connect programme while currently focused on well-being and social engagement in the over-60s is being reviewed to try and offer similar benefits and activities to other sectors of the community – for example, single parents or the younger unemployed.</p> <p>Family shows are hosted every Christmas, with 33% of tickets being donated to local charities to give to families who could not</p>	<p>Enabling local people to be active Helping local people make healthy lifestyle choices Reducing the harm caused by alcohol Improving mental health Improving health & wellbeing into older age -</p> <p><u>The recommended rent support for this element is 20%.</u></p>

Rent Support outcomes	Submission	Proposed score against the sub-elements (up to a maximum of 20% per outcome)
	<p>otherwise afford to attend.</p> <p>The refurbishment will allow more activities to run side by side, making the venue a true community hub.</p>	
Summary and recommended rent support grant	<p>The Playhouse has demonstrated strong evidence of its important role in all of the themes assessed against, as well as commitment and desire to become an arts centre and community hub which will further increase its scope. Our recommendation is for a rent support grant of the full 80%.</p>	

Financial considerations	Panel assessment
<p>Will the grant award support the financial viability of the operation of the building?</p>	<p>Yes. The market value rent is £30,800 per annum and the organisation to date has paid £1 per annum, with a grant of £5699.</p> <p>With an 80% rent support grant, the organisation would pay £6160 per annum, or with a 90% rent support grant £3080 per annum, in addition to the ending of the grant of £5699. The 35 year lease arrangement will be subject to 5 yearly reviews.</p>
<p>Has the organisation got reasonable longer-term plans to sustain activities being delivered from the building beyond the term of the grant?</p>	<p>The organisation has planning permission and applications for funding in progress to reconfigure the building to become a thriving arts centre and community hub, which will increase opportunities for revenue as well as social and environmental benefits.</p>

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Briefing Note: Health & Safety Service annual service plan update

Committee name: Cabinet

Date: 13th September 2022

Responsible officer: Bernadette Reed

To: All Councillors and Leadership Team

1. Background

On 14th July 2015, Cabinet approved that an annual Health and Safety Service performance and work plan would be communicated to Members and the Leadership Team via a Briefing Note each year. This briefing note highlights matters of interest, our performance for the year in review and provides a plan of work for the year ahead. Under Section 18 of the Health and Safety at Work etc Act 1974, The Council has a duty to ensure it has adequate arrangements for the enforcement of health and safety statutory provisions for which it is responsible and to ensure it has sufficient suitably qualified and suitably appointed Officers to carry out enforcement.

2. Service Planning

Cheltenham Borough Council's Health and Safety service is delivered each year in accordance with the Health and Safety Executive's (HSE) Local Authority Circular on 'Setting Priorities and Targeting Interventions'.

The Circular provides Cheltenham Borough Council with guidance and tools for priority planning and targeting of interventions, enabling us to meet the requirements of the National Local Authority Enforcement Code. The Code provides a principle-based framework for service planning with 4 main objectives:

- To support, encourage, advise and where necessary hold to account business to ensure that they effectively manage the occupational health and safety risks they create.
- To adopt a risk based approach when carrying out reactive and proactive interventions. Service delivery must make the best use of resource and help improve the effective management of health and safety risks in a proportionate. This is achieved by targeting those businesses and sectors that represent a higher level of risk to the health and safety of workers and the public.
- To ensure Officers are suitably trained and competency is maintained.
- To explaining the arrangements for collection and publication of data.

3. Organisational Structure and resources

The organizational review Phase 1 came into effect for this Service area on the 1st July 2022. The Health and Safety function sits within the Environmental Health Team under the newly Appointed Head of Public Protection and the Communities and Place Director. The new structure is shown in Appendix 1. The Interim Public and Environmental Health Team Leader manages the Health and Safety and other Environmental Health teams on a day-to-day basis and the current Environmental Health team structure is shown in Appendix 2. This structure will be reviewed as part of the Phase 2 reorganization thus allowing the Interim Public and Environmental Health Team Leader more time to focus on the Health and Safety Function.

