

# Cheltenham Borough Council Cabinet

**Meeting date:** Tuesday, 4 April 2023

**Meeting time:** 6.00 pm

**Meeting venue:** Council Chamber - Municipal Offices

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## **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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## **Important notice – filming, recording and broadcasting of Council meetings**

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**Contact:** [democraticservices@cheltenham.gov.uk](mailto:democraticservices@cheltenham.gov.uk)

**Phone:** 01242 264 246

## **SECTION 1 : PROCEDURAL MATTERS**

### **1 Apologies**

### **2 Declarations of interest**

### **3 Minutes of the last meeting (Pages 5 - 8)**

To approve the minutes of the meeting held on 7 March 2023.

### **4 Public and Member Questions and Petitions**

Questions must be received no later than 12 noon on the seventh working day before the date of the meeting

## **SECTION 2 :THE COUNCIL**

The following motion submitted to Council on 20 March 2023 and proposed amendment has been referred by Council to the Cabinet:

### **Motion**

**To establish a Cheltenham Youth Council.**

### **Amendment**

Cheltenham Borough Council and its partners are proud of the outreach work undertaken to ensure that young people have a voice in the democratic process.

Council welcomes ongoing work to broaden this engagement strategy, including visits by the Cabinet Members Climate Emergency and Safety & Communities to meetings with local young people as part of the Cheltenham Education Partnership, and engagement by the Cabinet Member for Economic Development, Culture, Tourism and Wellbeing with GlosCol supporting their construction skills agenda.

This Council resolves:

**To refer the issue of mechanisms by which we can further involve young people in Cheltenham Borough Council life to Cabinet and the relevant Cabinet Member (Safety and Communities) to explore feasible additional outreach and inclusion options – with a youth council or youth forum as options to be costed and considered.**

### **SECTION 3 : OVERVIEW AND SCRUTINY COMMITTEE**

*There are no matters referred to the Cabinet by the Overview and Scrutiny Committee on this occasion*

### **SECTION 4 : OTHER COMMITTEES**

*There are no matters referred to the Cabinet by other Committees on this occasion*

### **SECTION 5 : REPORTS FROM CABINET MEMBERS AND/OR OFFICERS**

#### **5 CCTV in Licensed Vehicles (Pages 9 - 30)**

Report of the Cabinet Member for Customer & Regulatory Services

#### **6 Graffiti Policy (Pages 31 - 84)**

Report of the Cabinet Member for Customer & Regulatory Services

#### **7 Culture Strategy (Pages 85 - 120)**

Report of the Cabinet Member for Economic Development, Culture, Tourism and Wellbeing

#### **8 Ubico Business Plan 2023-24 (Pages 121 - 148)**

Report of the Leader

#### **9 Refurbishment of Montpellier Gardens Toilets (Pages 149 - 158)**

Report of the Cabinet Member for Waste, Recycling and Street Services

### **SECTION 6 : BRIEFING SESSION**

- Leader and Cabinet Members

#### **10 Briefing from Cabinet Members**

### **SECTION 7 : DECISIONS OF CABINET MEMBERS**

Member decisions taken since the last Cabinet meeting

### **SECTION 8 : ANY OTHER ITEM(S) THAT THE LEADER DETERMINES TO BE URGENT AND REQUIRES A DECISION**

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# Cheltenham Borough Council

## Cabinet

## Minutes

**Meeting date:** 7 March 2023  
**Meeting time:** 6.00 pm - 6.15 pm

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**In attendance:**

**Councillors:**

Peter Jeffries, Flo Clucas, Mike Collins, Iain Dobie, Martin Horwood, Alisha Lewis and Max Wilkinson

**Also in attendance:**

Gareth Edmundson (Chief Executive)

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### 1 Apologies

Councillor Hay and Councillor Atherstone sent their apologies.

### 2 Declarations of interest

There were no declarations of interest.

### 3 Minutes of the last meeting

The minutes of the meeting held on 20 February were approved as a true record and signed accordingly.

### 4 Public and Member Questions and Petitions

There were none.

### 5 Discretionary Business Rates Relief

The Cabinet Member for Finance and Assets summarised the report, and invited Members' questions or comments. There were none.

### RESOLVED THAT:

- 1. the Retail, Hospitality and Leisure relief scheme and the 2023 Supporting Small Business Relief Scheme as detailed in Appendix 2 be approved;**
- 2. the Head of Revenues and Benefits be authorised, in consultation with the Cabinet Member for Finance and Assets, to implement any changes to the reliefs detailed in appendix 2 as required by Government or to ensure the successful operation of the schemes;**
- 3. Due to the volume of cases, decisions relating to the application of these reliefs be delegated to the Head of Revenues and Benefits and officers in the Business Rates team. In the case of a dispute, reconsideration is to be made by the Executive Director for Finance, Assets and Regeneration.**

## **6 Land adjacent to 68 Windsor Street**

The Cabinet Member for Finance and Assets introduced his report, highlighting the stringent conditions relating to the use of the land, as set out at paragraph 2.2 of the report.

There were no questions or comments from Members.

### **RESOLVED THAT:**

- 1. permission be granted for notices to be placed in the local newspaper, pursuant to s.123(2)(A) of the Local Government Act 1972, advertising the disposal of the land;**
- 2. subject to the outcome of the notices, the land subject to the conditions of sale and heads of terms agreed be disposed of;**
- 3. the Executive Director of Finance, Assets and Regeneration is authorised to instruct the Director of One Legal to prepare and conclude the necessary legal documentation to reflect the terms negotiated by the council and authority to execute such documents.**

## **7 Briefing from Cabinet Members**

The Cabinet Member for Customer and Regulatory Services told Members that the planning department had recently been the subject of a peer review, organised by the LGA, which involved three intensive days, looking the whole planning process, and speaking to the team, planners, agents, and other stakeholders. Feedback was good, particularly the good relationship between planners and agents, and the recommendations will be taken seriously and acted upon. It was all in all a very

positive exercise, and he thanked officers, in particular Liam Jones and Tracey Birkinshaw, and all community stakeholders, including the parish councils and the Civic Society.

The Cabinet Member for Climate Emergency thanked the team working on the Cheltenham Zero partnership, saying there had been some huge progress this month – including new packs being launched and new training made available. She said the project is taking off in a significant way, and small businesses and community groups were beginning to feel the benefits. She hoped to bring news of more exciting developments soon.

The Cabinet Member for Safety and Communities was delighted to say that Big Local – the St Peter's and The Moors partnership – had now had its charity status approved by the Charity Commission, which would enable it to draw down funds from elsewhere.

She also wished all the women of Cheltenham a happy International Women's Day for Wednesday, and thanked male colleagues for their support.

The Cabinet Member for Economic Development, Culture, Tourism and Wellbeing briefed Members on three items:

- thanks to the cyber businesses who were kind enough to host a recent round-table event at Gloucestershire College. It was a valuable session, attended by both mature businesses and interesting new start-ups. He thanked CyNam and Hub 8 for helping to facilitate the work;
- he had been working for some time with Lansdown Art Studio, and talking with planning officers about how to secure its future, at risk from the planning application on the site. He was pleased to say that a significant progress had been made, and was nearly at the stage where it could be said that the studio was secured. He thanked planning officers for taking on the interesting task of preserving this cultural asset;
- with Race Week imminent, he advised Members that the 'War on Wee' would be stepping up a gear with a strong media presence in the next few days, and including hydrophobic paint to discourage this antisocial behaviour.

The Cabinet Member for Cyber, Regeneration and Commercial Income echoed the Cabinet Member for Customer and Regulatory Services comments about the planning peer review – it was very interesting, and good to hear other people's opinions. He looked forward to the outcome.

### **Decisions of Cabinet Members**

The Cabinet Member for Economic Development, Culture, Tourism and Wellbeing reported on his [decision](#) to enter into a licence agreement with Network Rail and Great Western Railway in order to extend the former Honeybourne Line, paying tribute to officers for their hard work. He added a caveat that this was now very much down to Network Rail and Great Western Railway, and that he hoped to see progress by the end of the month.

The Cabinet Member for Waste, Recycling and Street Services said that the waste and recycling service was Ubico's largest single ongoing expenditure, mitigated by

getting the best possible price for what is collected. His [decision](#) to award a three-year contract to Plan B, a specialist recycling materials broker service, would provide the most advantageous terms in future, in line with CBC's climate emergency commitments.

The Cabinet Member for Customer and Regulatory Services told Members that although the proposed reforms set out in the Levelling Up and Regeneration Bill: Reforms to National Planning Policy 2022 were mixed – some positive, some more difficult - the council had made a good and authoritative response to the consultation, and his [decision](#) to formally submit this was taken on 3 March.



## Cabinet – meeting date]

# Outcome of Consultation on Requirement to Install CCTV in Licensed Vehicles

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### Accountable member:

Councillor Martin Horwood, Cabinet Member for Customer & Regulatory Services

### Accountable officer:

Louis Krog, Head of Public Protection

### Ward(s) affected:

All

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**Key Decision:** No

### Executive summary:

The Department for Transport's (DfT) statutory guidance states that all licensing authorities should consult to identify if there are local circumstances which indicate that the installation of CCTV in vehicles would have either a positive or an adverse net effect on the safety of taxi and private hire vehicle users, including children or vulnerable adults, and taking into account potential privacy issues.

This report updates Cabinet on the outcome of the consultation undertaken in relation to the above and the next steps.

### Recommendations:

1. To note the consultation feedback; and
2. To approve further consultation on the installation of CCTV in licensed vehicles under the following scope, by:
  - a. developing a set of technical specifications and requirements relating to approved CCTV recording equipment in licensed vehicles;
  - b. developing of a policy setting out the authority's requirements, scope and implementation arrangements;
  - c. undertaking further, formal consultation on a. and b. above with the licensed trade and key stakeholder most affected, or impacted, by the proposed policy.

## 1. Implications

### 1.1 Financial, Property and Asset implications

CCTV in licensed vehicles expected to be funded by the vehicle owner and as a result this requirement is expected to have no impact on the base budget.

[gemma.bell@cheltenham.gov.uk](mailto:gemma.bell@cheltenham.gov.uk)

### 1.2 Legal implications

The Council must have reasonable grounds for introducing the policy. Statutory guidance indicates the policy will be reasonable unless compelling local reasons exist not to introduce it. Any such policy must also operate in a way that does not cause undue interference with the human rights of taxi occupants, and work in a manner compatible with the requirements of the ICO. **Signed off by:** [One Legal, [Legalservices@onelegal.org.uk](mailto:Legalservices@onelegal.org.uk)]

### 1.3 Environmental and climate change implications

N/A

### 1.4 Corporate Plan Priorities

N/A

### 1.5 Equality, Diversity and Inclusion Implications

N/A

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## 2 Background

2.1 The Department for Transport (DfT) published its Statutory Taxi and Private Hire Vehicle Standards in July 2020 with a strong focus to protect all passengers and users of taxis and private hire transport services.

2.2 The statutory guidance makes it clear that the Government expects the recommendations contained within it to be implemented unless there is a compelling local reason not to. Furthermore, it is noted that the statutory standards document sets out a framework of policies that, under section 177(4), licensing authorities “must have regard” to when exercising their licensing and safeguarding functions.

2.3 The statutory guidance states that all licensing authorities should consult to identify if there are local circumstances which indicate that the installation of CCTV in vehicles would have either a positive or an adverse net effect on the safety of taxi and private hire vehicle users, including children or vulnerable adults, and taking into account potential privacy issues.

## 3 Consultation

3.1 Work undertaken by the county’s licensing officers group (GLOG) as part of phase 2 of the common licensing standards work has developed a survey for the purpose of consulting on local CCTV

requirements.

- 3.2 Consultation was undertaken between 1 July 2022 and 5 August 2022. 16 responses were received and these are attached at Appendix 2 of this report.
- 3.3 Although open to the wider public, the consultation, specifically, sought views from the licensed trade and key stakeholders, for example, the county council, Gloucestershire Constabulary and GCHQ.
- 3.4 The majority (93.3%) of respondents indicated they agreed that CCTV in licensed vehicles will benefit the safety of passengers using licensed vehicles. Similarly, the majority of respondents agreed that CCTV would benefit the safety of the licensed drivers, reduce the fear of crime and the benefits to public safety outweigh the cost and any adverse effect on privacy.
- 3.5 The outcome of the consultation, referred to above, and fully outlined at Appendix 2, indicates that there are local circumstances which indicate that the installation of CCTV in vehicles would have a positive effect on the safety of taxi and private hire vehicle users.
- 3.6 Members will note in particular that Gloucestershire County Council has already adopted a technical specification for CCTV in licensed vehicles. The county council's specification is a mandatory requirement for any licensed vehicle undertaking school contract work. Subject to Cabinet approving further consultation, officers from this authority will need to work with, amongst others, the county council to ensure a reasonable level of compatibility is achieved.
- 3.7 Members will note there has been a delay in bringing this post consultation report back to Members. Officers were keen to ensure responses were received from all interested parties and clarification sought where necessary. This required further follow up work accounting for the delay.
- 3.8 On the whole, the response rate, particularly from the licensed trade was very disappointing. Subject to the resolutions being passed, further work will need to be done with the licensed trade to engage them in the process moving forward.

## 4 Statutory Guidance

- 4.1 The statutory guidance sets out the Government's position regarding CCTV in licensed vehicles. It states, under section 7:
- 4.1.1 *Government has acknowledged the potential risk to public safety when passengers travel in taxis and private hire vehicles. It is unfortunately the case that no matter how complete the information available to licensing authorities is when assessing whether to issue any taxi or private hire vehicle licence, nor how robust the policies in place are and the rigor with which they are applied, it will never completely remove the possibility of harm to passengers by drivers.*
- 4.1.2 *The Department's view is that CCTV can provide additional deterrence to prevent this and investigative value when it does. The use of CCTV can provide a safer environment for the benefit of taxi/private hire vehicle passengers and drivers by:*
- *detering and preventing the occurrence of crime;*
  - *reducing the fear of crime;*
  - *assisting the police in investigating incidents of crime;*
  - *assisting insurance companies in investigating motor vehicle accidents.*

- 4.1.3 *All licensing authorities should consult to identify "where there are local circumstances which indicate that the installation of CCTV in vehicles would have either a positive or an adverse net effect on the safety of taxi and private hire vehicle users, including children or vulnerable adults, and taking into account potential privacy issues.*
- 4.1.4 *While only a small minority of licensing authorities have so far mandated all vehicles to be fitted with CCTV systems, the experience of those authorities that have has been positive for both passengers and drivers. In addition, the evidential benefits of CCTV may increase the level of reporting of sexual offences. According to the Crime Survey for England and Wales only 17 percent of victims report their experiences to the police, 28 percent of rape or sexual assault victims indicated that a fear they would not be believed as a factor in them not reporting the crime. The evidential benefits CCTV could provide are therefore an important factor when considering CCTV in vehicles.*
- 4.1.5 *The mandating of CCTV in vehicles may deter people from seeking a taxi or private hire vehicle licence with the intent of causing harm. Those that gain a licence and consider perpetrating an opportunistic attack against a vulnerable unaccompanied passenger may be deterred from doing so. It is however unfortunately the case that offences may still occur even with CCTV operating.*
- 4.1.6 *CCTV systems that are able to record audio as well as visual data may also help the early identification of drivers that exhibit inappropriate behaviour toward passengers. Audio recording should be both overt (i.e. all parties should be aware when recordings are being made) and targeted (i.e. only when passengers (or drivers) consider it necessary). The recording of audio should be used to provide an objective record of events such as disputes or inappropriate behaviour and must not be continuously active by default and should recognise the need for privacy of passengers' private conversations between themselves. Activation of the audio recording capability of a system might be instigated when either the passenger or driver operates a switch or button.*
- 4.1.7 *Imposition of a blanket requirement to attach CCTV as a condition to a licence is likely to give rise to concerns about the proportionality of such an approach and will therefore require an appropriately strong justification and must be kept under regular review. More information and guidance on assessing the impacts of CCTV and on an authority mandating CCTV is annexed to this document (Annex – CCTV guidance).*

4.2 A further "CCTV Guidance" annex provides further advice to consider.

## **5 Next Steps**

- 5.1 As stated, the outcome of the consultation, suggests that there are local circumstances which indicate that the installation of CCTV in vehicles would have a positive effect on the safety of taxi and private hire vehicle users.
- 5.2 Under the existing licensing policy, there is no requirement for any licensed vehicle to be fitted with CCTV but equally does not prohibit a proprietor from fitting CCTV. The existing policy does not outline any specification for those vehicles that have CCTV installed.
- 5.3 The outcome of the consultation suggests it would be appropriate for the authority to consider more detailed policy requirements with regards to CCTV in licensed vehicles. This will include a review of the current policy position and work to develop draft technical specifications.
- 5.4 The above will be subject to further consultation.

## **6 Reasons for recommendations**

6.1 To ensure the authority considers all options, and takes all the necessary steps, to comply with statutory guidance and, though this, maintains the highest standards of public safety and protection.

## **7 Alternative options considered**

7.1 Cabinet can resolve not to proceed with further consultation.

## **8 Consultation and feedback**

8.1 As outlined in the report.

## **9 Key risks**

9.1 As outlined in Appendix 1.

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### **Report author:**

Louis Krog, Head of Public Protection, [louis.krog@cheltenham.gov.uk](mailto:louis.krog@cheltenham.gov.uk)

### **Appendices:**

- i. Risk Assessment
- ii. Consultation feedback

### **Background information:**

[Decision to approve consultation to see if there are local circumstances when CCTV in vehicles would have either a positive or adverse effect on the safety of taxi and private hire vehicle users](#)

[Statutory Taxi & Private Hire Vehicle Standards](#)

## 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 approve further consultation in light of the outcome of the initial consultation, the authority risks potentially jeopardising public safety.	Head of Public Protection	4	4	16		Reduce	Undertake further consultation.	
	If Cabinet does not resolve to approve further consultation in light of the outcome of the initial consultation, the authority faces potential risk to its reputation as a council serious about public safety and protection.	Head of Public Protection	3	3	9		Reduce	Undertake further consultation.	
	If Cabinet does not resolve to approve further consultation in light of the outcome of the initial consultation, it risks not giving due regard to the statutory	Head of Public Protection	2	3	6		Reduce	Undertake further consultation.	

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
	guidance.								

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## Mandatory CCTV in licensed vehicles: Summary report

This report was created on Tuesday 14 February 2023 at 08:02 and includes 15 responses.

The activity ran from 01/07/2022 to 05/08/2022.

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If yes please give dlf yes please give detailsetails	4
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In your opinion are there any adverse effects on the privacy of passengers, including children or vulnerable adults, by installing CCTV in licensed vehicles?	7
If yes please give details	7

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Overall, do you think that there are local circumstances that would make it proportionate to make it a mandatory requirement for all licensed vehicle operators to install CCTV	8
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Do you have any other comments to make?	10

## Question 1: What is your name?

### **Name**

There were **13** responses to this part of the question.

## Question 2: What is your email address?

### **Email**

There were **13** responses to this part of the question.

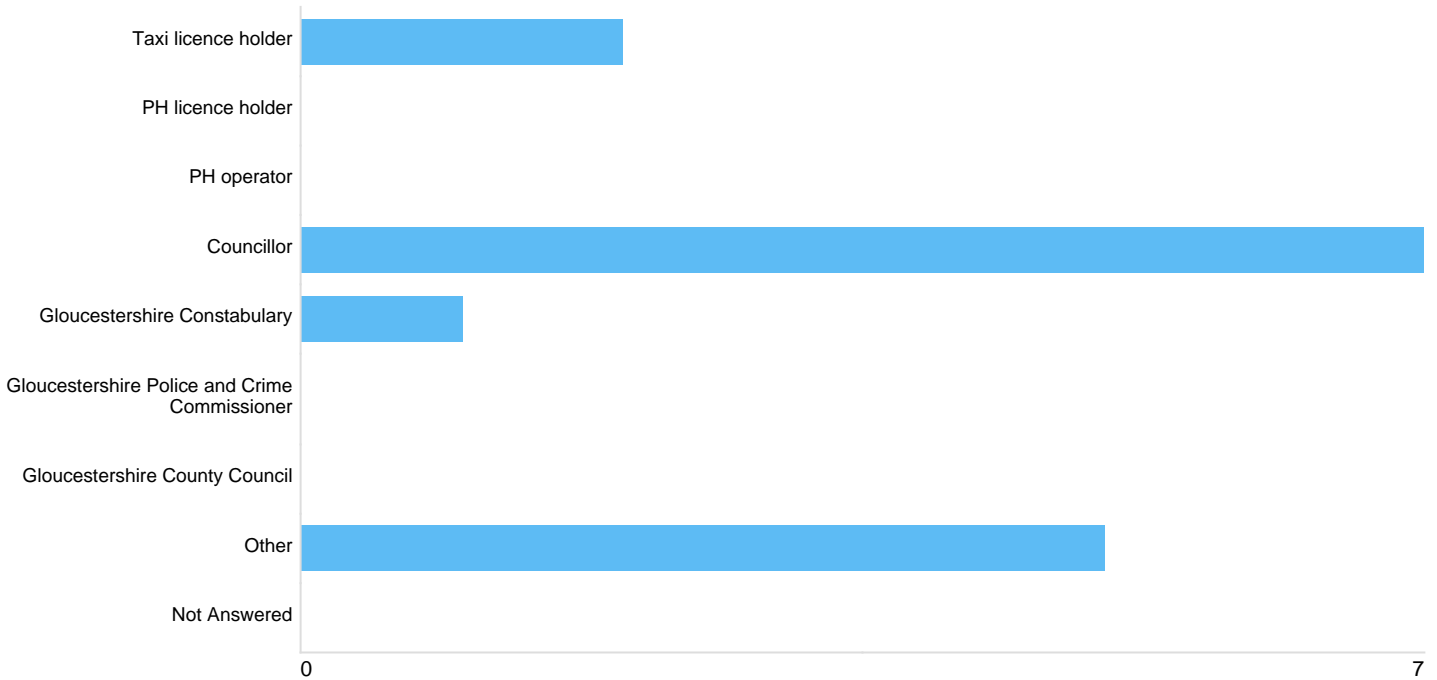
## Question 3: What is your organisation?