The Team consists of:

0.2 Interim Public and Environmental Health Team Leader full time equivalent (FTE)

1 x Senior Environmental Health Officer

0.8 x Technical Officer (FTE)

0.6 Business Support Officer (FTE)

4 Additional EHO's within other Environmental Health Teams are appointed as Inspectors under the Health and Safety at Work etc Act 1974 and are able to offer support in the event of an emergency.

EHO's in the food team are authorised to deal with and/or report any health and safety matters of evident concern to the Senior EHO for follow up action. The priority in catering was focused on gas safety and the 'working safely requirements' for reducing the transmission risk of Covid 19.

The Senior EHO was redeployed between 0.5-0.25 FTE as the Covid Compliance Officer between April 2021-March 2022, which had an impact on proactive service delivery.

Section 26 of the Health and Safety at Work etc. Act 1974 allows local authorities to indemnify inspectors appointed under that Act under specified circumstances. It is the policy of this authority to indemnify inspectors appointed under that Act against the whole of any damages and costs or expenses which may be involved, if the authority is satisfied that the inspector honestly believed that the act complained of was within their powers and that their duty as an inspector entitled them to do it, providing the inspector was not wilfully acting against instructions.

The Health and Safety Team also have a remit for animal licensing (dangerous wild animals, home boarders, kennels, catteries, dog breeding pet shops zoos) and Local Government (Miscellaneous Provisions) registrations (tattooing, acupuncture, semi-permanent make up, body piercing)

The Technical Officer has been supported by Cheltenham Borough Council to achieve full baseline qualification as an Environmental Health Officer and is now being supported to achieve Registered status with the Chartered Institute of Environmental Health (CIEH). This has taken the Officer out of the business for a considerable period and puts additional pressure on existing Officers but provides resilience in the longer term.

The SEHO and the TO have both been supported by Cheltenham Council to obtain their Level 3 OFQUAL qualification for Animal Licence inspection as required by the Department of Environment Food and Rural Affairs (DEFRA)

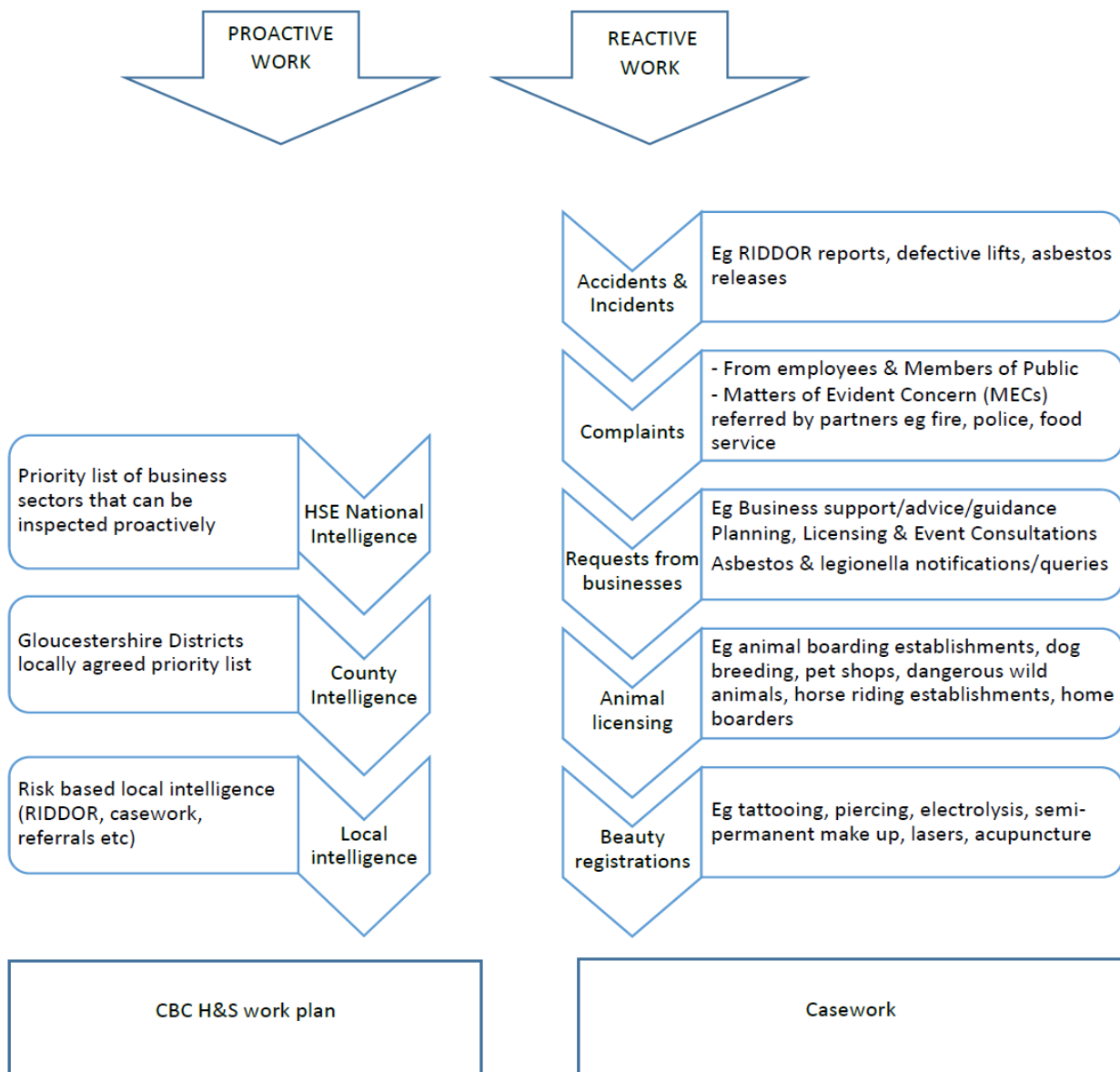
Officers also attend the Council and Race Course Safety Advisory Groups (SAGs) and act as a consultee for the events consultative groups (ECG) to ensure all event organisers give due regard to their health and safety responsibilities.