### **Organisation**

There were **12** responses to this part of the question.

**Question 4: In what capacity are you responding to this survey?**

*n what capacity are you responding to this survey?*



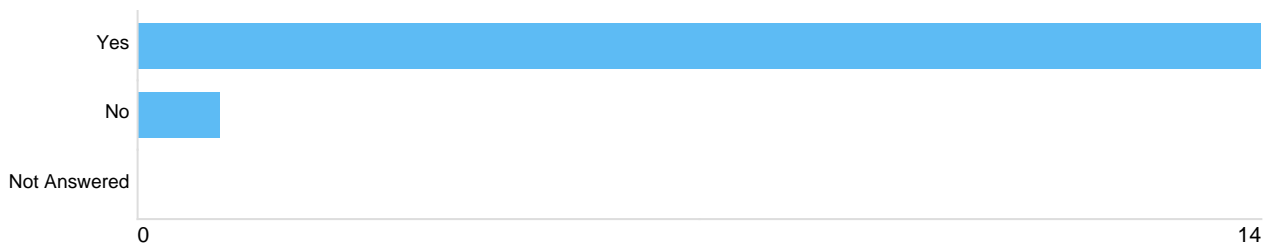
Option	Total	Percent
Taxi licence holder	2	13.33%
PH licence holder	0	0.00%
PH operator	0	0.00%
Councillor	7	46.67%
Gloucestershire Constabulary	1	6.67%
Gloucestershire Police and Crime Commissioner	0	0.00%
Gloucestershire County Council	0	0.00%
Other	5	33.33%
Not Answered	0	0.00%

***If other, please specify:***

There were 6 responses to this part of the question.

**Question 5: Do you agree that CCTV in licensed vehicles will benefit the safety of passengers using licensed vehicles?**

*Do you agree that CCTV in licensed vehicles will benefit the safety of passengers using licensed vehicles?*



Option	Total	Percent
Yes	14	93.33%
No	1	6.67%
Not Answered	0	0.00%

***Please explain the reason for your answer***

There were 11 responses to this part of the question.

**Question 6: Do you agree that additional audio CCTV recording in licensed vehicles will benefit the safety of passengers using licensed vehicles?**

*Do you agree that additional audio CCTV recording in licensed vehicles will benefit the safety of passengers using licensed vehicles?*



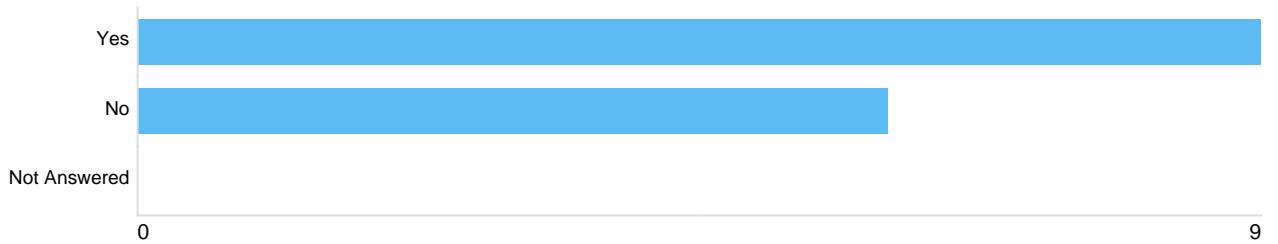
Option	Total	Percent
Yes	12	80.00%
No	3	20.00%
Not Answered	0	0.00%

*Please explain the reason for your answer*

There were 12 responses to this part of the question.

**Question 7: Do you have any local examples of when CCTV (video or audio) was or could have been beneficial to the safety of passengers using licensed vehicles?**

*Do you have any local examples of when CCTV (video or audio) was or could have been beneficial to the safety of passengers using licensed vehicles?*



Option	Total	Percent
Yes	9	60.00%
No	6	40.00%
Not Answered	0	0.00%

*If yes please give dlf yes please give detailsetails*

There were 8 responses to this part of the question.

**Question 8: Do you agree that CCTV would benefit the safety of the licensed driver?**

*Do you agree that CCTV would benefit the safety of the licensed driver*



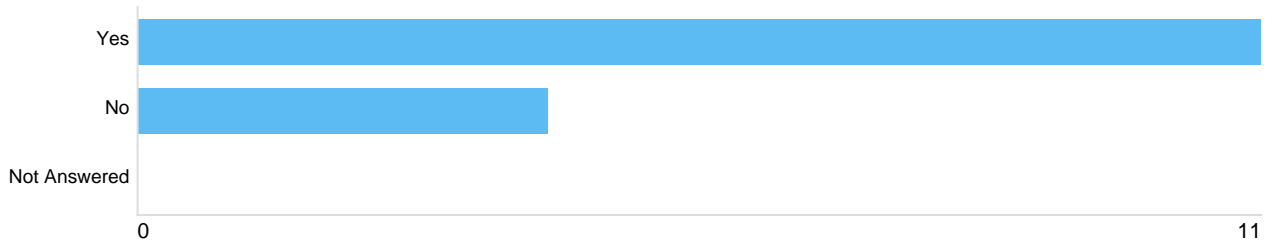
Option	Total	Percent
Yes	14	93.33%
No	1	6.67%
Not Answered	0	0.00%

*Please explain the reason for your answer*

There were 12 responses to this part of the question.

**Question 9: Do you agree that additional audio CCTV would benefit the safety of the licensed driver?**

*Do you agree that additional audio CCTV would benefit the safety of the licensed driver?*



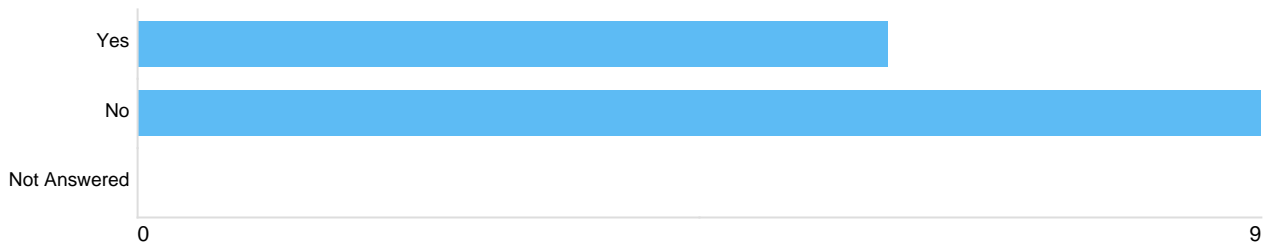
Option	Total	Percent
Yes	11	73.33%
No	4	26.67%
Not Answered	0	0.00%

*Please explain the reason for your answer*

There were 12 responses to this part of the question.

**Question 10: Do you have any local examples where CCTV (video or audio) did or could have benefited the safety of the licensed driver?**

*Do you have any local examples where CCTV (video or audio) did or could have benefited the safety of the licensed driver?*



Option	Total	Percent
Yes	6	40.00%
No	9	60.00%
Not Answered	0	0.00%

*If yes please give details*

There were 5 responses to this part of the question.

**Question 11: Do you agree that video CCTV recording would reduce the fear of crime?**

*Do you agree that video CCTV recording would reduce the fear of crime?*



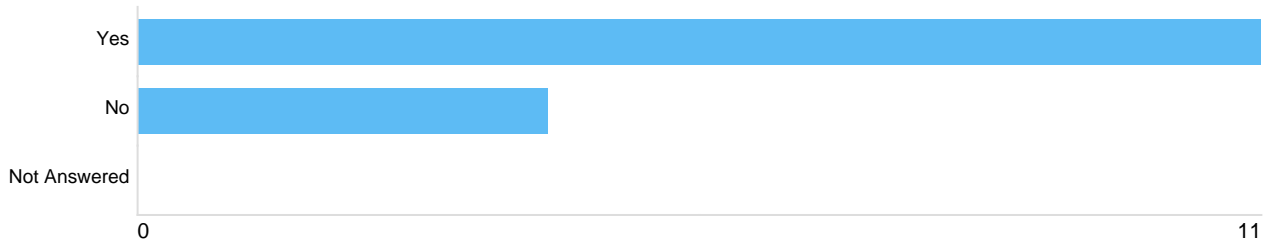
Option	Total	Percent
Yes	12	80.00%
No	3	20.00%
Not Answered	0	0.00%

*Please explain the reason for your answer*

There were 6 responses to this part of the question.

**Question 12: Do you agree that additional audio CCTV recording would reduce the fear of crime?**

*Do you agree that additional audio CCTV recording would reduce the fear of crime?*



Option	Total	Percent
Yes	11	73.33%
No	4	26.67%
Not Answered	0	0.00%

*Please explain the reason for your answer*

There were 7 responses to this part of the question.

**Question 13: Do you have any local examples where CCTV did or could have reduced the fear of crime?**

*Do you have any local examples where CCTV did or could have reduced the fear of crime?*



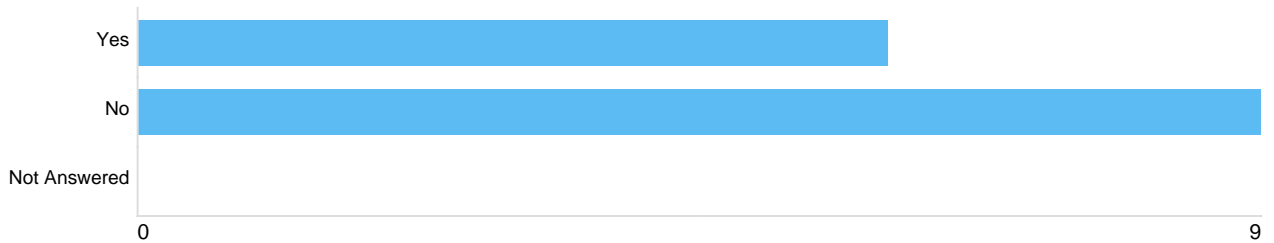
Option	Total	Percent
Yes	1	6.67%
No	14	93.33%
Not Answered	0	0.00%

*Please explain the reason for your answer*

There were 2 responses to this part of the question.

**Question 14: In your opinion are there any adverse effects on the safety of passengers, including children or vulnerable adults, by installing CCTV in licensed vehicles?**

*In your opinion are there any adverse effects on the safety of passengers, including children or vulnerable adults, by installing CCTV in licensed vehicles?*



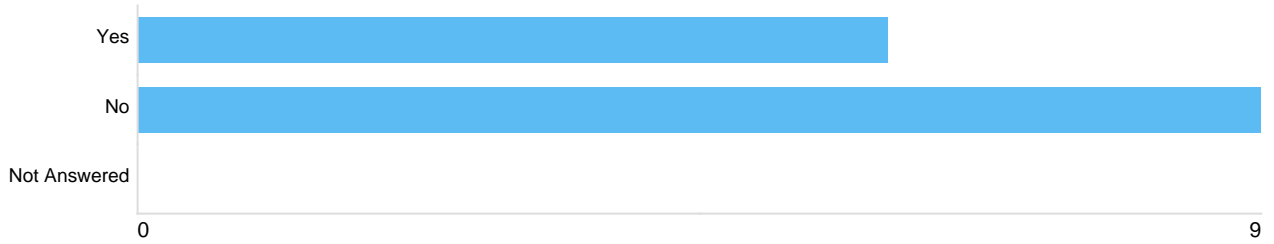
Option	Total	Percent
Yes	6	40.00%
No	9	60.00%
Not Answered	0	0.00%

*If yes please give details*

There were 7 responses to this part of the question.

**Question 15: In your opinion are there any adverse effects on the privacy of passengers, including children or vulnerable adults, by installing CCTV in licensed vehicles?**

*In your opinion are there any adverse effects on the privacy of passengers, including children or vulnerable adults, by installing CCTV in licensed vehicles?*



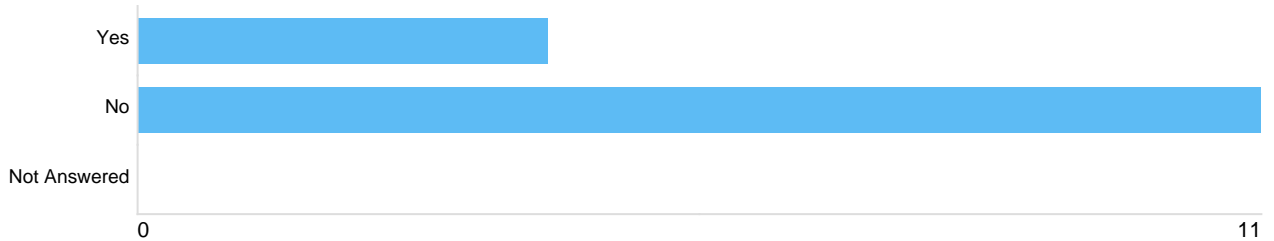
Option	Total	Percent
Yes	6	40.00%
No	9	60.00%
Not Answered	0	0.00%

***If yes please give details***

There were 8 responses to this part of the question.

**Question 16: In your opinion are there any adverse effects on the privacy of licensed vehicle drivers by installing CCTV in licensed vehicles?**

*In your opinion are there any adverse effects on the privacy of licensed vehicle drivers by installing CCTV in licensed vehicles?*



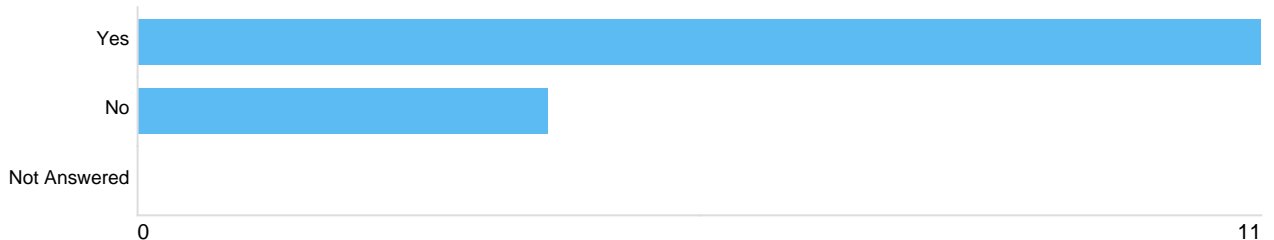
Option	Total	Percent
Yes	4	26.67%
No	11	73.33%
Not Answered	0	0.00%

***If yes please give details***

There were 8 responses to this part of the question.

**Question 17: In your opinion do the benefits to public safety outweigh any adverse effect on privacy?**

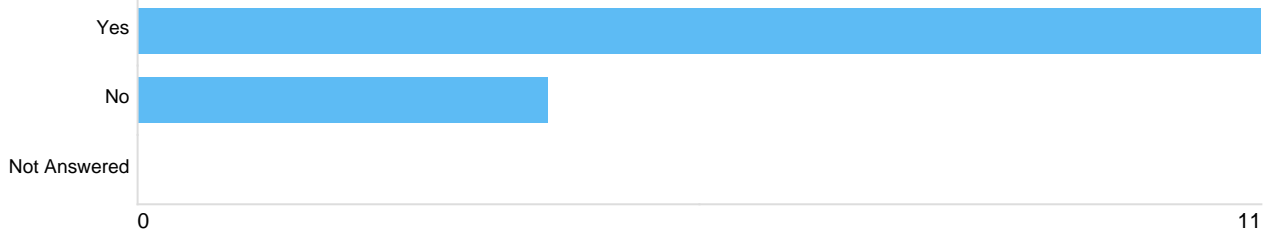
*In your opinion do the benefits to public safety outweigh any adverse effect on privacy?*



Option	Total	Percent
Yes	11	73.33%
No	4	26.67%
Not Answered	0	0.00%

**Question 18: In your opinion do the benefits to public safety outweigh the costs that would be incurred by licensed vehicle drivers by installing CCTV in licensed vehicles?**

*In your opinion do the benefits to public safety outweigh the costs that would be incurred by licensed vehicle drivers by installing CCTV in licensed vehicles?*



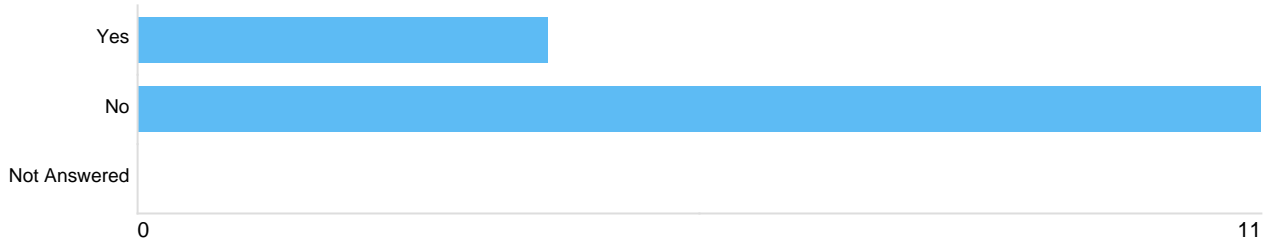
Option	Total	Percent
Yes	11	73.33%
No	4	26.67%
Not Answered	0	0.00%

***If yes please give details***

There were 11 responses to this part of the question.

**Question 19: Are there any other adverse effects from installing CCTV in licensed vehicles?**

*Are there any other adverse effects from installing CCTV in licensed vehicles.*



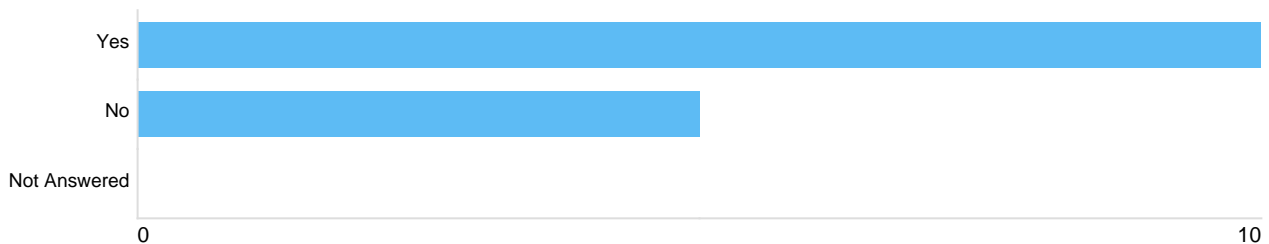
Option	Total	Percent
Yes	4	26.67%
No	11	73.33%
Not Answered	0	0.00%

***If yes please give details***

There were 6 responses to this part of the question.

**Question 20: Overall, do you think that there are local circumstances that would make it proportionate to make it a mandatory requirement for all licensed vehicle operators to install CCTV?**

*Overall, do you think that there are local circumstances that would make it proportionate to make it a mandatory requirement for all licensed vehicle operators to install CCTV*





Option	Total	Percent
Yes	10	66.67%
No	5	33.33%
Not Answered	0	0.00%

**Please explain the reason for your answer**

There were 8 responses to this part of the question.

**Question 21: If yes to question 20, do you think that mandatory CCTV should be video recording only or video and audio?**

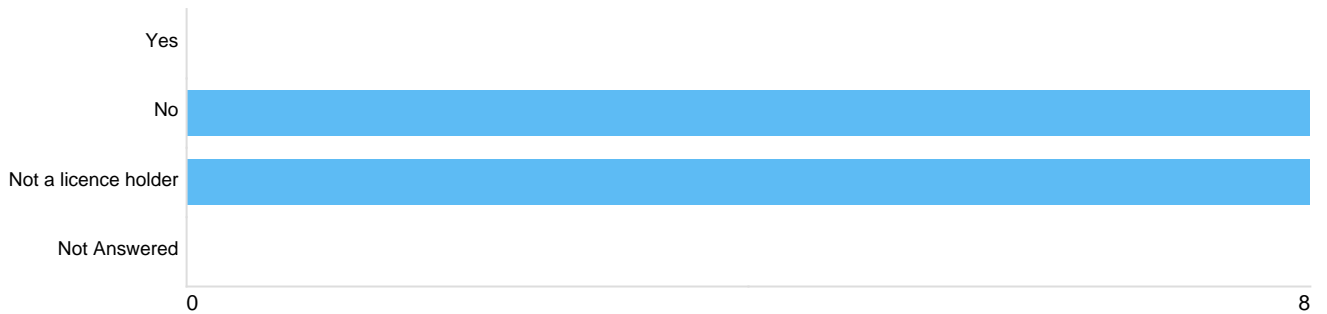
*If yes to question 20, do you think that mandatory CCTV should be video recording only or video and audio*



Option	Total	Percent
Video Only	2	13.33%
Video and audio	3	20.00%
Not Answered	10	66.67%

**Question 22: Do you have a Gloucestershire County Council Contract?**

*Do you have a Gloucestershire County Council Contract?*



Option	Total	Percent
Yes	0	0.00%
No	8	53.33%
Not a licence holder	8	53.33%
Not Answered	0	0.00%

**Question 23: Do you have a CCTV system installed in your current licensed vehicle?**

*Do you have a CCTV system installed in your current licensed vehicle?*



Option	Total	Percent
Yes	1	6.67%
No	1	6.67%
Not a licence holder	13	86.67%
Not Answered	0	0.00%

**Question 24: Do you have any other comments to make?**

*Do you have any other comments to make?*

There were **5** responses to this part of the question.

**Extract of email from Gloucestershire County Council – Integrated Transport Unit, to Head of Public Protection, dated 13.12.22**

We are the data controllers

The following is the minimum requirement for category one transport (up to 8 passenger seats). We have another for buses and coaches.

**For the purposes of this contract any Closed Circuit Television Camera Equipment (CCTV) must meet the following minimum requirements as set by Gloucestershire County Council (GCC).**

**CCTV Specification - Specification for Vehicles with 8 or less passenger seats To be considered adequate the equipment must:**

- Capture a rolling period of 30 Calendar days. For the purposes of this contract the retention period for each journey captured on CCTV will be set at 30 calendar days at which stage the footage should be overridden or securely destroyed.
  - If the recording equipment is unable to hold a rolling period of 30 days alternative storage methods must be in place to ensure this information is retained for the required 30 day period.
- Have the capability to time and date stamp footage accurately.
- Must capture footage in 720p (HD) or better in full colour.
- Sound quality and coverage must result in all passengers being clearly heard.
- Be in operation for the full length of the journey, including the positioning journey, and must be recording whenever passengers are on board.
- Cameras must be positioned appropriately to cover all occupied seats.
- Be installed in line with the manufacturer's specification. GCC reserve the right to request sight to the manufacturer's specification for the purposes of any audit or investigation. The specification must be supplied to us a maximum of 2 working days from the date of the request.
- If removed from the vehicle the CCTV system must be stored in a secure location upon the completion of the contracted route(s). Non-removable devices will be reviewed on a case by case basis and may require further information and evidence prior to the commencement of the contract.
- Recording must be protected against unauthorised access or tampering.
- Images must be clear in all lighting conditions.

Digital recordings

1. The system is to be capable of enabling the extraction and downloading of digital recordings to a Windows-based computer or a Macintosh computer with associated proprietary software and/or hardware either from on board the vehicle or by means of an exchangeable storage medium.

2. Access to proprietary software used to download images shall be restricted to prevent the unauthorised recovery of images.

3. Where applicable, the digital recorder is to synchronise each audio recording made with the image recording to which it relates.
4. Any digital recording extracted from the system is to retain sufficient integrity checking facilities to enable it to be determined whether the digital recording has been in any way interfered with or otherwise manipulated to alter or attempt to alter any digital image, audio recording or data element contained in the digital recording.
5. Any digital recording is to be capable of being saved in a format that facilitates playback on any Windows-based computer, If the recording format is proprietary then the Operator must provide GCC with a copy of the specialist viewing software which can be installed on a GCC computer.
6. Any image recording is to be capable of being:
  - (a) downloaded in full or in part in AVI or MPEG format (or proprietary format – see Digital recordings note 5), at the highest available recorded resolution;
  - (b) synchronised, independent of the frame or image rate, with any audio recordings that relate directly to the image recording; and
  - (c) saved as a digital image in the form of a windows bitmap file at the highest available recorded resolution.

The following is taken from the DPS application that all approved operators sign up to. Would you like a copy of the DPS Terms and Conditions. It's a hefty document, but its not a problem for me to send you one.

- 1.1 The Supplier must fit the CCTV Equipment to any Vehicle used in the provision of the Service in accordance with the CCTV Specification, the DPS Tender Document and the Order Form. The Supplier shall ensure that such equipment is operated, and images captured using it, are stored and/or processed by the Supplier in accordance with the requirements of Clause 20 together with all applicable laws including (without limitation), the Data Protection Legislation, the Human Rights Act 1998, the Regulation of Investigatory Powers Act 2000 and the Information Commissioner's CCTV Code of Practice and all amendments, re-enactments and re-provisions in respect of any of the foregoing. The Supplier will ensure that their systems are registered with the Information Commissioner and proper authority has been given for designated officers of the Council to view CCTV Footage. The Supplier shall not share the CCTV Footage with any other party without the express written permission of the Council or where so required to disclose the CCTV Footage by law, the Supplier must notify the Council at the earliest possible opportunity.
- 1.2 The Supplier shall co-operate fully with the Council in the investigation of any incident arising during the provision of the Service, by providing such access to and/or copies of

the images of any such incident captured using such CCTV Equipment as may be required.

- 1.3 The Supplier agrees to provide any CCTV Footage to the Council in accordance with Clause 32.13, upon request, within one (1) Working Day. The Supplier shall co-operate with any audit or investigation mandated by the Council pursuant to its obligations as Data Controller which shall include, for the avoidance of doubt, providing any CCTV Footage to the Council to assist in the conduct of any such audit.
- 1.4 The Supplier shall co-operate fully with the Council in the investigation of any Incident arising during the provision of the Service, and if fitted provide such access to and/or copies of the images of any such Incident captured using such CCTV equipment as may be required.
- 1.5 Notwithstanding the provisions of Clause 32.12, the Supplier agrees to provide any CCTV Footage to the Council within four (4) hours if an Incident involves a safeguarding or safety issue.
- 1.6 The Supplier agrees to provide any CCTV Footage to the Council in accordance with Clause 32.13, upon request, within one (1) Working Day. The Supplier shall co-operate with any audit or investigation mandated by the Council pursuant to its obligations as Data Controller which shall include, for the avoidance of doubt, providing any CCTV Footage to the Council to assist in the conduct of any such audit.
- 1.7 The Supplier shall co-operate fully with the Council in the investigation of any Incident arising during the provision of the Service, and if fitted provide such access to and/or copies of the images of any such Incident captured using such CCTV equipment as may be required.
- 1.8 Notwithstanding the provisions of Clause 32.12, the Supplier agrees to provide any CCTV Footage to the Council within four (4) hours if an Incident involves a safeguarding or safety issue.

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## Cabinet – 7 March 2023

### Adoption of Graffiti Policy

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**Accountable member:**

Councillor Martin Horwood, Cabinet Member for Customer & Regulatory Services

**Accountable officer:**

Louis Krog, Head of Public Protection

**Ward(s) affected:**

All

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**Key Decision:** Yes

**Executive summary:**

The purpose of this policy is to set out the authority's approach for dealing with and preventing graffiti within the borough. Consultation was undertaken between 6 January 2023 and 13 February 2023.

This report, reports on the outcome of the consultation, consequential amendments to the draft policy and recommends adoption of the final draft policy.

**Recommendations:**

1. To note the consultation feedback; and
  2. To adopt the proposed graffiti policy, 'Statement of Policy regarding Unauthorised or Unwelcome Graffiti', as at Appendix 3, to come into immediate effect.
- 

## 1. Implications

### 1.1 Financial, Property and Asset implications

The Council own a large number of buildings, assets and adopted land across the town, some of which are regular targets for graffiti. The Council invests time and resources in cleaning the graffiti which could be alternatively invested into our wider asset portfolio or into other services. The revised graffiti policy provides a framework for dealing with these incidents as well as outlining deterrents for perpetrators.

**Signed off by:** Gemma Bell, Director of Finance & Assets (Deputy s151 Officer);

[gemma.bell@cheltenham.gov.uk](mailto:gemma.bell@cheltenham.gov.uk)

## 1.2 Legal implications

The proposed Graffiti removal policy is in accordance with the Council's legal powers under the Anti-Social Behaviour, Crime and Policing Act 2014 and the Local Government Act 2003. The removal of graffiti from public and private property in order to improve the environment, is consistent with the Council's objectives. The removal policy will provide a transparent and consistent approach to dealing with the problem. However, this should only provide a general framework for the exercise of the Council's statutory powers and it should not be applied so rigidly as to fetter the Council's discretion to consider the specific circumstances in each case, to ensure that it is acting fairly, proportionately and in a non-discriminatory manner

**Signed off by:** One Legal, [legalservices@onelegal.org.uk](mailto:legalservices@onelegal.org.uk)

## 1.3 Environmental and climate change implications

The chemicals found in cleaning products appropriate for this type of work often contain chemicals that are harmful to wildlife and their habitats. The Council and its partners will explore wildlife friendly cleaning products and using a sustainable approach to cleansing.

**Signed off by:** [laura.tapping@cheltenham.gov.uk](mailto:laura.tapping@cheltenham.gov.uk)

## 1.4 Corporate Plan Priorities

This report contributes to the following Corporate Plan Priorities:

- Being a more modern, efficient and financially sustainable council

## 1.5 Equality, Diversity and Inclusion Implications

N/A

## 1.6 Performance management – monitoring and review

As outlined in the draft policy.

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## 2 Background

2.1 The purpose of this policy is to set out the authority's approach for dealing with and preventing graffiti within the borough.

2.2 Tackling graffiti is a challenge. This particular type of criminal damage has its own sub-culture with offenders creating large pieces of work in a short space of time. Offences are usually carried out under the cover of darkness making catching the offenders' very difficult and time intensive. It needs to be dealt with effectively to help prevent more serious crimes occurring in affected areas. Each instance of graffiti is costly to remove and has a financial implication for the authority, businesses and residents.

2.3 One of authority's key priorities is to deliver a number of town centre and wider public enhancements that will continue the revitalisation of the town. This will ensure its longer-term viability as a retail and cultural destination. Another key priority is to continue to enhance our public spaces, parks and



gardens. Areas blighted by graffiti undermining these aims.

2.4 Such criminal activity can never be totally eradicated but by having a clear policy in place the authority aims to reduce the increasing instances of graffiti. In particular, it will:

- 2.4.1 Set out who is responsible for removing graffiti
- 2.4.2 Outline how graffiti will be removed
- 2.4.3 Define how quickly graffiti will be removed
- 2.4.4 How we will work with partners to identify and take enforcement action
- 2.4.5 Identify preventative measures

### **3 Consultation**

- 3.1 Consultation was undertaken between 6 January 2023 and 13 February 2023 with general support for the implementation of this policy.
- 3.2 A consultation summary report with officer responses is attached at Appendix 2 of this report. In addition, more comprehensive comments were received from the “Driving out Crime” Officer from the constabulary and the Civic Society. The proposed policy amendments incorporate the comments from the constabulary and Civic Society.
- 3.3 The draft policy is attached at appendix 3. For the sake of ease of reference, the draft policy includes highlighted areas to indicate the proposed changes made following the consultation. The formatting will be removed and policy tidied up prior to publishing it.
- 3.4 No fundamental changes have been made to the policy as a consequence of the consultation. Members will note that the proposed changes, highlighted, are mainly to provide further clarification, explanation and other minor amendments.

### **4 Reasons for recommendations**

- 4.1 To ensure the authority has a clear and robust policy and approach to dealing with, and preventing, graffiti within the borough.

### **5 Alternative options considered**

- 5.1 Cabinet can resolve to not adopt the policy or make any further amendments or changes as it sees fit and necessary.

### **6 Consultation and feedback**

- 6.1 As outlined in the report.

### **7 Key risks**

- 7.1 As outlined in Appendix 1.

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**Report author:**

**Appendices:**

- i. Risk Assessment
- ii. Consultation responses
- iii. Draft "Statement of Policy regarding Unauthorised or Unwelcome Graffiti"
- iv. Climate Change Impact Assessment

**Background information:**

[Cabinet Member to approve the Draft Statement of the Graffiti Policy for Consultation](#)

**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 the authority does not adopt this policy, it will not have a clear plan or approach to dealing with graffiti in the borough.	Head of Public Protection	3	4	12	Accept	Adopt policy	Head of Public Protection	
	The lack of a clear plan or approach will hold reputational risks for the authority from residents and businesses.	Head of Public Protection	2	4	8	Accept	Adopt policy	Head of Public Protection	Page 35

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Please select which one of these options best describes you:	Please select which one of these options best describes you: - If other, please specify:	Please include your comments in the text box below	Officer response
Councillor		<p>I think it would be helpful to start the policy copy with a clear statement, that graffiti is illegal?</p> <p>There will be some people who are not aware of this.</p>	This is covered and made clear under “4. Definitions”
		<p>Generally supportive of the policy although would hope that particularly offensive graffiti can be removed in a shorter timescale. I wonder if consideration can be given to applying some sort of anti-graffiti treatment on to walls in 'hot spot' locations, if such is available. When considering the positioning of CCTV do we take into account popular graffiti locations?</p>	<p>They urgency of removing offensive graffiti is recognised in the policy but is dependent on resources available.</p> <p>Whilst the draft policy refers to 14 days, it is “within” 14 days meaning that it could be less than 14 days, resources permitting.</p> <p>Although “anti-graffiti treatment” is not part of this iteration of policy review, officers will investigation t option and recommend further policy recommendations as required.</p> <p>CCTV needs assessment does consider “hot spots” and therefore includes graffiti as a “whole approach” consideration.</p>

Other, please specify	Council officer	<p>Identify and promote 'free walls' where people can express themselves within a few clear limitations. Provide volunteer groups with guidance and equipment to remove graffiti from low risk structures that might have graffiti on.</p>	<p>Draft policy does recognise authorised graffiti under paragraph 2, under “Definitions” on page 3.</p> <p>Use of “volunteer groups” can be considered in future iterations of this policy. Removal is a complex process that requires the correct equipment and chemicals.</p>
	Council officer	<p>Thank you for providing us with an opportunity to read and feedback on the policy. It looks like a well-researched document with clear objectives, and lines of responsibility for graffiti removal.</p> <p>It is with it’s implementation I have some concerns, particularly regarding existing graffiti hot spots. The Honeybourne Line being one such example where graffiti has existed on the retaining walls, bridges and structures for as long as I can remember. Recent attempts to clean selected walls saw the graffiti return very quickly. Much of the graffiti takes place under the gaze of existing CCTV cameras, and it's removal, and continued removal, I suspect is beyond the effective control of CBC and Ubico, and not necessarily a priority for the police. This creates conflict when you are enforcing other people to remove graffiti from private premises and the Council is unable to control graffiti on its own assets. Admittedly the Council is exposed to this far more than other property owners due to the varied nature and extensive distribution of our assets, but I do feel we need to manage expectation, as some people may be quick to draw attention to these issues once the policy is approved.</p> <p>One answer might be to specify areas of the town where the Council takes a zero tolerance approach, and</p>	

others where we are more pragmatic. So this might entail adding a third priority in the Classification under section 5 of the policy, and a sixth Aim under section 3 outlining where it will prioritise it's resources. So take the Honeybourne Line as an example; we commit to remove anything offensive, or visually obtrusive, but tolerate (or place a lower priority on , if those words are more acceptable) most of what is contained within the line. Like it or not, there are many places now where graffiti is a fact of life.  
Hope that helps

The authority takes a zero tolerance approach to illegal graffiti everywhere. Work to address the problem is intelligence led to focus on high risk areas.

Creating a two tier approach, as suggested, will add additional complication and resource demand.

<p>Other, please specify</p>	<p>Cheltenham BID Ambassador</p>	<p>There is a specific issue with one individual whose tag has proliferated around the town centre in recent months. The tag (which looks like the word Rawk or Rawks or even, most recently, Rawksy) has been sprayed/inked on all kinds of surfaces, from business window shutters and residential boundary and commercial walls to traffic bollards, bus shelter windows, recycling storage units, postboxes, parking meters and utility boxes. I've personally noted at least 150 of these tags that have appeared within the last few months and have been cleaning much of it off myself (where practicable) with purpose wipes during my shifts as a matter of routine. Unfortunately, as soon as the graffiti is removed, the same tags reappear within days. Worst affected businesses locally are Machine Mart in Fairview Rd which has suffered repeated tagging in spite of regular wall repainting and the former Londis (now Welcome Cheltenham) which had its newly repainted wooden gates covered by the same tag within 24 hours. The graffiti is spreading further into town from Fairview as the miscreant is gaining confidence in getting away with it. Most recently seen in bus shelters, on post boxes and council litter bins in the Promenade (I have photographic evidence if required). I can't believe that there hasn't been any CCTV available in the town centre that could potentially identify the individual responsible, who obviously lives in the Fairview area and may already be known to local neighbourhood police. Until we as a community can apprehend the few people who are responsible and have the power to force them to face</p>	<p>This policy review does not address individual cases. However, the general approach proposed aims to deal with the individual case highlighted.</p>
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the consequences of their actions (eg by having to remove each instance of their graffiti under supervision as opposed to relying on limited police resources to take individuals to court), I can only see this issue becoming impossible to reverse (and ultimately far more expensive to deal with, as minor crimes like this often lead to more serious crimes such as burglary, assault and street corner drug dealing etc being committed). Maintaining a list of the graffiti locations simply to watch the rash spread is not going to achieve anything without a concerted effort to clean it up, one way or another. Are there any other options for dealing with it other than the long and costly process of police prosecution, which seems not to have any deterrent effect? Court backlogs are already such that not even serious crimes are being dealt with in a timely manner at the moment. Is there a possibility of having enforcement action available to neighbourhood policing without having to go to court? Is this option available already?

As an aside, I was under the impression that offensive graffiti used to have to be removed within 48 hours as opposed to within 14 days. Am I correct in my understanding? If so, this suggests a weakening effort to tackle the problem. I acknowledge that the pressure on funding budgets combined with increased inflation may be impacting on current efforts but, as outlined above, failure to tackle this issue quickly is only likely to result in worse outcomes.

“Within” 14 days. All efforts will be made to remove offensive graffiti as soon as resources allow.

Other, please specify	Secretary to the Gloucester Diocesan Advisory Committee	<p>Comments relevant to the following sections of the policy: 'Different sites and assets' 'Permission and indemnity' Appendix 11. With regard to graffiti in closed churchyards, the relevant Parochial Church Council must be notified about the Council's intention to remove graffiti, prior to work commencing. 2. Consecrated Church of England churchyards are subject to Faculty Jurisdiction. With regard to both listed and unlisted structures in closed churchyards forming curtilages of listed buildings, the cleaning methodology must be agreed by the Diocesan Advisory Committee (DAC) in writing, unless an appropriate cleaning method has already been agreed. 3. The DAC accepts that a safe cleaning method for graffiti damage on stone is the DOFF system offered by many commercial cleanings contractors. The DAC believes that the Council's nominated contractors do not use this system. High pressure water jets, chemical products or abrasives must not be used as they can cause lasting damage to stone.</p>	<p>Process clarification noted. These are reflected in procedural documents to assist officers. The draft policy sets out the broad approach and policy and does recognise the special arrangements for "Churchyards and Historic sites" on page 5.</p>
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<p>Councillor</p>		<p>I'd like you to include the phrase, "If it's not yours, don't paint it" beside Councillor Clark's request for "Graffiti is illegal" in big letters on the front or somewhere prominent.</p> <p>Your list of 6 types is not consistent with the next section which starts with Offensive graffiti because that isn't listed as a type... just drop the word Contentious and it's all good.</p> <p>You list of 6 types doesn't appear to cover normal graffiti where the perp paints their name freehand in large stylised letters. I don't consider this to be the same as tagging which is generally single-colour, quick signatures. Perhaps you should recognise 7 types? Perhaps you should not specify how many types? That's just setting yourself up for ridicule later on. "We recognise these types:" would be sufficient.</p>	<p>"Offensive graffiti" can manifest itself as part of any of the six forms of graffiti. Officers do not consider "offensive graffiti" to be a form in itself.</p> <p>Policy amended to remove "..., of which the authority recognises six basic categories:" on page 3 recognising the point made.</p>
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Resident

My name is xx and although I work part-time for the Cheltenham BID, the following views and opinions are not on behalf of the BID. They are the personal comments of a Council Tax-paying resident who has lived in the town for 34yrs and is currently residing in Regent Street. My first concern is that the proposed policy has 'Identify Preventative Measures' as No,5 on the list of key targets- this suggests that all activity will be reactive rather than proactive. Surely, this should be priority? During my 5yrs active in the Town Centre, I have become aware of greater activity in regard to grafitti and I get the impression that people who live and work in the town almost except it and in some cases, don't even notice it. But it is very apparent to those people who visit the town, spend money and boost the economy and if these people decide not to return to a town covered in graffiti, then we may as well all shut up shop and let the 'artists' have free reign to spray their paint. A couple of years ago, I came up with an idea where the town centre businesses would be contacted and informed of reporting procedures in regard to graffiti and also informed of where the CCTV cameras are. I am of the opinion that if the businesses know how they are protected/supported and what they need to do to eradicate grafitti, then they may take ownership of their immediate environment and report graffiti as soon as it manifests itself. Also, it would make catching the culprits a tad more possible. Due to a number of factors - primarily, the lockdown - my plan never saw the light of day. I still believe that this communication process with the businesses in the town

The draft policy includes a section on “Prevention”, outlining work to address the problem of graffiti proactively (page 6)

The entire purpose of the policy is recognising that graffiti is a problem and outlines, reactive and proactive, steps to address this. It is a complex issue however that is not easily addressed. Through the policy, the authority will adopt a standard and clear approach that will as officers, Members, partners and the public with addressing the issues within available resources.