4. County Health and Safety Technical Group:

This group has been re-established. The HSE Enforcement Liaison Officer (ELO) and representatives from all Gloucestershire’s Districts attend. The group is developing a joint work plan to cover some of the Service objectives such as training, competency for Officers, joint working and mutual aid if necessary. This also ensures we work together with Districts and the HSE to establish best practice and consistency in enforcement as required by law.

5. Risk based Intervention Plan

The following schematic depicts how proactive and reactive work streams are formed:



Appendix 3 shows Cheltenham Council's risk based intervention plan for 2022-23. This plan is based on specific business sectors and nationally recognised specific hazards as identified by the HSE. Proactive inspection must only be used in these high-risk activities and sectors as specified by HSE or where intelligence suggests risks are not being effectively managed.

The HSE guidance allows for consideration of local intelligence when formulating the intervention plan.

Table 1 Overview of work undertaken to April 2021 - August 2022

Intervention	2021-22	2022-current
H&S Service requests (SR)*	Received: 96 Actioned: 84 Visited: 19	Received: 54 Actioned: 39 Visited: 9
RIDDOR accident reports*	Received: 71 Actioned: 39 Visited: 4	Received: 26 Actioned: 7 Visited: 1
Registrations / Beauty Sector	Issued: 59 Inspected: 9	Issued: 30 Inspected: 3
Animal Licensing	Issued/ Inspected: 11	Applications in: 3
H&S proactive inspections	0	0
Enforcement Notices	2	0
Covid concerns	Received/ actioned: 108	0
SAG	12	12

For 2021-22

* 54% of Health and Safety Team SR were Covid related, 15% concern about a registration, 13% concern about animal licence or animal premises, 11% concern in a commercial premises, 3% adverse lift report, 1.5% asbestos notification, 1% gas safety, 1% animal infection, 0.5% cooling towers

For 2020-21

88.6% of HS SRs were Covid related, 4.2% Concern in a commercial premises 3% animal licensing, 2% concern about a registration, 0.5% adverse lift report, 0.5% gas safety, 0.4% cooling tower, 0.2% asbestos report, 0.2% Temporary Events notice, 0.4 animal infection

**All notified incidences are subject to the HSE Incident Selection Criteria test. This provides a common, proportionate transparent and targeted procedure for the selection and investigations of accidents. For the past 3 years, 42% 48% and 48% of accident reports are in the category of slips/trips on the same level. The next most reported is falls from height, injured while carrying and lifting, struck by moving object, struck against something fixed, struck by moving vehicle, struck by moving machinery, exposure or contact with substance.