CBC’s Neighbourhood Team will be happy to work with the BID on this idea.

centre will help support your planned proposals. So, I believe the proposed Graffiti Policy should commence with identifying preventative measures. This could begin with signage emphasising the law/presence of CCTV cameras and education too. I have previously spoken to a Support Officer who stated that she intended visiting schools to talk about the scourge that is graffiti and to see if teachers could recognise some of the many tags that have appeared around town - T-Dizzy is one of the main offenders at the time of writing. From deterrents, education and business intervention, we can then ask the questions as to how we report it, how quickly the council respond, who has liability and just who is the victim. Because as I see it at the moment, culprits - if they are caught - are not being prosecuted but businesses are expected to remove the graffiti themselves or receive a fine. Bizarre. Back in 2019, I witnessed a graffiti artist get caught daubing the rear wall of a Promenade business which backs onto Regent Street (is now The Famous On The Prom). The police let her go and as she walked away down the High Street, I could hear her talking on her mobile phone, laughing at just "how easy" it all was. The building was empty at that time so maybe the property owner wasn't asked to remove it but regardless of this, everybody within the vicinity of that crime suffered but the police deemed it not to be worthy of any action. What message does this send out? And I was also told, by somebody employed by CBC, that the retrospective viewing of CCTV footage to check the daubing of graffiti "would not happen". So, this proposed policy must

The council will always seek to take enforcement action if there is sufficient evidence to do so. We recognise that enforcement is not purely an issue for this authority does rely on the support and input from the police, the justice system, residents and businesses.

The authority can access footage from its CCTV network.

ensure we utilise all facilities available to us. If the police or CBC can't have a presence in town when these crimes are generally taking place (the Everyman Theatre recently told me that their side wall was attacked at 1.15am), then we need to have a clear, visible policy that screams graffiti will not be tolerated - allied with any possible deterrents - and a reactive response that doesn't make penalising the businesses a priority. PS - in my role as a Cheltenham BID Ambassador, I spent an hour today cleaning graffiti off of the green cycle rack which has been repositioned onto the pedestrianised area of the Promenade. I will try and attach photographs if possible

Councillor		<p>I think clarifying what graffiti is and what art is would help most people.</p> <p>We have some incredible street art in Cheltenham, but some may class this as graffiti. Therefore we need to be very clear in defining what is legal and what is not!</p> <p>Obviously unsightly slogans and deliberate vandalism needs to be addressed and listed buildings which are 'attacked' is not acceptable. However we have some awful areas which have been made to look incredible by street art.....yet if this is unauthorised will this therefore be classed as graffiti and illegal?</p>	<p>The distinction is made under section 4 "Definitions" i.e. "For the avoidance of doubt, the definition of graffiti does not include graffiti, street art or any other form of art involving graffiti that is either, or both, officially authorised or, undertaken with lawful permission from property owner(s). This includes, but not limited to, the local Paint Festival."</p>
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Resident

Whilst I am in favour with the Council having a clear policy on 'graffiti', I find the language used in the policy creates confusion. Graffiti in general is a term for any text based imagery but as a name refers to big, colourful production pieces such as found in the Honeybourne Line tunnels. These generally take a good few hours to do and aren't what I feel are stated in the policy. Most of the actual graffiti around town is from the paint festival and has been done with permission. What causes offence, both to the general public and to us as artists, is the illegal TAGGING of public property. Tags are quick thrown up names or nicknames of the protagonist. They have a negative affect upon the population in the area, is what makes our beautiful town look messy and neglected and is the blight that I feel the policy should be aimed at, with explicit use of the word TAGGING replacing graffiti. Having worked with Jack on the Council's graffiti removal team, we have identified that it is roughly only a small handful of people in the town town doing this. Rawks or FNV is a relative newcomer, but has been prolific, and seems to be working alone; Chops/Crash, Griz, Kidchaos and Magi/Magic seem to be a group working together and, by some of their statements seen on the Honeybourne Line bridges, appear to have moved over here from Poland in the last 2-3 years. In particular, this group seem to be responsible for the vast majority of recent tagging. A couple of other protagonists Kaviar and Eulsio seem to have either stopped or moved away. Although I know most of the artists in Cheltenham, I have no idea who these, what I expect to

The distinction is made under section 4 "Definitions" i.e. "For the avoidance of doubt, the definition of graffiti does not include graffiti, street art or any other form of art involving graffiti that is either, or both, officially authorised or, undertaken with lawful permission from property owner(s). This includes, but not limited to, the local Paint Festival."

Policy does include a recognition of "tagging" as a recognised form of illegal graffiti on 3.



be, kids are. My guess would be they're between the ages of 17-21 and male. Kidchaos seems to be a younger member of the group, possibly a younger brother. As I have told Jack, all of these are posting their works on Instagram and are proud of the damage they're causing. Surely if Instagram has to hand police the details of a person who racially abuses someone on their platform, then widespread defacing of public property should be reason enough for the police to be able to access their details from Instagram? It is my feeling that to stop this behaviour a concerted effort to find the small number of perpetrators should be encouraged. The group often tag local pub toilets etc and I know one of them got caught in the Frog and Fiddle some time ago. I would recommend a circulation around the local pubs showing the tags of Rawks, Crash/Chops (These 2 tags are by the same person) Magi/Magic and Griz etc asking for them to be reported to the police if caught. An email to local schools asking for them to look out for such tags on schoolbooks could also potentially be beneficial. Thirdly I would put out a social media campaign to places such as Cheltenham Noticeboard to try and gain information from there. Even if a parent who saw it didn't hand in the culprit then they would surely do their best to discourage their offspring, especially if this was backed up with the possible repercussions of the offence. As for the repercussions should one get caught, then I feel a strong message sent out when one is caught would be a huge deterrent to the others they may be working with. I know the Council keeps documentation of the tags so

Will pursue further with the police but as a police matter, not in scope of this policy.

all offences should be punished at the same time with fines for each offence. A huge fine, with the threat of custodial measures, would certainly discourage them. As an alternative, we are always open to using spots that are hit continually as places for the festival to paint. Fortunately, they tend to stay away from the big walls we paint, only tagging the works along the Honeybourne Line bridges and tunnels. Putting beautiful works in high tagging spots is a workable solution but unfortunately not one that will stop them in the long run.

Penalties are defined in legislation and not within the authority's discretion.

Other, please specify	Council Officer	<p>Typos x2 – page 2 point 3 – check numbering &amp; page 5 point 8 second sentence of first paragraph does not make sense to me. Could Heritage crimes be more specific for CBC e.g list places? It might be good to keep generic though to cover all possibilities. Under point 4 - Add definition on what a 'Responsible' Party is and also consider, from Appendix 1, under residential information define what a 'Partnership Manager' is. Should be stated who the notices will be issued on – e.g. the responsible party as listed in Appendix 1 Page 4 under Discretion – responsible parties written in this paragraph reads as though it is the artist being talked about. The need to report a heritage crime to a rural police website seems odd, I would need reassurance that this is the right thing to do. Under section 9 refer to Authorities enforcement policy and any other procedures? I might be a little confused on who the Authority is – the Police or the LA / CBC Page 6 - Do we want to know how the DOCO will be contacted? Page 6 – Do we need to name Uniform why not just LA computer system. Systems do change. Appendix 1 – the only area it looks like there is a different level 1 and level 2 responsibility difference is with Residential Properties this could be made clearer by labelling responsibility in level 2 as 'same as level 1'. Not clear what the Partnership Manager is, is that the CBC Partnership Manager with CBH or a CBH Manager? Or its nothing to do with CBH and covers all registered social landlords or all residential properties...?? No Appendix 2? Although referred to in the policy</p>	<p>Noted and corrected.</p> <p>A list is likely to quickly become redundant and out of date requiring constant policy updates.</p> <p>Updates and changes made where considered necessary.</p> <p>It is how the police record “rural crime”</p> <p>Under “Introduction”, authority throughout the document refers to Cheltenham Borough Council.</p> <p>Corrected.</p>
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Resident		<p>The current rate of graffiti is making Cheltenham look dirty, vulgar and unpleasant. There is more popping up each time I travel around town. Even where someone has 'tagged' someone else goes and adds theirs on to it as well.</p> <p>I am not sure if it is because street art has been allowed but I haven't noticed this amount previously.</p> <p>Once reported or noted by members of the public / council there needs to be a decimated clean up time allowed. This will ensure that those graffitiing know it won't be around long.</p> <p>Bring back the town looking presentable than down trodden.</p>	<p>The purpose of the policy is recognising that graffiti is a problem and outlines, reactive and proactive, steps to address this. It is a complex issue however that is not easily addressed. Through the policy, the authority will adopt a standard and clear approach that will assist officers, Members, partners and the public with addressing the issues within available resources.</p>
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Resident		<p>The policy is a step in the right direction but is lacking both practically and strategically. There are several organisations involved in attempting to deal with graffiti. But each has their own set of demands. As with so many issues facing the public realm, this leads to inaction. Like the dead man in Yossarian's tent, someone needs to grasp it and take action rather than find reasons not to. CBC is the key body. You can either invest in a couple of staff and some suitable washing equipment, or use a contractor. You need to be out there visibly removing it, whether on private or public property. It's totally unfair to expect businesses to have to pay to remove it when it is effectively in the public domain. The idea that a business is fined /has enforcement action taken if they don't remove it is just another burden passed elsewhere. Ultimately, we need a zero tolerance approach to this and CBC should lead. But it's not just about practicality. I see very little in the policy about strategy. I appreciate some of this should be covert, so perhaps it shouldn't be made public. You need someone working discreetly on social media, identifying culprits. You also need intelligence in schools. I suspect the tags we see in the town centre might feature on the perpetrators' books. Other young people will know who these people are. Finally, the perpetrators need to be punished. It seems that the police no longer punish anyone, even when CCTV evidence has been produced showing people who clearly did the crime. Somehow there has to be use of the balance of probability in taking court action. Does this mean civil action rather than criminal? I'm not</p>	<p>The purpose of the policy is recognising that graffiti is a problem and outlines, reactive and proactive, steps to address this. It is a complex issue however that is not easily addressed. Through the policy, the authority will adopt a standard and clear approach that will assist officers, Members, partners and the public with addressing the issues within available resources.</p> <p>Noted comments regarding education and engagement with schools. Will be picked up separately.</p> <p>Penalties and threshold are matters defined in law with no discretion.</p>
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sure, but CBC should investigate. Without punishment, the problem will continue. So in summary - more practical action, better strategy, and convictions are all necessary.

Resident		<p>All graffiti should be removed and graffiti doers fined.</p> <p>Street art is great though.</p>	
Resident		<p>Love the clever stuff on the houses but the scribble makes the town look downmarket and scruffy</p>	
Resident		<p>I appreciate the street art that the artists at the Cheltenham Paint Festival create but St Paul's in particular is blighted by tags.</p> <p>A concerted effort to catch the perpetrators and to remove the graffiti as soon as possible is appreciated.</p>	
Resident		<p>The report seems to focus on who is responsible for removing and how long they have with fines if not done. as well as prevention through the police or solace. Maybe more focus should be on creating safe places for the graffiti to be done. some of the art is good and should be encouraged. There seems to be double standards from the powers that be for example when a local puts up some graffiti its a shocking crime and must be removed but if Banksy vandalizes a wall its art and we have to protect it.</p>	<p>Policy does recognise authorised graffiti. However, making more spaces available will not address the o forms of illegal graffiti.</p>

Resident		<p>14 days and 28 days are too long to provide an active deterrent, (listed as number 1.) 24 hours and a week would work much better.</p> <p>Known sites are currently not being policed, monitored or repaired. Are additional resources going to be put into this?</p> <p>How can the public or the council police this as they have no powers?. I have been informed by one of your officers that only the police can apprehend offenders. Are the police on board?</p>	<p>“Within” 14 days. All efforts will be made to remove offensive graffiti as soon as resources allow.</p> <p>The authority does work with the police and other partners recognising that each partner have a role to play.</p>
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Resident		<p>Street Art is JUST Graffiti by another name.</p> <p>It should all be removed and not permitted.</p> <p>Such work blights already ghetto areas like those around Coronation Square</p> <p>It's hideous and sends the wrong messages to the delinquents who aspire to tag things.</p> <p>Having the council endorse these eyesores is making the place a laughing stock to visitors and makes people feel they are unsafe.</p> <p>The only positive of them is that they signpost crappy deadbeat areas and trek people they are not welcome there and are probably unsafe.</p> <p>The whole proposed policy reads as the council sloping of its responsibilities and should not be approved.</p>	<p>The council does support authorised graffiti through, for example, the paint festival recognising the social value of this. This policy does not seek to address the specific point but instead, set the general policy and approach covering both, authorised and illegal graffiti.</p>
Resident		<p>If somewhere looks attractive and well-kept to start with, it's less likely that graffiti will occur. (Eg attractively decorated electrical boxes on the Bath Road.)</p> <p>Perhaps offer designated areas of large wall spaces where "street art" is allowed, and/or offer free or subsidised art classes to those involved or likely to be involved in graffiti.</p>	<p>Policy does recognise authorised graffiti. However, making more spaces available will not address the other forms of illegal graffiti.</p>

Resident		I didn't notice any part of the policy talking about engaging with these graffiti people, and working with them to help them to focus their graffiti somewhere else, develop some artwork. Seems like a reactive, not proactive doc to me. Also, how about planting things near the walls you don't want getting graffiti. Or ivy draping down over walls to more naturally discourage graffiti. More plans, good for the planet, less opportunity for graffiti. What's not to love?!	Policy does recognise authorised graffiti. However, making more spaces available will not address the other forms of illegal graffiti.  Preventative steps include "Use Street art as an alternative outlet."
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Resident

Delighted to hear there are plans to deal with the appalling graffiti blighting Cheltenham centre. Whilst I appreciate all forms of art I do not agree with holding a 'paint festival' I believe it blurs lines between art and graffiti and gives the wrong message. Cheltenham is a Regency Town and should work to highlight its Regency image and culture it has always been known for and why visitors and residents enjoy walking around Cheltenham. Cheltenham does not need to 'copy' other towns - leave the installation art, of which 'paint festivals' belong to places known for excellent street art such as nearby neighbour Bristol. Please work to remove graffiti quicker than 28 days! The longer it is left the more is added. Also much tougher penalties are needed for the perpetrators. Sadly Cheltenham centre is in danger of gaining a reputation of an unkept uncared for Town. Urgent action although late is needed quickly. When graffiti is spotted why is it acceptable to wait so long to remove it - it should be immediate. I don't see central Bath, Cirencester or smaller local towns blighted in this way so what happened to Cheltenham? Perhaps if the lamp posts and street furniture were given a lick of paint that too would give a look of a cared for town. Lamp posts in central Cheltenham in particular are desperately in need of a re paint to highlight their regency heritage. Also any fly posting should be removed immediately as this too adds to the 'uncared' and 'unmanaged' . URGENT action needed NOW.

Policy does recognise and defines the difference between authorised and illegal graffiti and "Work with our Town scape team to build prevention into design"

"Within". All efforts will be made to remove offensive graffiti as soon as resources allow. Penalties and threshold are matters defined in law with no discretion.

Within county council's remit. Will pursue with county separately.

Resident	<p>Graffiti blighting Cheltenham needs urgent attention. Does it really have to wait 28 days for actual removal? Why can't the removal begin as soon as it is seen? The appalling mess caused by paint, pens, whatever used, creates a totally uncared unloved and unkept appearance. perpetrators should be given a strong message this behaviour is unacceptable and fined accordingly. I disagree with holding a 'Paint Festival - I love and appreciate all forms of art but this 'paint festival' blurs the lines between art and graffiti. Cheltenham has many attributes to promote, mainly it's regency architecture, beautiful parks, shops and streets to stroll along and take in the atmosphere. Why not leave 'paint festivals' to near neighbour, Bristol, which is a town known internationally for its 'street art' . Why does Cheltenham think it needs to 'copy' leave 'paint festivals' to towns who do it well. Cheltenham needs to concentrate on what it used to be known for, namely Regency architecture! So please CBC along with removing graffiti immediately look to giving a coat of paint to those lovely regency lamp posts, peeling paint is not a good look! Cheltenham needs to be given the care to its street furniture. So please remove the graffiti and properly clean the town streets. Unless urgent action and a long lasting pledge to clear and KEEP CLEAR graffiti the town will continue to fall behind. I do not see Bath, Cirencester or our neighbouring small towns blighted with graffiti, dirty streets or unkept street furniture. So what happened to Cheltenham? URGENT ACTION needed to restore repair and bring our town up to the standard it deserves.Thank you</p>	<p>"Within". All efforts will be made to remove offensive graffiti as soon as resources allow.</p> <p>The council does support authorised graffiti through, for example, the paint festival recognising the social value of this. This policy does not seek to address the specific point but instead, set the general policy and approach covering both, authorised and illegal graffiti.</p>
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Resident	<p>Your survey says it all: “ One of authority’s key priorities is to deliver a number of town centre and wider public enhancements that will continue the revitalisation of the town. This will ensure its longer-term viability as a retail and cultural destination. Another key priority is to continue to enhance our public spaces, parks and gardens. Areas blighted by graffiti undermine these aims.”</p> <p>So why do CBC encourage a Paint Festival? If this is to thwart random graffiti, it is a policy that clearly does not work. If it is to enhance the town, it clearly does not work as some art is okay but most of it is inappropriate for a Regency town. It is yet another idea copied from another city, Bristol, where it may be better suited and can this town stick to what it does best and embrace originality.</p> <p>Originality is what leads to revitalisation, not short term marketing ideas.</p>	<p>The council does support authorised graffiti through, for example, the paint festival recognising the social value of this. This policy does not seek to address the specific point but instead, set the general policy and approach covering both, authorised and illegal graffiti.</p>
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Resident		<p>I think graffiti needs to be approached on a case by case basis. While I agree scratched markings and offensive work needs to be removed immediately, there is room within our neighbourhoods for protest art or work that enhances the space it's created on. For example, if someone creates beautiful art that covers an otherwise ugly, badly maintained wall, why remove it when it clearly enhances the area. We also need to take into account that protest art is important to share support or messages of empowerment. Gay, black and female empowerment tags should at least be raised to the public, given space and time to work and only removed if it obstructs, damages or otherwise causes an actual negative effect. Thank you for taking into account the public opinion, I am happy to discuss this further.</p>	
Resident		<p>I am very pleased to see how seriously the Council is taking the blight of graffiti, which so often goes unchecked.</p> <p>There is a big role for residents in reporting the appearance of graffiti, and I am sure if there were some kind of guidance or toolkit residents would be prepared to tackle the removal of smaller pieces of graffiti themselves, which might impact on their road. Your resources will be stretched, and priority areas will be the town centre and public parks. For me, it is very lowering when graffiti appears on a wall in my street, but I recognise this low level vandalism would not be a</p>	

		priority for anyone. None the less, it all damages the public realm	
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Resident

The graffiti as you are aware is now what I consider to be a huge problem in Cheltenham especially the High St and other areas where footpaths lead off the High St like behind the closed Argos shop, down the side of New Look. Until it's boxes, bins and post boxes are sprayed with scribble including the gold post box in town. It is vandalism and anti social behaviour. The Minster in the town centre behind the Library has been defaced too.

I have had graffiti removed by the council only to have it return a few weeks later. There are many "tags" that are the same culprit. A member of the public had the side of there van sprayed whilst it was parked in Cheltenham. Businesses spend money removing it only for it to return again. It makes me feel quite desperate when people pay and work hard to keep the town looking nice and all for nothing as the vandalism continues. I believe it needs to be removed asap so not to encourage other vandals to add to it. If only plants had been grown up public walls and spaces to cover walls. I do t know if anti graffiti paint exists and if so how effective it is? Perhaps the public and the council could be encouraged to plant more.



Resident		<p>Once the definition of unacceptable graffiti is agreed, then the local authority should identify areas that need the graffiti removing. These areas could be identified either through complaints from the public or via local authority employees, or even the police, which would be passed onto the relevant department. It is up to the council to decide whether action from their employees could remove it, or whether specialist subcontractors are required.</p>	
Resident		<p>As a resident who has complained repeatedly about graffiti along Arle Avenue near collets drive, I have found a lack of feedback and inability to escalate the graffiti in my area frustrating. It encourages additional crimes in the area and is unacceptable for a school run.</p> <p>After 3 years some graffiti has been removed but it is inconsistent and is only a third of the area needed. When one area is removed as other graffiti remains it is not long before the removed area is re painted.</p>	<p>Neighbourhood Officer responsible for location will be asked to make contact.</p>
Resident		<p>I retired from Cheltenham Borough Environment Environmental department some 14 years ago. One of the things we did was to photograph any new graffiti that we saw when out and about and photographs were given to the police officer Bob' stationed at Municipal and who catalogued them.</p> <p>One I remember was a major 'graffitier' was sent to prison for spraying 'save the whale 'all over the town so perhaps the council officers could do this again .</p>	<p>Noted. Policy include proposals to "Brief all authori staff on the action they can take if they see or witne acts of graffiti"</p>

Resident		<p>The whole of Cheltenham is being blighted with this awful anti social graffiti. I can't imagine what it looks like to visitors to the town, and has a detrimental effect on residents.</p> <p>The council need to change their policy of not cleaning graffiti from private housing, it's unfair on the homeowners, and often means it's left for months on end. After all it's criminal damage, but not covered by home insurance, and we pay enough in council tax that we should expect some level of service from the council.</p> <p>The police need to catch and make an example of these individuals, who's behaviour impacts the whole town.</p>	<p>This is not the proposed policy position. Ubico will be contacted to remove from residential properties.</p>
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**COMMENTS ON**

**CHELTENHAM BOROUGH COUNCIL'S DRAFT GRAFFITI POLICY**

Cheltenham Civic Society warmly welcomes this draft and appreciates the hard work and consideration that has gone into its preparation.