6. Review

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Progress against the intervention plan will be reviewed during the monthly team meeting and in the following circumstances:

- If an initial feasibility exercise does not justify the proposed intervention
- If the first proactive inspections do not evidence the need for further interventions
- If initial proactive inspections require more intensive regulatory support (and/or enforcement) due to risks identified
- If capacity in the team is affected by complex or major investigations or legal work, or by officer sickness or corporate priorities
- If the service focuses more extensively on developing commercial interests eg Primary Authority Partnerships, chargeable expert advice, training courses

7. Performance review

The service submits an annual statutory return to the HSE (LAE1), which reports against proactive and reactive intervention categories such as the numbers of planned interventions, revisits, accident investigation site visits, requested visits and enforcement action. This data is publically available.

Due the pandemic, the HSE board suspended the requirement for a LAE1 data return in 2020/21 and at the time of writing the 2021/22 records were not yet publically available.

8. Risks

There are no key risks specific to the delivery of the health and safety work plan that need to be highlighted to Members. It is expected that this intervention plan can be met based of analysis of previous service demand data, anticipated service demand, the removal of the Covid regulations, the increased capacity of the Technical office due to cessation of University attendance and study leave and phase 2 reorganisation to refocus roles and responsibilities. Risks to service delivery will be regularly reviewed and added to the divisional risk register as appropriate. The most likely emerging risks will be resource related, staff illness, staff leaving or investigation of a complex case which would divert capacity from the work plan.

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Reference documents:

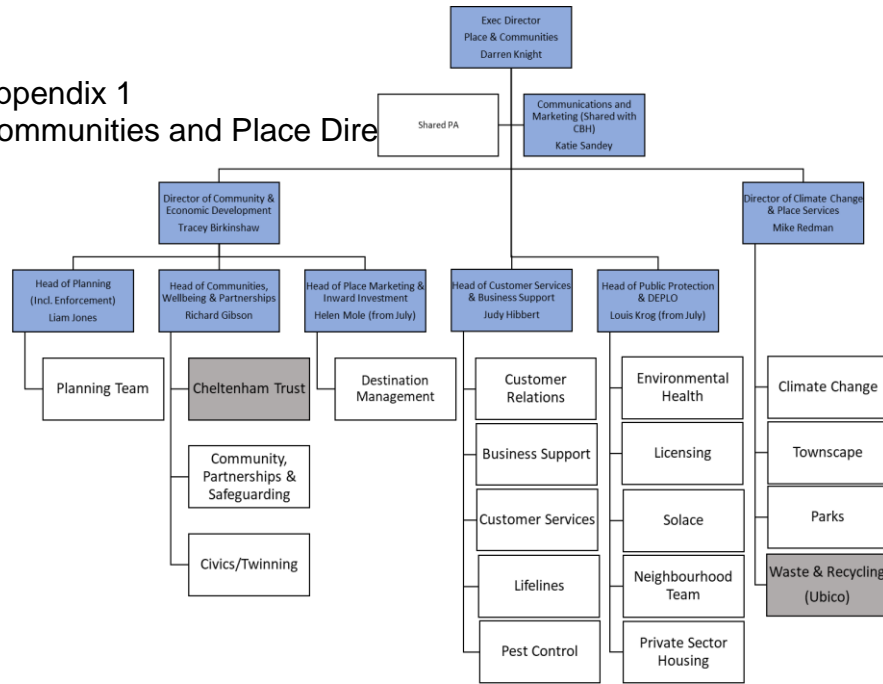
[LAC 67-2 \(Revision 11\) - Setting Local Authority Priorities and Targeting Interventions \(hse.gov.uk\)](#)