**1. Overview.**

CBC's stated aims of the policy are to:

- a. Set out who is responsible for removing graffiti.
- b. Outline how graffiti will be removed.
- c. Define how quickly graffiti will be removed.
- d. How we will work with partners to identify and take enforcement action.
- e. Identify preventative measures.

Does the policy achieve those aims?

**2. Details.**

Items in italics include suggested typo and grammatical improvements. Other recommendations relate to suggestions of content.

<b>Para</b>	<b>Statement</b>	<b>Recommendation</b>
1. Introduction		Link each policy with hyperlink for ease of reference.
2. Background	Offences are usually carried out under the cover of darkness making catching the offenders' very difficult and time intensive	Not necessarily. Glos Pol have identified good weather and light summer evenings as a particular risk for Cheltenham Minster. It is opportunistic but thwarted by cold/wet weather and light availability.
	It needs to be dealt with effectively to help prevent more serious crimes occurring in affected areas.	Needs specifics. Split into before (deterrence, design, observation, etc), during (reporting, actions on, etc) and after (reporting, cleaning, damage assessments, lessons identified, etc).
	One of authority's key priorities is to deliver a number of town centre and wider public enhancements that will continue the revitalisation of the town. This will ensure its longer-term viability as a retail and cultural destination. Another key priority is to continue to enhance our public spaces, parks and gardens. Areas blighted by graffiti undermine these aims.	Irrelevant to this strategy. Remove.
3. Aims	Such criminal activity can never be totally eradicated but by having a clear policy in place the authority aims to reduce the increasing instances of graffiti. In particular, it will: 1. Set out who is responsible for removing graffiti.	Number correctly and reorder to reflect before, during and after, as stated above. Logic and coherence.

Para	Statement	Recommendation
	1. Outline how graffiti will be removed. 2. Define how quickly graffiti will be removed 3. How we will work with partners to identify and take enforcement action 4. Identify preventative measures	
4. Definitions		The relevance of these definitions to this process needs to be clarified. Needs an introductory sentence to explain how and why definitions are used, then define each under separate headings. Remove 'World Heritage Sites', 'Protected marine wreck sites', 'Registered battlefields' and 'Protected military remains of aircraft and vessels of historic interest' as they are irrelevant to Cheltenham.
5. Classification	Failure to action this process may result in a Community Protection Notice (CPN) being issued.	Against whom – CBC? Landowners? Suspects? Needs to be clarified.
	<p><b>Discretion.</b> The authority expects action by responsible parties to ensure removal work is promptly scheduled to ensure removal work can be undertaken within the timescales referred to above.</p> <p>In the event where responsible parties are unable to comply with the authority's direction(s), the authority might exercise discretion to extend the timescales, on a case to case basis, and, where there is clear evidence that action or steps have been taken to schedule the removal but, practical or logistical difficulties mean that timescales might be missed.</p>	Define 'responsible parties.'  <del>In the event</del> Where responsible parties are unable to comply with the authority's direction(s), the authority might exercise discretion to extend the timescales, on a case to case basis, and, where there is clear evidence that action or steps have been taken to schedule the removal but practical or logistical difficulties mean that timescales might be missed.  Define and clarify 'authority's direction'.
	Responsible parties unable to comply with the authority's requirements, outlined above, must contact the authority in the first instance to discuss their case with the relevant officer.	Define 'relevant officer.' Who or which department has primacy?
6. Reporting	The authority	Define 'the authority' or simply use a more obvious term such as Council or CBC. Try to avoid becoming jargonistic.  How are they contacted out of hours?  How are witnesses/reporters to decide who to report it to, and how will this be disseminated?
	<i>Where graffiti occurs on buildings and structures not owned by the authority such as statutory undertakers, utilities etc. A written request to remove the graffiti will be sent to the responsible</i>	<i>Where graffiti occurs on buildings and structures not owned by the authority, such as statutory undertakers, utilities, a written request to remove the graffiti will be sent to the responsible person or</i>

Para	Statement	Recommendation
	<i>person or body specifying time frame depending on the graffiti classification.</i>	<p><i>body specifying time frame depending on the graffiti classification.</i></p> <p>How will this be monitored? How will their compliance be monitored and managed?</p>
	<p><b>Churchyards and Historic sites</b>  <i>Churchyards and historic sites may need further investigation and special consideration. If the churchyard is 'closed' the local authority have an obligation to maintain, and if necessary repair, but this responsibility, is limited to the level to 'make safe', the legal ownership of the churchyard remains unaffected.</i></p> <p>The authority will remove graffiti in 'closed churchyards' where they have a maintenance responsibility.</p>	<p><b>Churchyards and Historic sites</b>  <i>Churchyards and historic sites may need further investigation and special consideration. If the churchyard is 'closed' the local authority has an obligation to maintain, and if necessary repair, but this responsibility, is limited to the level to 'make safe'. The legal ownership of the churchyard remains unaffected.</i></p> <p>What are the special considerations? Experience from the Minster suggests this section needs more detail.</p> <p>The authority will remove graffiti in 'closed churchyards' where it has a maintenance responsibility.</p>
8. Permission and Indemnity	<i>For occasions when the authority carries out removal work on buildings and structures it has responsibility for but does not own. No such work is to be carried out without first seeking the appropriate permission from the building owner and obtaining a completed indemnity form (see Appendix 2).</i>	<i>On occasion, there may be a need for the authority to carry out removal work on buildings and structures for which it has responsibility but does not own. No such work is to be carried out without first seeking the appropriate permission from the building owner and obtaining a completed indemnity form (see Appendix 2).</i>
	Listed Buildings	This section is important but is just a description of what listed buildings are, not how to manage them in context of this policy. Needs development. Also, needs to highlight not just buildings but other structures, eg memorials, graveyard crosses, etc.
9. Enforcement		<p>Good but suggest sections of the relevant acts be included. Criminal Damage Act 1971 is prime so should sit at top of list.</p> <p>This section needs development. It needs to demonstrate a stronger line on prosecution and include expectations for the range of punishments. It also needs to include restorative justice routes, approach to re-offenders and how various enforcement responsibilities will be optimised and deconflicted.</p>
10. Prevention		Logically, this section should sit at the start of the document as the starting point.

Para	Statement	Recommendation
	<p>The authority will aim to work in partnership with others such as the Police, Trading Standards and Cheltenham Borough Homes to seek to identify and prosecute offenders. The authority is committed to partnership working to address Community Safety, Crime and Disorder and Environmental Crime issues. The authority will work with the Neighbourhood Policing Team to seek to identify offenders by providing photographs of offensive and racially motivated graffiti or where a 'Tag' has been identified at three or more sites.</p>	<p>This is insufficient. So CBC will only provide photographs of offensive and racially motivated graffiti or where a 'Tag' has been identified at three or more sites. A more rigorous approach needs to be adopted for the collection, collation and analysis of information to produce intelligence fit for prosecution. That should include a better reporting system, using community groups to be the eyes and ears of the authorities.</p>
	<p>Creating a shortcut in bureaucracy so future damage can be removed in a timely manner</p>	<p>If bureaucracy can be circumvented, why is it there in the first place?</p>
	<p>Use Street art as an alternative outlet.</p>	<p>This is a good idea and warrants a lot more development rather than a short bullet.</p>
	<p>Identify prolific offenders</p>	<p>To what end? This statement alone is meaningless.</p>
<p>Appendix</p>		<p>What happens if graffiti is not removed within required time period? What recourses should be considered and subsequent actions brought into play, eg s215 TCPA 1990?</p>

# STATEMENT OF POLICY REGARDING UNAUTHORISED OR UNWELCOME GRAFFITI

Version	Amendment	Approved by	Change Date
Oct 22	Draft		
Dec 22	Consultation draft		
March 23	Post-consultation amendments		

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## 1. Introduction

The purpose of this policy is to set out the Cheltenham Borough Council's ("the authority") approach for dealing with and preventing unauthorised or unwelcome graffiti within the borough. It is to be read in conjunction with other related policies including:

- Corporate Enforcement Policy
- Environmental Services
- Fixed Penalty Notice Procedures (FPN)
- Community Protection Notice Procedures (CPN)

## 2. Background

Tackling unauthorised or unwelcome graffiti is a challenge. This particular type of criminal damage has its own sub-culture with offenders creating large pieces of work in a short space of time. Offences are often carried out under the cover of darkness making catching the offenders' very difficult and time intensive. It needs to be dealt with effectively to help prevent more serious crimes occurring in affected areas.

The effectiveness of awareness can be split in to three categories:

- Deterrence – CCTV usage/Anti-Graffiti paints/Lighting to improve observations.
- During – Online reporting methods/Encouraged reporting from Private/Business

property owners.

- Aftermath – Cleaning costs, Damages to location, cost to rectify damage, Identification of further deterrents.

Each instance of unauthorised or unwelcome graffiti is costly to remove and has a financial implication for the authority, businesses and residents.

One of the authority's key priorities is to deliver a number of town centre and wider public enhancements that will continue the revitalisation of the town. This will ensure its longer-term viability as a retail and cultural destination. Another key priority is to continue to enhance our public spaces, parks and gardens. Areas blighted by unauthorised or unwelcome graffiti undermine these aims.

### 3. Aims

Such criminal activity can never be totally eradicated but by having a clear policy in place the authority aims to reduce the increasing instances of unauthorised or unwelcome graffiti. In particular, it will:

1. Set out who is responsible for removing graffiti.
2. Outline how unauthorised or unwelcome graffiti will be removed.
3. Define how quickly unauthorised or unwelcome graffiti will be removed
4. How we will work with partners to identify and take enforcement action
5. Identify preventative measures.

### 4. Definitions

**Graffiti** is the illegal, anti-social and unauthorised or unwelcome graffiti defacing any public space of a building, wall or other edifice or object by painting or otherwise marking it with words, pictures or symbols that creates a negative impression of an area and contributes to fear of crime within the community.

Unauthorised or unwelcome graffiti can be defined as any informal or illegal marks, drawings or paintings that have been deliberately made by a person or persons on any physical structure in the outdoor environment, usually with a view to communicating some message or symbol, etc. to others.

For the avoidance of doubt, the definition of unauthorised or unwelcome graffiti does not include graffiti, street art or any other form of art involving graffiti that is either, or both, officially authorised or, undertaken with lawful permission from property owner(s). This includes, but not limited to, the local Paint Festival.

There are a wide variety of forms and styles of unauthorised or unwelcome graffiti, of which the authority recognises six basic categories:

1. **Juvenile** – generally takes the form of “x loves y” type messages or lists of first names. They are usually written with felt-tip, burnt into a surface with a lighter or marker pens.
2. **Tags** – stylised personal graphic identifiers depicting names or nicknames, which are often large and in bold colours. Tags can be pictorial, drawn free hand or using stencils, and are usually painted with spray cans or drawn with marker pens.



3. **Scratches** – marks caused by the deliberate use of a sharp instrument to cut into painted surfaces, wood, plastic, brick etc. However, if these scratches form words, then they should be classified as ‘juvenile’ or ‘tags’ as appropriate.
4. **Ghost** – graffiti which has been partially removed or has faded to such an extent that it has lost its initial visual impact.
5. **Contentious** – any graffiti which could be offensive to particular members of the general public. This would include any obscene, racial or religious graffiti.
6. **Stencil** – any graffiti which has been sprayed through a stencil, unless it is deemed that it forms a ‘tag’.

Almost anything can serve as a medium by which to create graffiti including paint, marker pens, chalk, pencils, adhesive labels, lighters, knives and other sharp instruments

**Offensive graffiti** is graffiti that can be defined as:

1. is racist, sexual, insulting to the general community or any wording that is reported by the public as offensive.
2. is, in the reasonable opinion of the authority offensive.
3. contains:
  - Offensive language
  - Language of a racially, religiously insulting or inciting nature
  - Hate statements
  - Graphically explicit images sexual or violent nature
  - Graphically intimidating images or text
  - Images that are textually or visually offensive in context
  - Libellous or potentially libellous statements.

**Heritage crime** is any offence which harms the value of heritage assets and their settings and/or assets are sites which are considered to have a value to the heritage of England and include:

- Listed buildings
- Scheduled monuments
- World Heritage Sites
- Protected marine wreck sites
- Conservation areas
- Registered parks and gardens
- Registered battlefields
- Protected military remains of aircraft and vessels of historic interest
- Undesignated but acknowledged heritage buildings and sites.

### 5. Classification

The authority has defined 2 categories of unauthorised or unwelcome graffiti to reflect the urgency of removal, reporting and data collection:

#### Priority 1 - Offensive

Must be removed within **14 days** of receiving formal notice from the authority requesting removal in accordance with Appendix 1 of this policy.

Failure to action this process may result in a Community Protection Notice (CPN) being issued

to the property or Premises/Business owner.

## Priority 2 - Other

Must be removed within **28 days** of receiving formal notice from the **authority** requesting removal in accordance with Appendix 1 of this policy.

Failure to action this process may result in a Community Protection Notice (CPN) being issued.

## Discretion

The **authority** expects action by responsible parties to ensure removal work is promptly scheduled to ensure removal work can be undertaken within the timescales referred to above.

In the event where responsible parties are unable to comply with the **authority's** direction(s), the **authority** might exercise discretion to extend the timescales, on a case to case basis, and, where there is clear evidence that action or steps have been taken to schedule the removal but, practical or logistical difficulties mean that timescales might be missed.

The authority's discretion in the first instance will fall to the investigating officer under delegated patch area, once assessment has taken place by the officer and a schedule of works planned, discretion may be applied considering circumstances of availability and appropriation.

Responsible parties unable to comply with the **authority's** requirements, outlined above, must contact the **authority** in the first instance to discuss their case with the relevant officer.

The relevant officer for the offence is an officer from the Neighbourhood Team within the authority.

## 6. Reporting

The **authority** needs to capture all incidents of **unauthorised or unwelcome graffiti** to enable data driven decision making. The public and our partners are encouraged to report directly to the **authority** online at:

[https://www.cheltenham.gov.uk/info/55/street\\_care\\_and\\_cleaning/1547/graffiti](https://www.cheltenham.gov.uk/info/55/street_care_and_cleaning/1547/graffiti) or

by email at: [envhealth@cheltenham.gov.uk](mailto:envhealth@cheltenham.gov.uk)

Customers will be advised to also report to the police. **Via 999 or 101 depending on their perceived threat level**, where this is a heritage crime the police report should be made to:

<https://www.gloucestershire.police.uk/ro/report/rwc/rural/report-rural-crime/>

## 7. Different Sites and Assets

### Council Owned

Where **unauthorised or unwelcome graffiti** occurs on buildings and structures owned by the authority, the responsibility will reside with the authority to remove the it (or responsible agency as defined by various service level agreements).

### Non-Council Owned

Where **unauthorised or unwelcome graffiti** occurs on buildings and structures not owned by the authority, such as statutory undertakers, utilities etc. A written request to remove it will be sent to the responsible person or body specifying time frame depending on the graffiti classification.

This process will be monitored through our internal Uniform system used by the patch officers within the Neighbourhood team, the officer will manage the expected timeframe and use discretion when appropriate concerning works scheduled to either extend or enforce the original timeframe requested.

### Churchyards and Historic sites

Churchyards and historic sites may need further investigation and special consideration. Such as removal methods from grade listed sites, surface requirements to specific sites and also the location of a specific site. If the churchyard is 'closed' to the local authority have an obligation to maintain, and if-necessary repair, but this responsibility is limited to the level to 'make safe'. The legal ownership of the churchyard remains unaffected. The **authority** will remove **unauthorised or unwelcome graffiti** in 'closed churchyards' where they have a maintenance responsibility.

If the **unauthorised or unwelcome graffiti** is on a memorial, this belongs to, and is the responsibility of, the 'heirs at law' of the persons commemorated by them. These rights and liabilities remain unaffected by any transfer of maintenance to the local authority and the owner has responsibility for maintenance and repair. Where the heirs at law cannot be contacted, the removal responsibility will fall to the **authority** in 'closed churchyards'.

Historic sites are listed here <https://historicengland.org.uk/listing/the-list/map-search?postcode=GL509SA&clearresults=True>

## 8. Permission and indemnity

For occasions when the **authority** carries out removal work on buildings and structures it has responsibility for but does not own. No such work is to be carried out without first seeking the appropriate permission from the building owner and obtaining a completed indemnity form (see Appendix 2)

### Listed Buildings

Cheltenham has 2602 Grade 1 and 2 listed buildings. The statutory controls apply irrespective of grade. Listed building consent will be needed before carrying out any building works, however minor, which will affect the character or appearance of the listed building. It is a criminal offence to carry out works to a listed building without having first obtained listed building consent. Changing the colour will require consent as may the

application of an anti-graffiti coating.

Listed Building includes out buildings such as Monuments and Graveyard Crosses

Officers are not to recommend any such changes to business owners as part of preventative measures without first advising of this required consent.

Removal of unauthorised or unwelcome graffiti will not require consent but may need a specialist contractor. Listed building advice can be sought from [builtenvironment@cheltenham.gov.uk](mailto:builtenvironment@cheltenham.gov.uk)

How to find out if a property is listed:

- search the National Heritage List for England on the [Historic England website](#)
- Use CBC [interactive map](#) located on GIS Terrier system internally to view the location of a listed building and its list description. Selecting each building will return information including listing grade and a detailed description

### 9. Enforcement

The police have primary responsibility and powers to prosecute for graffiti related offences. Officers from the authority may will also take enforcement action. Enforcement action will be taken by the most appropriate organisation and the most appropriate legislation to secure the best result depending on the details of the case.

Legislation relevant to officers of the authority:

- Criminal Damage Act 1971
- The Anti-social Behaviour, Crime and Policing Act 2014
- Town and Country Planning Act 1990
- The Highways Act 1980

### 10. Prevention

The authority will aim to work in partnership with others such as the Police, Trading Standards and Cheltenham Borough Homes to seek to identify and prosecute offenders. The authority is committed to partnership working to address Community Safety, Crime and Disorder, and Environmental Crime issues.

The authority will work with the Neighbourhood Policing Team to seek to identify offenders by providing photographs of offensive and racially motivated graffiti or where a 'Tag' has been identified at three or more sites.

Advice will be given to building owners on how to prevent incidents of unauthorised or unwelcome graffiti and Officers can seek assistance from the Crime Prevention team/department of police.

Measures can include:

- Reducing the rewards by rapidly removing unauthorised or unwelcome graffiti through the above process of responsibilities
- Advising residents and businesses on prevention measures such as treating the

surface with a protective covering to allow for easier cleaning should it happen again, or repainting the area so any future **unauthorised or unwelcome graffiti** can be covered over.

- Consideration of the deployment of ~~one of the Council's or Police mobile~~ CCTV cameras
- Creating a shortcut in Listed Building and Heritage bureaucracy so future damage can be removed in a timely manner
- Brief all **authority** staff on the action they can take if they see or witness acts of **unauthorised or unwelcome graffiti**
- Work with the **authority's** Townscape and the police's Designing Out Crime Officer (DOCO) team to build prevention into design
- Use regular communications and social media to highlight the detrimental effects of **unauthorised or unwelcome graffiti**, and ask for the community to help
- Work with the Business Improvement District (BID) to support Community Clean up Days
- Maintaining a database of all **unauthorised or unwelcome graffiti** and street art together with detailed case notes **using the authority's case management system.**
- Use Street art as an alternative outlet. The interactive map from Cheltenham paint festival can be used to view current works  
[https://www.google.com/maps/d/viewer?mid=1PzE5hrRvy4spdeLwyvq4rGK\\_NihdnHOz&ll=51.89862337780278%2C-2.0974251591769133&z=17](https://www.google.com/maps/d/viewer?mid=1PzE5hrRvy4spdeLwyvq4rGK_NihdnHOz&ll=51.89862337780278%2C-2.0974251591769133&z=17)
- Develop and utilise techniques to identify prolific offenders in conjunction with the Neighbourhood Policing Team Police  
[receptioncheltenham@gloucestershire.pnn.police.uk](mailto:receptioncheltenham@gloucestershire.pnn.police.uk)
- Work with Solace for any case that needs a multi-disciplinary approach
- Ask the community to continue to report any **unauthorised or unwelcome graffiti**
- Officer engagement at Community Partnership meetings

### Other Solutions

- Engage with groups and understand their reasons why they create graffiti
- Establish areas where graffiti is acceptable

Appendix 1			
Authority Owned Building and Assets			
Priority level 1	Responsibility	Priority level 2	Responsibility
Removal within 14 days	Removal will be carried out by the <b>authority's</b> contractor.	Removal within 28 days	Removal will be carried out by the <b>authority's</b> contractor.
Residential properties			
Priority level 1	Responsibility	Priority level 2	Responsibility
Removal within 14 days	Removal will be carried out by the <b>authority's</b> contractor at the discretion of the Partnership Manager.	Removal within 28 days	A written request to remove the <b>unauthorised or unwelcome graffiti</b> will be sent to the owner/occupier specifying time frame.  Responsibility will sit with the owner/occupier.
Commercial/business/non-residential properties			
Priority level 1	Responsibility	Priority level 2	Responsibility
Removal within 14 days	A written request to remove the graffiti will be sent to the responsible person or body specifying time frame.  Responsibility will sit with the responsible person or body.	Removal within 28 days	A written request to remove the <b>unauthorised or unwelcome graffiti</b> will be sent to the responsible person or body specifying time frame.  Responsibility will sit with the responsible person or body.
Churchyards and Historic sites			

Priority level 1	Responsibility	Priority level 2	Responsibility
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<p>Removal within 14 days</p>	<ul style="list-style-type: none"> <li>• If the churchyard is 'closed' to the local authority have an obligation to maintain, and if necessary repair, but this responsibility, is limited to the level to 'make safe', the legal ownership of the churchyard remains unaffected.</li> <li>• The authority will remove unauthorised or unwelcome graffiti in 'closed churchyards' where they have a maintenance responsibility.</li> <li>• If the graffiti is on a memorial, this belongs to, and is the responsibility of, the 'heirs at law' of the persons commemorated by them<sup>1</sup>.</li> <li>• Where the heirs at law cannot be contacted, the removal responsibility will fall to the authority in 'closed churchyards'.</li> </ul>	<p>Removal within 28 days</p>	<ul style="list-style-type: none"> <li>• If the churchyard is 'closed' to the local authority have an obligation to maintain, and if necessary repair, but this responsibility, is limited to the level to 'make safe', the legal ownership of the churchyard remains unaffected.</li> <li>• The authority will remove unauthorised or unwelcome graffiti in 'closed churchyards' where they have a maintenance responsibility.</li> <li>• If the unauthorised or unwelcome graffiti is on a memorial, this belongs to, and is the responsibility of, the 'heirs at law' of the persons commemorated by them<sup>1</sup>.</li> <li>• Where the heirs at law cannot be contacted, the removal responsibility will fall to the authority in 'closed churchyards'.</li> </ul>
<p>Other assets and structures</p>			



Priority level 1	Responsibility	Priority level 2	Responsibility
Removal within 14 days	Owner/person/body responsible depending on the individual circumstances of each case.	Removal within 28 days	Owner/person/body responsible depending on the individual circumstances of each case.

<sup>1</sup> These rights and liabilities remain unaffected by any transfer of maintenance to the local authority and the owner has responsibility for maintenance and repair.

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## Adoption of Graffiti Policy



ENVIRONMENTAL	Scores	Action	Justification	Rev
GHGs	0	No action required.	Sustainable approach to removal will be employed by Ubico and use of chemicals will be limited to cases where this is necessary.	
Air quality	0	No action required.	0	
Sustainable Transport	0	No action required.	0	
Biodiversity	0	No action required.	0	
Land use change	0	No action required.	0	
Soil and waterway health	0	No action required.	0	
Climate Change Adaptation	0	No action required.	0	
Energy Use	0	No action required.	0	
Waste	1	No action required	0	
Sustainable Materials	0	No action required.	Sustainable approach to removal will be employed by Ubico and use of chemicals will be limited to cases where this is necessary.	

SOCIAL	Scores	Action	Justification	Rev
Food	1	No action required	0	
Health	1	No action required	0	
Housing	1	No action required	0	
Education	1	No action required	0	
Community	0	No action required.	Redicing and removing illigal graffiti will have a ongoing positive impact on aminity	
Culture	1	No action required	0	
Accessibility	1	No action required	0	
Local Economy and Jobs	1	No action required	0	
Safety	0	No action required.	Policy seeks to address issues associated with illegal graffiti which is a crime and anti-socail.	
Democratic Voice	0	No action required.	Consultation has been undertaken and influenced final policy. Continued endagement with partners, businesses and residents.	
Equity	1	No action required	0	

## Cheltenham Borough Council

### Cabinet 4 April 2023

## Cheltenham Culture Strategy

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**Accountable member:**

Cllr Max Wilkinson, Cabinet Member Economic Development, Culture, Tourism and Wellbeing

**Accountable officer:**

Richard Gibson, Head of communities, wellbeing and partnerships

**Ward(s) affected:**

All

**Key Decision:** No

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### Executive summary

Following Cabinet approval for the council to work with the cultural partners to develop a Culture Strategy and the establishment of the Cheltenham Culture Board in July 2021, a first draft of the culture strategy was endorsed by Cabinet in April 2022.

This draft strategy was then used as the basis for further consultation and engagement over the summer.

The Culture Board then carried out further refinement of the strategy over the Autumn, and has recently signed off a final draft at its meeting on 9 February 2023.

Recognising that the strategy belongs to Cheltenham Culture Board, and not the Borough Council, the final strategy is brought to Cabinet for endorsement.

**Recommendations:**

- 1. To endorse the final culture strategy attached as appendix 2;**
  - 2. To work alongside partners on the Cheltenham Culture Board to develop a robust 12-month action plan;**
  - 3. To note that the Borough Council will be involved in working with partners to deliver the outcomes in the action plan and is providing support in the form of one-off funding for a co-ordinator, but that the Cheltenham Culture Board is a distinct entity in itself.**
-

# 1. Implications

## 1.1 Financial, Property and Asset implications

The Culture Board is not a forum directly funded by the Council however we have agreed the use of funding received from Gloucestershire County Council with their grant lead officer to fund a fixed term resource to coordinate the Culture Board and deliver the action plan as outlined in the recommendations.

There are no property or asset implications of the recommendations in the report.

**Contact officer: Gemma Bell**  
**Director of Finance & Assets (Deputy s151 Officer)**  
[gemma.bell@cheltenham.gov.uk](mailto:gemma.bell@cheltenham.gov.uk)  
**01242 264124**

## 1.2 Legal implications

The commitment to work with partners to deliver a single cultural strategy for Cheltenham was part of the Council’s 2019/2023 Corporate Plan under the aim of ‘Continuing the Revitalisation and Improvement of our vibrant Town Centre and Public Spaces’. Any collaboration or delivery model to achieve these objectives with outside bodies (including with funding bodies) will need to comply with relevant legislative requirements and the Council’s Contract Rules.

**Contact officer:**  
**Hayley Sims**  
**Head of Law (Commercial and Property)**  
[legalservices@onelegal.org.uk](mailto:legalservices@onelegal.org.uk)

## 1.3 Environmental and climate change implications

The completed dashboard and summary report are attached as **appendix 3**. The strategy is generally positive in its contribution to environmental and social outcomes



## 1.4 Corporate Plan Priorities

This culture strategy contributes to the following Corporate Plan Priorities:

- Making Cheltenham the Cyber Capital of the UK
- Working with residents, communities and businesses to help make Cheltenham #netzero by 2030
- Ensuring residents, communities and businesses benefit from Cheltenham's future growth and prosperity

## 1.5 Equality, Diversity and Inclusion Implications

The completed community impact assessment is attached as **appendix 4**. There are two key actions for the board; ensuring the effectiveness of the Equitable Futures group and moving forward to recruit a young person's representative.

## 1.6 Performance management – monitoring and review

The Board will develop an action plan that will set out how the Board will deliver against its agreed Culture strategy in order that the Board can demonstrate that it is making progress towards the Board's longer-term vision for the town.

The action plan, which will be refreshed on an annual basis, will set out what actions will be taken under each of the objectives and shared commitments. The actions will be identified for those to be taken in the next year, in the medium-term and in the longer-term.

The plan will also identify which person / organisation is responsible for the action and a timescale.

Progress against the action plan will be monitored via Board meetings at which those that are accountable for actions will be asked to supply updates.

The strategy is also on the forward plan for the council's overview and scrutiny committee.

## 2. Background

- 2.1** The commitment to work with partners to develop a single Culture Strategy for Cheltenham was part of the Council's 2019/2023 Corporate Plan under the aim of 'Continuing the Revitalisation and Improvement of our vibrant Town Centre and Public Spaces'.
- 2.2** In May 2019, Cabinet gave its approval for the council to work with the shadow Cheltenham Culture Board to develop a cultural strategy and to procure external support for the development of the cultural strategy. Cabinet agreed that a strategy be developed to explore four areas for how the town can benefit from culture and creativity:
- to increase the visitor economy;
  - to attract and retain young people;
  - to secure inward investment and growth opportunities;
  - to promote social inclusion and tackling inequalities.

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- 2.3 Following the procurement exercise, consultants CTConsults were appointed and began work in January 2020. A series of workshops and meetings were held from January 2020 up to March 2020. But due to the pandemic, the work was put on hold and was picked up again later that year. Throughout 2021, a number of workshops were held to engage a wide cross-section of cultural organisations in the process.
- 2.4 A new-look culture board had its first meeting in July 2021 and took on the responsibility of shaping the strategy through its representative structures.
- 2.5 The first draft of the culture strategy was endorsed by Cabinet in April 2022. This was then used as the basis for further consultation and engagement over the summer utilising the Citizen Space platform.
- 2.6 The Culture Board then carried out further refinement of the strategy over the Autumn, and has recently signed off a final draft at its meeting on 9 February 2023.
- 2.7 Recognising that the strategy belongs to Cheltenham Culture Board, and not the Council, the final strategy is brought to Cabinet for endorsement.

### 3. The Cheltenham Culture Board

- 3.1 Cheltenham Culture Board was set up to connect the cultural sectors together and to take on the role of producing the cultural strategy for Cheltenham and continue the work of the original shadow board.
- 3.2 Although its first meeting was only in July 2021, the new board has made significant headway in building a strong alliance across Cheltenham's cultural and creative communities and there is excitement about its role to advocate that culture and creativity should be central to the economic and social life of Cheltenham.
- 3.3 The aim of the Culture Board is to set and deliver a cultural strategy for Cheltenham which makes demonstrable progress towards the Board's longer-term vision for the town:
- 3.4 The board will achieve this aim through:
  - Creating a truly representative membership structure ensuring that a diverse range of cultural and community voices are heard.
  - Building a strong and supportive alliance across Cheltenham's cultural and creative communities to aid communication, collaboration and capacity-building.
  - Advocating for the central role of the creative and cultural sector in the town's economic and social future.
  - Developing a shared leadership model to increase cultural capacity and ambition, and support Cheltenham's cultural ecology.
  - Leveraging funding to deliver the agreed strategy.
  - Commissioning, and analysing relevant data to inform its approach including audience data; community feedback and impact studies.
  - Building a cooperative relationship with Cheltenham Economic Advisory Board to support the link between culture, economy and inward investment.



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- 3.5** The board has created a representative membership structure to ensure that a diverse range of cultural and community voices are heard.
- 3.6** In building this representative structure, it has drawn representatives together with a diverse range of skills, knowledge and expertise to give their perspective in areas of culture, business, community and academia. The sectors that are represented include:
- Festivals
  - Visual arts
  - Heritage
  - Theatres
  - Music and performance
  - The voluntary and community sector
  - Diversity groups
  - Creative / cyber industries
  - Further education / higher education
  - Secondary Schools
- 3.7** The board also has individual membership from the Cheltenham Trust, Cheltenham Borough Council and the libraries team at Gloucestershire County Council.
- 3.8** The board has played an instrumental role in developing the Culture Strategy – working hard to ensure that as many grass-roots organisations have had the chance to input into it whilst also remaining clear about the over-arching need for the strategy as set out in 2.2.
- 3.9** The Cheltenham Culture Board are now asking Cabinet to endorse the strategy.

## **4. About the culture strategy**

- 4.1** In producing the strategy, the board has consulted widely with cultural partners and key stakeholders across the town all of which endorsed an assessment of Cheltenham as a place with powerful cultural and heritage assets that need to be celebrated and nurtured. Section 5 of this report details the consultation that helped shaped the detail of the strategy.
- 4.2** What also emerged from the consultations was the need for a cultural vision that would really shift a gear in our approach to developing and deepening our cultural offer; establishing our town as a truly innovative creative place and destination; fostering creative expression across our town; alongside much greater community engagement.
- 4.3** Alongside the evident cultural ambition, consistent themes emerged from across the community.
- The need to maintain and grow the town’s national and international links, ensuring that Cheltenham remains open to new thinking and ideas that can fuel creative innovation and our collective recovery from the pandemic.
  - The opportunity for Cheltenham to capitalise on the next wave of digital innovation.
  - A common belief in the powerful role Cheltenham’s cultural offer can play in

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positively impacting upon health and wellbeing; on community pride and cohesion; and on individual aspiration and attainment.

**4.4** The community also stated strongly that there needs to be:

- More diverse expressions of culture and greater support for diverse communities;
- Greater accessibility to venues and events, both financial and practical;
- Better and more comprehensive marketing of cultural opportunities;
- More space for cultural activity;
- Greater involvement of young people in designing the cultural offer; and
- More live music.

**4.5** The board spent time to develop a vision that is sufficiently ambitious yet reflects the very special character of Cheltenham being a place with a proud heritage background but one that is now embracing cyber as its future and where arts and culture can play a critical role linking both agendas to create exciting possibilities.

**4.6** The board's vision is:

***Cheltenham is a vibrant place and cultural destination where the fusion of arts, digital and heritage innovation fosters creative and inclusive communities where everyone has the chance to thrive***

**4.7** To meet this cultural vision the board has agreed six objectives that provide the focus for this strategy.

- Forge partnerships and collaboration across the heritage, cultural and digital sectors.
- Use culture and creativity to improve the life chances of our young people.
- Promote equity of opportunity to help build inclusive and creative communities.
- Celebrate and nurture our community, grass-roots creative talents and ambitions.
- Drive our visitor economy and wider place brand.
- Use culture, creativity and innovation to contribute to the Cheltenham Zero and work collectively to address the climate emergency.

**4.8** These objectives form the basis of the Board's action plan that is under development.

## **5. Engagement and consultation**

**5.1** As set out above, the board has undertaken a comprehensive programme of engagement with cultural organisations, other stakeholders and local residents.

**5.2** Over the summer, the board undertook a digital engagement on the draft strategy (agreed by Cabinet in April 2022) using the council's engagement platform, Citizen Space, for an eight-week period. More than 950 responses were received.

- 5.3** The results were overwhelmingly positive about the direction that was being set in the draft strategy. 65% of respondents agreed with our draft vision and 73% agreed with our big ideas.
- 5.4** The summary of the results of the engagement are attached as **appendix 5**.

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

- 6.1** The Board are now working to agree an action plan that will set out its commitments over the short, medium, and longer term. This will also set a baseline so that the Board can measure its performance.
- 6.2** Once the action plan is agreed, it is suggested that board members are available for scrutiny via Overview and Scrutiny Committee and will also present updates to all elected members via briefing and/or member seminars.

## **7. The council's support for culture**

- 7.1** Once the action plan is agreed, it is suggested that the council establishes a baseline of its existing support for cultural organisations and activities.
- 7.2** The council will also work with the board to identify external funding opportunities that could support the delivery of the strategy.
- 7.3** In addition, in recognition that sport is part of Cheltenham's wider cultural offer, the council will shortly be coming forward with the first phase of a sport and physical activity strategy which will set out a collective vision for sports and physical activity and high-level shared outcomes.

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### **Report author:**

Richard Gibson, Head of communities, wellbeing & partnerships

### **Appendices:**

1. Risk Assessment
2. Final Culture Strategy 2023-2027
3. Climate Change Impact Assessment
4. Equality Impact Assessment
5. Results of the engagement process

## Appendix 1: Risk Assessment

The risk			Original risk score (impact x likelihood)			Managing risk				
Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
If the council does not support the development of a cultural strategy, there is a risk that as a town we do not build on what is best about our cultural offer or make the most of national and international opportunities.	Darren Knight	28.4.19	3	3	9	Reduce	Work with the culture board and cabinet member to bring a final strategy to cabinet for endorsement.	April 2023	Richard Gibson	Closed if this report supported by Cabinet.
If the council does not support the implementation of the agreed cultural strategy, including considering how its own resources can support the strategy, there is a risk that we do not maximise the benefit from the strategy	Darren Knight	28.4.19	3	3	9	Reduce	Undertake a review of CBC resources for culture and ensure they are aligned to the new strategy	March 2024	Richard Gibson	
<p><b>Explanatory notes</b>  <b>Impact</b> – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)  <b>Likelihood</b> – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)  <b>Control</b> - Either: Reduce / Accept / Transfer to 3rd party / Close</p>										

# Cheltenham Culture Board



**Culture Strategy  
2023-2027**

# Introduction

This is a moment for pioneering action consistent with Cheltenham's history of innovation. Economic recession and the deep inequalities in our town require us to make bold changes to the way we work as a cultural sector in order to find sustainable solutions. Working together with a coordinated and concerted focus provides the conditions for creative solutions. Cheltenham's Culture Board has an important and urgent imperative to which we are fully committed.

*Ali Mawle*

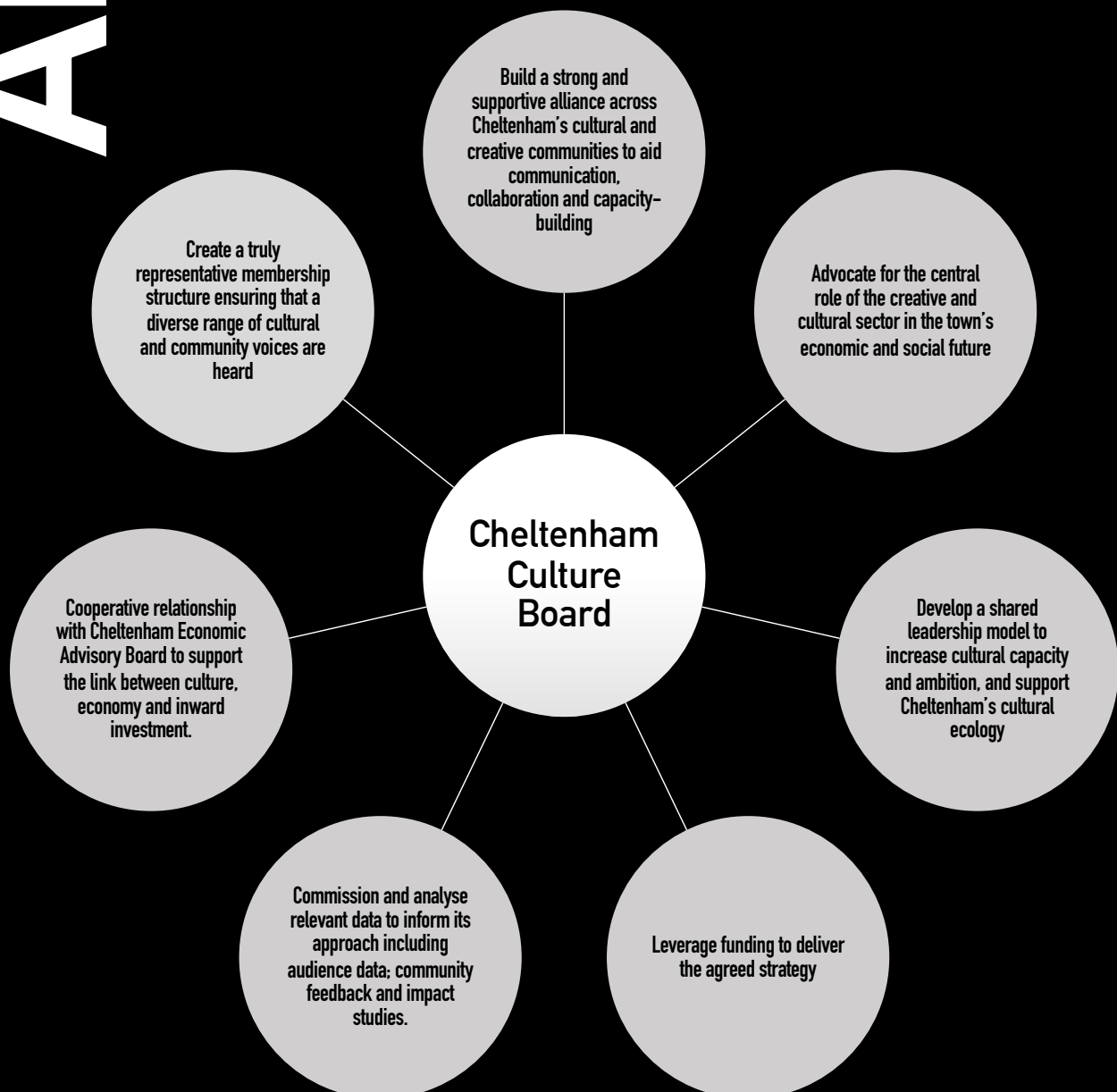
*Chair of Cheltenham Culture Board  
Co-CEO Cheltenham Festivals*



# About Us

Cheltenham Culture Board was created to unite the cultural sector (both larger organisations and grassroots creatives), the community and wider stakeholders in business, academia and the public sector behind a common vision for the town, working together to provide creative and cultural experiences which enable the town and its residents to thrive.