[National Local Authority Enforcement Code](#)

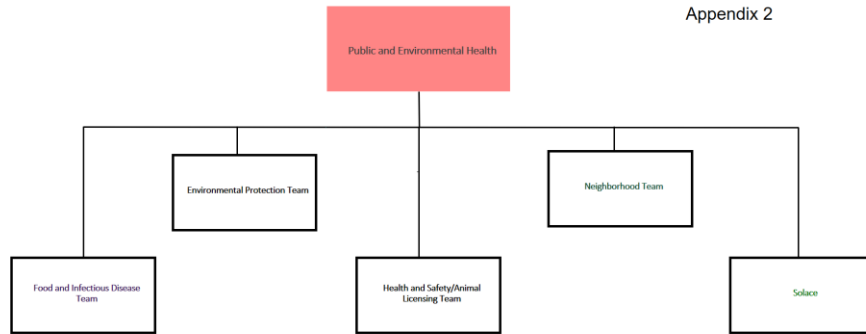
[LAE 1 Returns](#)

[Incident Selection Criteria](#)

Appendix 1 Communities and Place Dire



Appendix 2



Appendix 3

**Cheltenham Borough Council
Health and Safety Service
Intervention Plan 2022-23**

Proactive

HSE Priority Area	Risk Activities and Rationale	Target Date	Actions and consideration of measures
LPG Safety Caravan Parks with associated buried metal pipework	Safety - Caravan / camping parks with poor infrastructure risk control/management of maintenance	End August 22 Aug-Dec 22	Approx 13 sites identified. Liaise with Housing Enforcement Team for suitable sites for interventions based on license. Intervention programme

E coil/Crypto infection in children related to open farms / visitor attractions	Health -Lack of suitable micro-organism control measures	End Aug 22	No permanent premises currently in CBC. Surveillance to identify any pop up attractions and identify via ECG Review with Parks Internal - Pittville Aviaries provision of information
Industrial or large retail/ wholesale / warehouse and distribution Struck by Vehicles, falls, major injury, Occupational deafness High volume Warehousing / Distribution Falls from Height Manual Handling	Safety – poorly managed workplace transport / work at height / cutting machinery / lifting equipment In High volume Warehousing / Distribution Safety – work at height Health – lack of effective management of manual handling risks Health – exposure to excessive noise (e.g. steel stock holders)	End of Sep 22 End of Sep 22 Oct – March 23	42 possible premises identified using business rates, food database and HSE spot check Programme. Initial call to identify risks and priority for onsite intervention using questionnaire Intervention programme
Industrial diseases / occupational lung disease Silica in retail /Wholesale	Health - Stone Cutting exposure to respirable crystalline silica. In retail outlets that cut own stone or high silica content ‘ manufactured stone’ e.g. gravestones or kitchen resin/stone tops	End of May Oct 22 – Dec 22	5 stone cutting business identified For intervention Intervention programme
Industrial diseases / occupational lung disease cancer in retail /Wholesale	Health – Exposure to welding fume regardless of type or duration may cause cancer (e.g. hot cutting work in steel stockholders) exposure to be controlled with LEV and or appropriate RPE	End of May 22 End of June 22 Sep – Oct 22	No steel stock holding currently in district Tyre and exhaust fitting services approx. 19 identified Intervention programme -