Taking a strategic, coordinated approach, the Board:

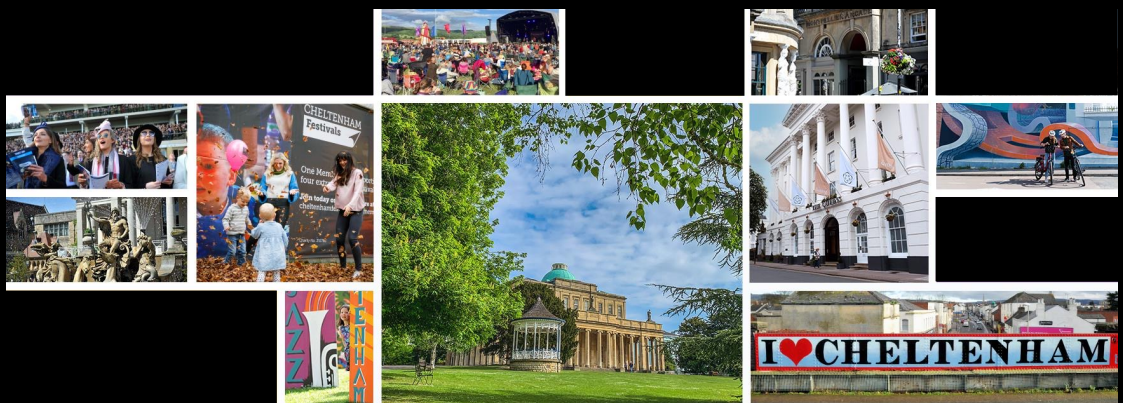


# About Cheltenham

Cheltenham has a rich and pioneering cultural history, from hosting the world's first Literature Festival to building the first British jet-powered plane.



The town is also one of the largest innovation districts in the UK with the vibrant and fast-growing cyber-tech ecosystem and the Golden Valley development. This creates potential for fusing our creative, cultural and digital capital in ways that can remake how we live, work and play.



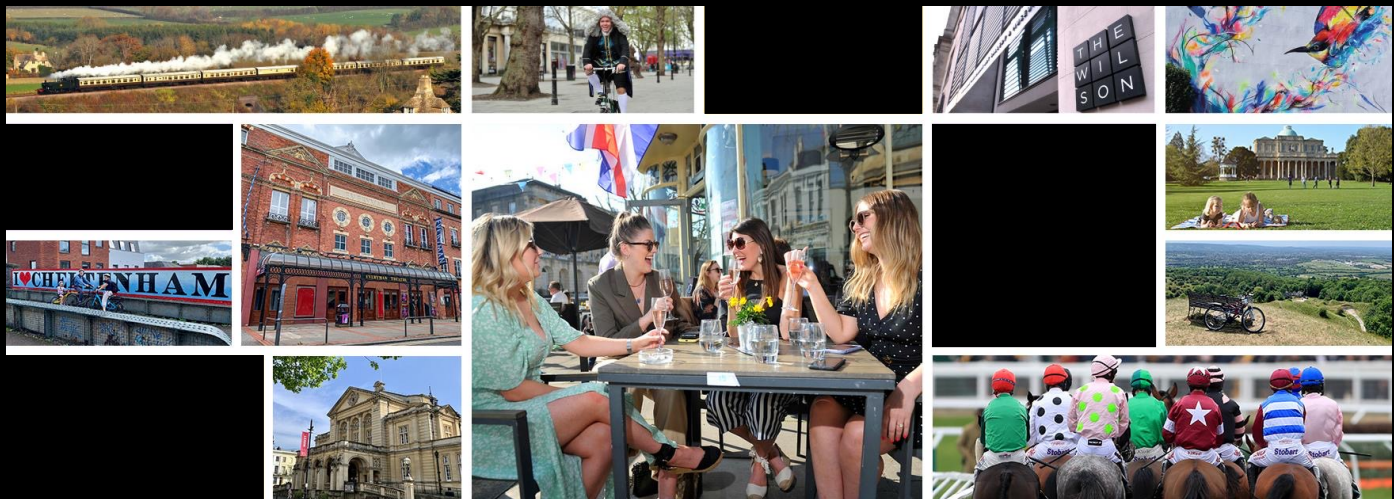
Culture brings significant value to the town and its people, not least £27 million visitor expenditure.



This has not always meant that culture and creativity have positively impacted on all our communities and residents, young and old.



We must work collectively to make Cheltenham a truly creative place where no one is left behind, and where everyone has the opportunity to play their part in shaping its future.



Creativity and ingenuity are at the core of finding powerful solutions to the current economic and social challenges. As cultural partners we need to share insight, ideas and resources where possible, with each other and across sectors, in order to build operational resilience and maximise the social and economic value we create.

# Our Vision

*Cheltenham is a vibrant place and cultural destination where the fusion of arts, digital and heritage innovation fosters creative and inclusive communities where everyone has the chance to thrive*

# Our Strategy for Culture

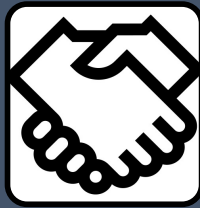
In producing the Culture Strategy we have consulted widely across the town through conversations and digital surveys. Continuity in the following messages emerged from across the community:

- The assessment of Cheltenham as a place with powerful cultural assets that need to be preserved and built upon
- The need to maintain and grow the town's national and international links, ensuring that Cheltenham remains open to new thinking and ideas that can fuel creative innovation and our collective recovery from the pandemic
- The opportunity for Cheltenham to capitalise on the next wave of digital innovation
- A common belief in the powerful role Cheltenham's cultural offer can play in positively impacting upon health and wellbeing; on community pride and cohesion; and on individual aspiration and attainment
- The need for the sector to shift gear in its approach to developing and deepening the cultural offer, working together to make Cheltenham a truly innovative, creative place and destination where creative expression is fostered across the town and greater community engagement is enabled

The community also stated strongly that there needs to be:

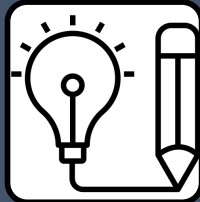
- More diverse expressions of culture and greater support for ethnically diverse communities locally
- Greater accessibility to venues and events, both financial and practical
- Better and more comprehensive marketing of cultural opportunities
- More space for cultural activity
- Greater involvement of young people in designing the cultural offer
- More live music

# Our Commitments



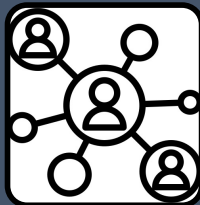
## *Forge partnerships and collaboration across the heritage, cultural and digital sectors*

- Technology is used creatively to bring Cheltenham's diverse social stories to life
- The heritage, cultural and tech communities collaborate to produce innovative and relevant events and experiences



## *Use culture and creativity to improve the life chances of our young people*

- Secondary school students across the county have a creative and tech careers offer which links them with a range of Gloucestershire organisations
- School-aged young people from diverse backgrounds report positive impact from participating in a range of creative and cultural activities



## *Promote equity of opportunity to help build inclusive and creative communities*

- Collaboration across cultural organisations enables greater inclusive practice
- A range of regular, creative opportunities are facilitated across the town which are inclusive by design and accessible to all



## *Celebrate and nurture our community, grass-roots creative talents and ambitions*

- The cultural quarter is a vibrant hub which supports and promotes local talent and participation
- Young people contribute to the design and production of cultural activities across the town



## *Drive our visitor economy and wider place brand*

- Cheltenham can quantify the value of the cultural sector to the local economy (social & economic)
- Cheltenham's cultural offer is communicated in ways which are compelling and coherent to residents and visitors



## *Use culture, creativity and innovation to contribute to the Cheltenham Zero and work collectively to address the climate emergency*

- Coordination between local sustainability groups enables a collective approach to planning, evaluation and reporting of progress towards Cheltenham Zero
- A range of creative and cultural initiatives inform and empower the community to take measurable steps to address the climate emergency

# Mechanisms & Measures

The Culture Board meets in person six times a year.

Each member of the Board gives a voice to the specific sector or interest group they represent (e.g. secondary schools, voluntary & charity sector organisations, music stakeholders). They are a point of contact, an ambassador, an agent for inclusion, a bridge-builder, and a catalyst for action within their sector.

The Board is supported by sub-groups (eg Festivals, Music, Strategy, Communications) which meet between meetings to progress Board actions and to share key issues, priorities, opportunities and initiatives.

Annual Action Plans detail how the Strategy will be progressed, monitored and evaluated. Annual Reports will detail the progress made.

Understanding and communicating the impact of the Board is an important element of the Strategy and supporting Annual Action Plans. Indicators will include:

- Case studies of individuals and groups
- Number of projects and programmes
- Funding achieved for collaborative place-based activity
- Positive impacts noted through surveys and interviews
- Social and economic impact
- Number of venues used for culture

# Who we are

Current membership is as follows:



*Ali Mawle  
Co-CEO Cheltenham  
Festivals  
(Chair of Cheltenham  
Culture Board)*



*Hilary Simpson  
Chair of Trustees  
Holst Victorian House*



*Louise Bardgett  
Project Manager &  
Programme Lead  
Create Gloucestershire*



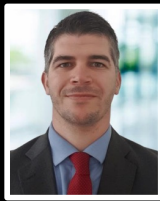
*Paul Milton  
Creative Director  
Everyman Theatre*



*Prof. Jackie Labbe  
Deputy Vice Chancellor,  
University of  
Gloucestershire*



*Lisa Edgar  
Head of Culture  
The Cheltenham Trust*



*Heath Gunter  
CEO  
Cheltenham BID*



*Sarah Bowden  
Director  
Hardwick Gallery*



*David Evans  
Advisor  
Cheltenham Education  
Partnership*



*Andy Hayes  
VCS Representative  
West Cheltenham  
Partnership*



*Reid Derby  
Director of Strategy &  
Community Engagement  
Cynam*



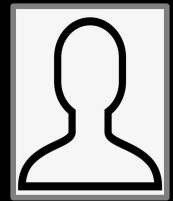
*Richard Gibson  
Head of Communities,  
Wellbeing & Partnerships  
Cheltenham Borough Council*



*Anna Saunders  
Director  
Cheltenham Poetry Festival*



*Niki Whitfield  
Cheltenham Open  
Studios*



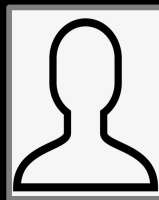
*Shivan Mistry  
Artist Development  
The MusicWorks*



*Florence Nyasamo-Thomas  
Founder / CEO  
Lives Of Colour*



*Curtis Fulcher  
Development Manager  
Libraries & Information*



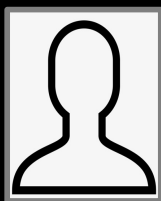
*Sue Silcock  
Chair  
Cheltenham Art Council*



*Cllr Max Wilkinson  
Cabinet member for Economic  
Development, Culture,  
Tourism and Wellbeing  
Cheltenham Borough Council*



*Helen Mole  
Head of Place Marketing  
& Inward Investment  
Marketing Cheltenham*



*Kieron Milsom  
General Manager  
Cheltenham*



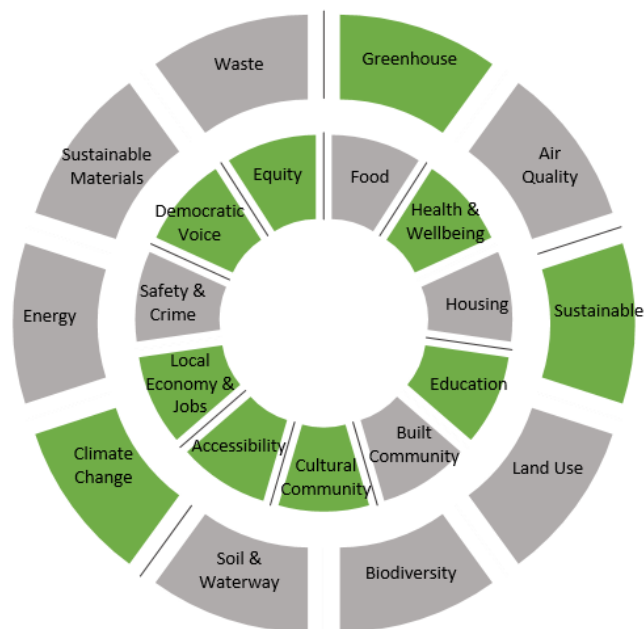
*Claire Thayers  
Cheltenham Chamber of  
Commerce*

We hope the strategy inspires you to get in touch, get involved, and encourages as many people as possible to participate in making Cheltenham a place which celebrates creativity in all its guises; creates pioneering new work; contributes to our visitor economy; and is rich in opportunity for everyone.

*Ali Mawle  
Chair of Cheltenham Culture Board  
Co-CEO Cheltenham Festivals*

# Impact Assessment Tool - v.1

## Cheltenham Culture Strategy



ENVIRONMENTAL	Scores	Action	Justification
GHGs	4	No action required	The strategy has a specific priority about Using culture, creativity and innovation to contribute to the Cheltenham Zero and work collectively to address the climate emergency
Air quality	0	No action required.	N/A
Sustainable Transport	4	No action required	The strategy has a focus on encouraging more grassroots community cultural activities

Biodiversity	0	No action required.	0
Land use change	0	No action required.	0
Soil and waterway health	0	No action required.	0
Climate Change Adaptation	4	No action required	The strategy has a specific priority about Using culture, creativity and innovation to contribute to the Cheltenham Zero and work collectively to address the climate emergency
Energy Use	0	No action required.	Whilst the culture strategy is trying to increase cultural activity, it is hoped that this increase can be mitigated to create a neutral impact
Waste	0	No action required.	0
Sustainable Materials	0	No action required.	0

<b>SOCIAL</b>	<b>Scores</b>	<b>Action</b>	<b>Justification</b>
Food	1	No action required	0
Health	0	No action required.	The culture strategy supports inclusive and creative communities and in turn support people's wellbeing
Housing	1	No action required	0
Education	0	No action required.	The strategy sets out commitments to work with schools - Secondary school students across the county have a creative and tech careers offer which links them with a range of Gloucestershire organisations
Community	1	No action required	0
Culture	0	No action required.	The culture strategy is all about increasing cultural opportunities and sustaining these over the longer term
Accessibility	0	No action required.	The culture strategy sets out commitments to create a range of regular, creative opportunities are facilitated across the town which are inclusive by design and accessible to all



		No action required.	The strategy sets out the link between culture and the local economy and commits to actions around golden valley and quantifying the value of the cultural sector to the local economy (social & economic)
Local Economy and Jobs	0		
Safety	1	No action required	0
		No action required.	The strategy has been built on the basis of widespread engagement and consultation. The board also has a representative structure, with 15 people representing a wide range of different sectors across Cheltenham
Democratic Voice	0		
Equity	0	No action required.	The strategy has a specific commitment to Promote equity of opportunity to help build inclusive and creative communities

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# Community impact assessments – Cheltenham Culture Strategy – appendix 4

What is a community impact assessment? ..... 1

    Background ..... 1

    Step 1: About the service, policy or project ..... 2

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

    Step 3: Assessing community impact..... 4

    Step 4: What are the differences?..... 5

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

## 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

<b>Name of service / policy / project and date</b>	<b>Culture Strategy</b>
<b>Lead officer</b>	<b>Richard Gibson</b>
<b>Other people involved in completing this form</b>	<b>None</b>

## Step 1: About the service, policy or project

<b>What is the aim of the service / policy / project and what outcomes is it contributing to</b>	The strategy sets out how the board will achieve its vision "Cheltenham is a vibrant place and cultural destination where the fusion of arts, digital and heritage innovation fosters creative and inclusive communities where everyone has the chance to thrive"
<b>Who are the primary customers of the service / policy / project and how do they / will they benefit</b>	Cultural partners, communities of Cheltenham
<b>How and where is the service / policy / project implemented</b>	Across Cheltenham
<b>What potential barriers might already exist to achieving these outcomes</b>	Cost of cultural activities

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

<b>What existing information and data do you have about your existing / potential customers e.g. Statistics, customer feedback, performance information</b>	<p>We carried out a large consultation exercise over the summer; with responses received from 950 people. We asked the question <b>"How could we get you more engaged with cultural activities"</b>. The responses coming back were</p> <ul style="list-style-type: none"> <li>• Funding and ticket subsidies</li> <li>• Improved Comms/Marketing</li> <li>• Ambitious/diverse/higher profile cultural experiences</li> <li>• Sustainable Culture/Accessible spaces</li> <li>• Better local infrastructure and network</li> </ul>
<b>What does it tell you about who uses your service / policy and those that don't?</b>	It was noticeable from the demographic data on who replied that the majority of respondents were white, middle-aged people from more affluent communities. The board has recognised this. It has established a sub-group called equitable futures that will advise it on its approach to diversity and inclusion.
<b>What have you learnt about real barriers to your service from any consultation with customers and any stakeholder groups?</b>	How culture is communicated Pricing

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

### 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.

Group	What are you already doing to benefit this group	What are you doing that might disadvantage this group	What could you do differently to benefit this group	No impact on this group
<b>People from black and minority ethnic groups</b>	One of the strategy's priorities is to promote equity of opportunity to help build inclusive and creative communities	Nothing identified	Ensure the board has effective representative structures in place in order that it listens to a wide variety of voices via the equitable futures group	
<b>People who are male or female</b>	Nothing identified	Nothing identified	Nothing identified	
<b>People who are transitioning from one gender</b>	Nothing identified	Nothing identified	Nothing identified	
<b>Older people / children and young people</b>	One of the strategy's priorities is to use culture and creativity to improve the life chances of our young people	Nothing identified	Ensure the board appoints a representative that will speak for young people	
<b>People with disabilities and mental health challenges</b>	Nothing identified	Nothing identified	Nothing identified	
<b>People who have a particular religion or belief</b>	Nothing identified	Nothing identified	Nothing identified	
<b>People who are attracted to their own sex, the opposite sex or to both sexes.</b>	Nothing identified	Nothing identified	Nothing identified	
<b>People who are married or in a Civil Partnership</b>	Nothing identified	Nothing identified	Nothing identified	
<b>People who are pregnant or who are on maternity leave</b>	Nothing identified	Nothing identified	Nothing identified	
<b>Other groups or communities</b>	One of the strategy's priorities is to develop a range of regular, creative opportunities are facilitated across the town which are inclusive by design and accessible to all	Nothing identified	Ensure the board has representatives on it that can articulate the needs of a wide range of Cheltenham's communities	

Step 4: What are the differences?

<b>Are any groups affected in different ways to others as a result of the service / policy / project?</b>	Black and minority ethnic communities, young people, people from poorer communities
<b>Does your service / policy / project either directly or indirectly discriminate?</b>	The strategy puts in place measures to ensure that the delivery of culture is done in a non-discriminatory way, but also is used to drive a powerful message of equity and inclusion,
<b>If yes, what can be done to improve this?</b>	N/A
<b>Are there any other ways in which the service / project can help support priority communities in Cheltenham?</b>	

Step 5: Taking things forward

<b>What are the key actions to be carried out and how will they be resourced and monitored?</b>	Ensuring the effectiveness of the Equitable future group and moving forward to recruit a young person's representative
<b>Who will play a role in the decision-making process?</b>	Cheltenham culture board
<b>What are your / the project's learning and development needs?</b>	None identified
<b>How will you capture these actions in your service / project planning?</b>	Via the board's action plan

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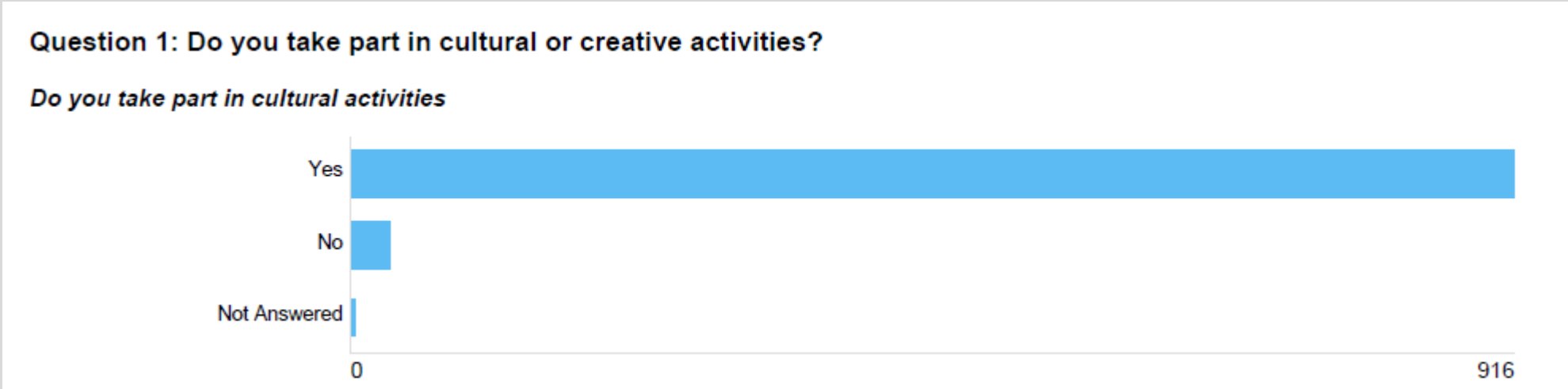


The logo for Cheltenham Culture Board is a black rectangle with a white border. The text "Cheltenham Culture Board" is written in white, bold, sans-serif font, stacked vertically on the left side of the rectangle. The text is positioned to the right of a white L-shaped line that forms the top and left sides of a square frame.