Occupational lung disease asthma in bakeries	Health – frequent exposure to inhalation of flour dust and/or associated enzymes (e.g. tipping ingredients into mixers, bag disposal, weighting and dispensing, mixing, dusting with flour via hand or sieve, use of flour on dough brakes and roll machines, maintenance or workplace cleaning)	End of May 22 Dec – Feb 23	5 bakeries fitting the criteria Intervention programme
Musculoskeletal Disorders (MSDs) in Residential Care homes	Health - Lack of effective management of MSD risks arising from moving and handling of persons.	On going	Reactive inspection following RIDDOR or complaint
Crowd management in Large scale public gatherings e.g. cultural events, sports, festivals & Live music	Safety – lack of suitable planning, management and monitoring of the risks arising from crowd movement and behaviour as they arrive, leave and move around a venue	On going End of May 22	Safety Advisory Group (SAG) and Event Consultation Group (ECG) Reactive work to educate on requirements Ensure relevant information and links on website
Carbon Monoxide poisoning from wood fired pizza ovens and BBQs in Commercial catering using solid fuel	Health – Lack of suitable ventilation and/or unsafe appliances	End of May 22 Nov 22	15 pizza restaurants identified Intervention programme
Violence at Work related to vulnerable working conditions - Lone/night working/betting shops/off licences/hospitality. Including any intelligence indicating risks are not being effectively managed.	Safety – Lack of suitable security measures / procedures. Operating where police/licensing authorities advise there are local factors increasing the risk of violence at work e.g. located in high crime area, or targeted due to	Oct 22 Dec- March 23	Source any applicable hospitality premises for consideration in conjunction with NTE co coordinator. Otherwise reactive work ongoing Intervention programme

	criminal campaign		
Fires and explosions caused by initiation of explosions by Professional firework operators	Safety – Poorly managed fusing of fireworks	On Going	Address at ECG and SAG as appropriate

Reactive

Priority National Areas	Local Intelligence	National Rationale – for intervention when required	Dates	Actions / Measures
Work Related Stress	Large number of offices in town may be affected	Evidence number of staff currently experiencing work-related stress or stress-related ill health (so not individual case) Wider organisational failing Expectation concerns already raised with employer and for the employer to have been given sufficient time to respond case of bullying or harassment are not dealt with under HASWA but referred to ACAS . Not Equality Act or relevant for Criminal law including if there has been physical violence or breach of the protection from	On going End of May	- Relevant Service requests meeting rational to be respond as a minimum Amber response - Ensure relevant information and links on website

		harassment act		
Electrical Safety in Hospitality Settings	Outdoor café culture evident in town	Hospitality venues have extended their space to use outdoor areas, due to pandemic. Urge pubs, restaurants and cafés to ensure outdoor electrical equipment such as lights and heaters are specifically designed for outdoor use, installed by a competent person and checked regularly for damage or water ingress.	Ongoing End of May ongoing	- Service Requests to be respond as a minimum Amber response - Ensure relevant information and links on website Food EHOs to action/report matters of evident concern
Construction Recognised construction is not LA regulatory area. React to relevant areas below if enforcement area		All areas below under construction header where Matters of Evident Concern (MEC) arise are to be responded to for enforcement. Refer to HSE where not LA enforcement area Where owners/occupiers of commercial premises, appear likely clients for construction work, LAs pass on relevant topic areas of guidance below:	On going June Ongoing	General EH Visits and other relevant service areas: - - Education of officers with provision of information to educate or refer on
CDM		CDM 2015 Regulations none compliance.	End of Sep	- Evidence collect and report / refer onto HSE where applicable
Managing Asbestos		Asbestos in premises built before 2000 and refurbishment or works identified to refer to guidance		- Ensure relevant information and links on website
Falls from Heights		Repair and maintenance work involving work on/adjacent to fragile roofs/materials. Relevant to building owner or user. Matters of Evident Concern		& advice sheet to developers through planning

Respirable Silica		Health risk from block cutting, chasing brickwork and cutting concrete floors. Matter of Evident Concern		
Moving and Handling Construction Materials		Health risk from poor handling of paving stones, plasterboard and glazing units etc. Matter of Evident Concern		
Animal Visitor Attractions		Commercial operations who's primary purpose is leisure/entertainment where visitors are encouraged to have hands-on contact with animals. Risk of E.coli, <i>parvum</i> and other micro-organisms are expected and exposure prevention is not possible.	On going On going May	Respond to Licencing and event consultations with awareness / education Service Requests to be respond as a minimum Amber response Ensure relevant information and links on website
Inflatable Amusement Devices	Events and some private operators in town.	Serious incidents where inflatable amusement devices have collapsed or blown away in windy conditions. - Information relating to Anchorage to ground - Arrangements for measuring wind conditions on site - Annual Inspection and build compliance to BS EN 14960	End of May On going End of May	Educate visiting officers Respond to Service Requests or RIDDOR reports as investigation Ensure relevant information and links on website (licencing for Event Applications)

Trampoline Parks		<p>RIDDOR analysis shows increase in number of accidents reported nationally in both children and adults and suggests lack of user understanding of risks + unchallenged reckless behaviour results in injuries. Therefore to raise awareness via improve information provision and supervision of users.</p> <ul style="list-style-type: none"> - Establish procedures to check user understanding of risk - effective supervision - improved court monitor training in line with BSI PAS 5000:2017 	On going	Currently only 1 trampoline park in district Respond to Service Requests or RIDDOR reports as investigation
Gas Safety in Catering	Local Food business fail to demonstrate appropriate Gas Safety compliance	<p>Gas safe report commercial caterers are not fully aware of their duties under the Gas Safety (Installation and Use) Regulations 1998 and this can lead to appliances being unsafe. Risks of CO exposure remain due to faulty appliance, badly installed and faulty appliances, poor ventilation and inadequate extraction systems.</p> <p>Matters of Evident concern</p>	<p>End of Aug</p> <p>On going</p> <p>On going</p> <p>End of May</p>	<p>New FBO's information to send information sheets on Gas Safety</p> <ul style="list-style-type: none"> - Food officers continue to request Gas Safety certificates if concerns. <p>Feedback to HSE on any effect / findings of an intervention</p> <p>Ensure relevant information and links on website</p>
Pesticides		<p>On LA enforced premises consider investigating following complaints: Storage and use of plant protection products and biocidal products Sale, supply and advertisement of pesticides Placing on the market through a retail outlet The use of pesticides in a non-work-related activity (e.g. in domestic premises)</p>	On going	Respond to all complaints received
Maintain public confidence in pesticide regulation to protect people and				

environment				
Spa Pools and hot tubs on display	Search for Spa pool sales Cheltenham shows 4-5 premises. One premises visited previously 2019 for sampling	Number of cases and outbreaks of Legionnaires' disease associated with display or demonstration spa pools and hot tubs when filled with water and in operation. Systems present an appreciated risk of infection.	On going End of May	Approx 5 premises Respond to Service Requests or RIDDOR reports as investigations Ensure relevant information and links on website
Welfare provisions for delivery drivers		LA enforced premises which receive or send regular deliveries (including those picked up by aggregator drivers/ riders) that the law requires onsite toilet, handwashing and rest facilities to be made available to visiting workers.	On going End of May End of May	Respond to Service Requests or RIDDOR reports as investigations Offices on visits to raise issue and/or pass on information where applicable. Educate Ensure relevant information and links on website
Work related road safety	Food aggregate platforms operate in the town but	Drive a vehicle or ride a two-wheeler (e.g. motorcycles, mopeds, or bicycles) as part of work activity are exposed to risks on the road and it may be one of the most dangerous things they will do whilst at work. Highest risk of death or injury when riding two wheelers. Robust risk management approach needed.	On going On going	Service Requests to be respond as a minimum Amber response Provision of information to

	these are under HSE enforcement	Factors: vehicle condition, time pressures, weather, distraction, skill. Loads, navigation, clothing and fatigue can increase road safety risks.	End of June	premises by officer if required and discussion of associated risks Ensure relevant information and links on website
Preventing Injury to public from accessing large commercial waste and recycling bins		Fatalities have occurred following people sheltering in large waste commercial and communal domestic bins (660 litres or above) Matters of evident concern	On going Info to officers End of May 22 End of June 22	Work with visiting Officers to raise awareness. - Ensure relevant information and links on website
Promoting Worker involvement in Safety management Contact safety representatives or employees on visits and send information		Business gain real benefits from effective consultation with employees over H&S including increased productivity, better efficiency and quality; higher levels of workforce motivation, and a healthier and safer workplace.	On going End of May	Requirement to speak to employee on all reactive visits. Ensure relevant information and links on website