**Cheltenham  
Culture  
Board**

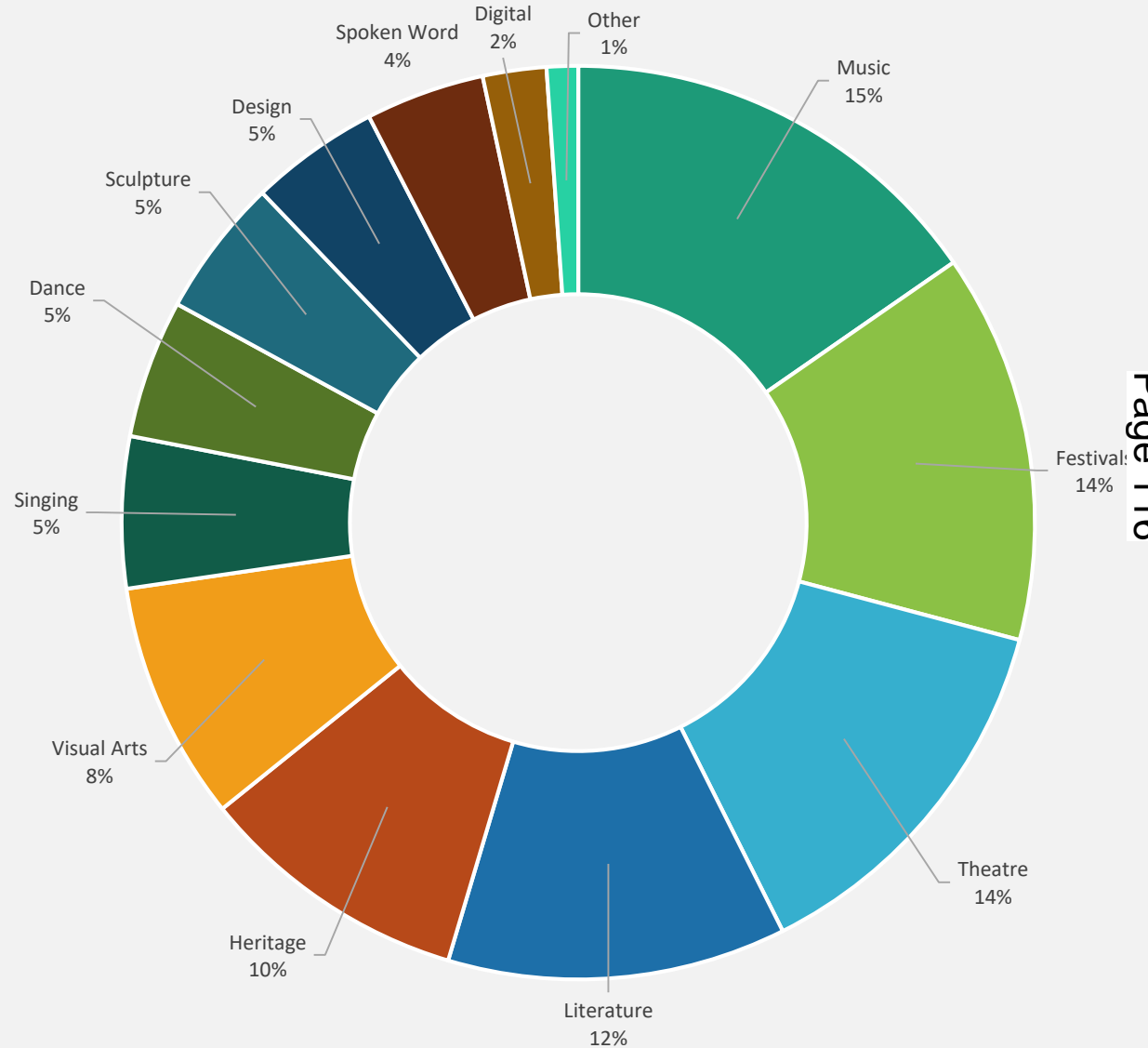
# Consultation on Draft Strategy

# Survey Results – from 950 responses



# What cultural activities do you want more of?

Response	#
Music	539
Festivals	484
Theatre	473
Literature	421
Heritage	338
Visual Arts	297
Singing	188
Dance	172
Sculpture	172
Design	161
Spoken Word	148
Digital	79
Other	39

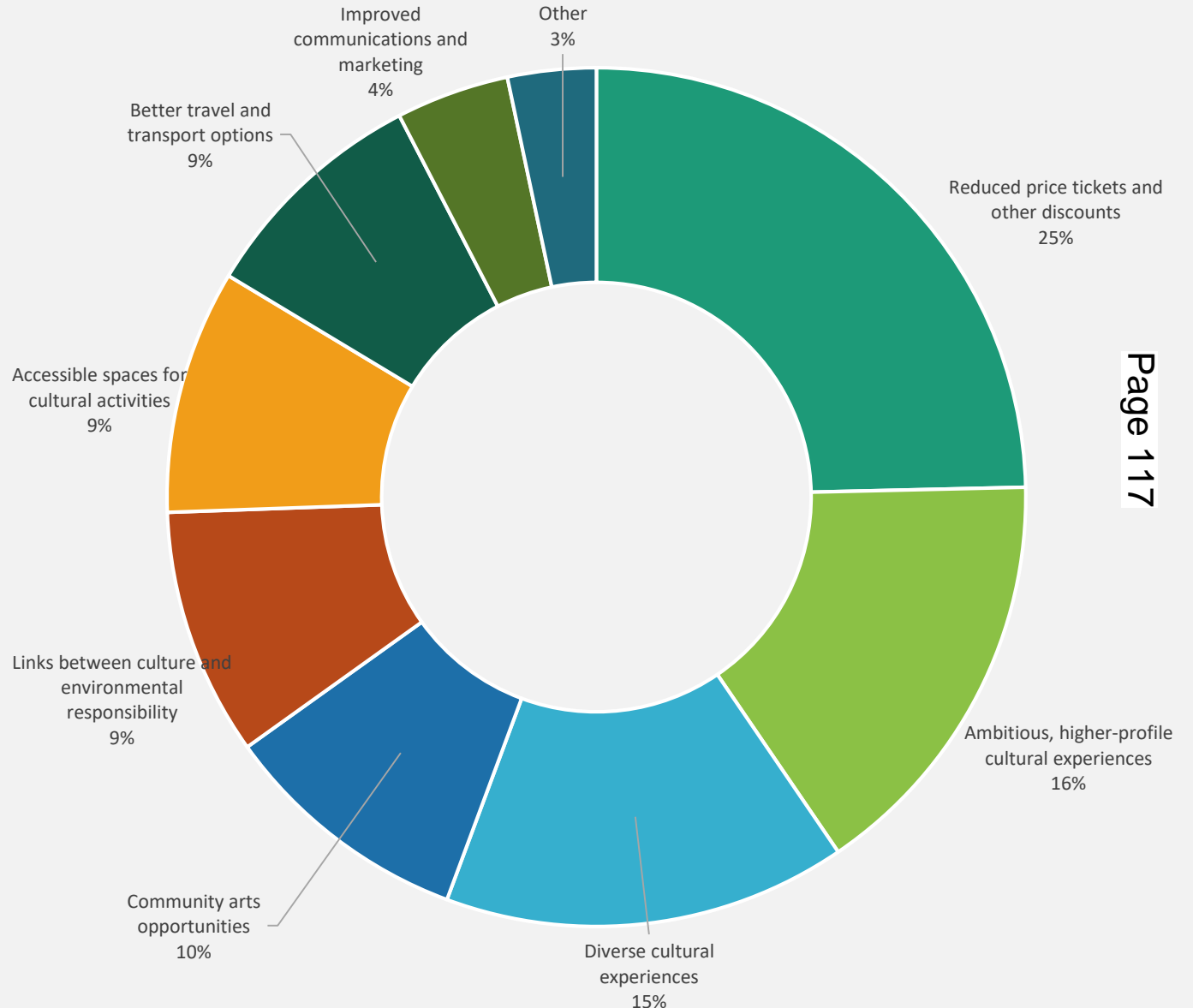


## Themes:

- Music / Music venues
- Festivals and diverse programming
- Theatre & performance
- Use of public space and place
- Activities & networks

# How could we get you more engaged with cultural activities?

Response	#
Reduced price tickets and other discounts	185
Ambitious, higher-profile cultural experiences	119
Diverse cultural experiences	114
Community arts opportunities	71
Links between culture and environmental responsibility	70
Accessible spaces for cultural activities	69
Better travel and transport options	66
Improved communications and marketing	32
Other	25



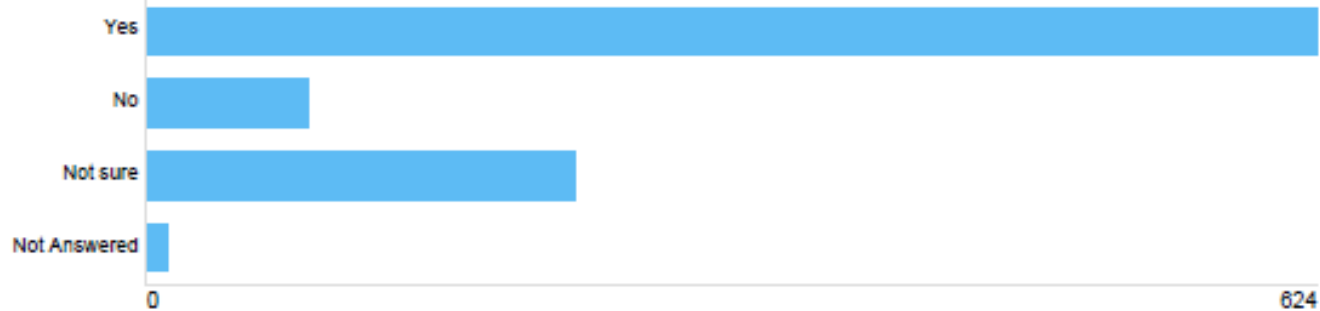
## Themes:

- Funding and ticket subsidies
- Improved Comms/Marketing
- Ambitious/diverse/higher profile cultural experiences
- Sustainable culture/Accessible spaces
- Better local infrastructure and network

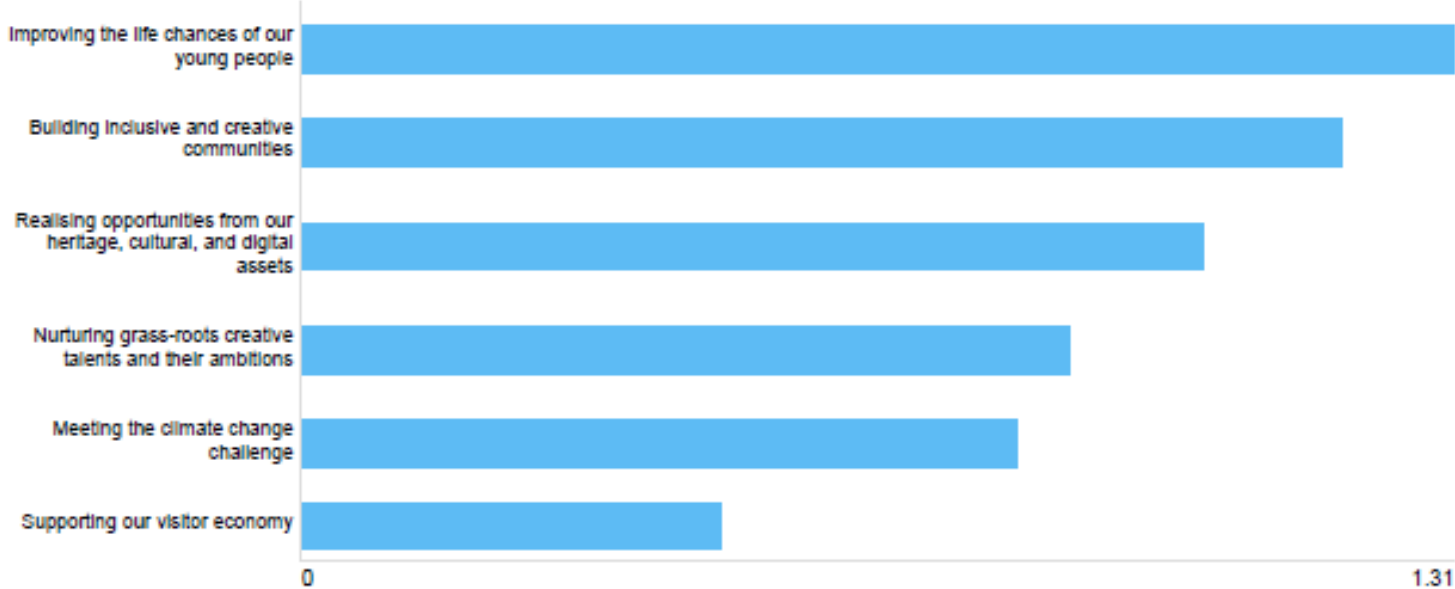
# Support for vision and big ideas.....

## Question 6: Do you think this is a good vision?

Do you think this is a good vision



## Table of "Please choose your top 3 big ideas" in rank order

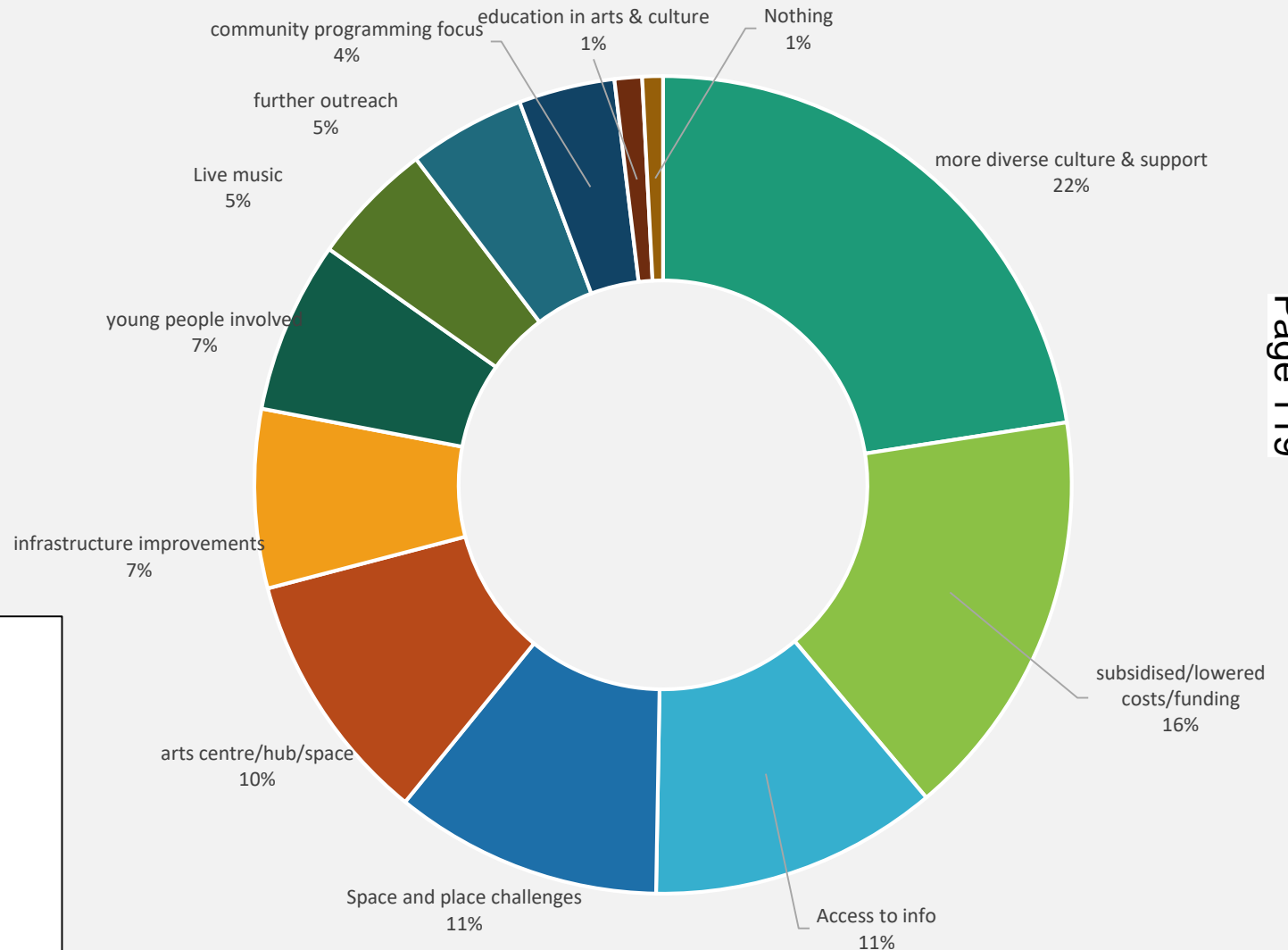


# What else could we be doing to support?

Response	#
More diverse culture & support	83
Subsidised/lowered costs/funding	60
Access to info	42
Space and place challenges	39
Arts centre/hub/space	37
Infrastructure improvements	26
Young people involved	25
Live music	18
Further outreach	17
Community programming focus	14
Education in arts & culture	4
Nothing	3

## Themes:

- Diversified practice and opportunities
- Cross culture networking
- Funding & Subsidies
- Comms/Marketing offer
- Space & Place provision



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## Cheltenham Borough Council

### Cabinet – 4 April 2023

## Ubico Business Plan 2023/2024

---

**Accountable member:**

Councillor Rowena Hay, Leader of the Council

**Accountable officer:**

Karen Watson, Environmental Partnerships Manager

**Ward(s) affected:**

All

---

**Key Decision:** No**Executive summary:**

Ubico, the Council's environmental services provider, is a teckal company wholly owned by local authorities including Cheltenham Borough Council and is required to submit an annual business plan for approval by the shareholders. Whilst the Leader of the Council has authority, as shareholder representative, to approve the business plan it is being brought to cabinet for members to note and consider.

The proposals contained in the Ubico 2023/2024 business plan which delivers the third year of the 5 year vision are built around four key pillars (people; operational excellence; climate; business development) and focus on the following themes: leveraging synergies and economies of scale; harnessing opportunities to deliver value back to partners; using technology to drive operational efficiency; understanding our communities' needs; inspiring our workforce to be committed to providing value for money and carbon neutral services.

Ubico will submit individual business cases for approval, as appropriate, to support potential investment proposals within the 2023/2024 Business Plan to develop areas of the business that have been identified as having potential to deliver greater value for shareholders.

**Recommendations:**

1. to note the Ubico Business Plan 2023-2024
2. to note that the Leader of the Council, as shareholder representative, proposes to

**sign the written resolution to approve the Ubico Business Plan 2023-2024 in due course.**

---

## **1. Implications**

### **1.1 Financial, Property and Asset implications**

No financial implications as a direct result of this report.

**Signed off by:** [paul.jones@cheltenham.gov.uk](mailto:paul.jones@cheltenham.gov.uk)

### **1.2 Legal implications**

Part 3E of the constitution provides that the Leader shall, 'Represent (or arrange for a Cabinet Member or Officer to represent) the Authority as shareholder or member in a company in which the Authority holds an interest'.

**Signed off by:** One Legal [legalservices@onelegal.org](mailto:legalservices@onelegal.org)

### **1.3 Environmental and climate change implications**

Environmental and climate change priorities are integrally interwoven into the Council's key priorities, particularly key priority 2 - working with residents, communities and businesses to help make Cheltenham #netzero by 2030 and the Ubico Business Plan 2023/2024 and 5 year vision seeks to support the Council's priorities in this area in a positive way. For commitments in the business plan that directly relate to Cheltenham, have a climate impact and require a business case and a decision from Cabinet, the completion of the climate change is recommended, utilising the climate change assessment tool.

**Signed off by:** [Laura.tapping@cheltenham.gov.uk](mailto:Laura.tapping@cheltenham.gov.uk)

### **1.4 Corporate Plan Priorities**

This report contributes to the following Corporate Plan Priorities:

- Working with residents, communities and businesses to help make Cheltenham #netzero by 2030

### **1.5 Equality, Diversity and Inclusion Implications**

Individual business cases are required to take forward projects or initiatives and these will require completion of climate change assessments using the new tool available as well as Equality Impact Assessments.

### **1.6 Performance management – monitoring and review**

The Ubico board of directors, and Cheltenham Borough Council's shareholder representatives,

will manage and monitor the delivery of the [Page 123]. In addition the cabinet member, waste, recycling and street services, in conjunction with the lead commissioner, will monitor delivery of work streams and projects which deliver these outcomes as part of the client function within the Council.

An equality impact assessment will be carried out by Ubico or the Council as part of any work stream or project that is initiated as well as all risk assessments including any environmental impacts.

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## **2 Background**

- 2.1 Ubico, the Council's environmental services provider, is a teckal company wholly owned by local authorities including Cheltenham Borough Council and is required to submit an annual business plan for approval by the shareholders. Whilst the Leader of the Council has delegated authority, as shareholder representative, to approve the business plan it is being brought to cabinet for members to note and consider.
- 2.2 The proposals contained in the Ubico 2023/2024 business plan are built around four key pillars as set out below:
- 2.3 People – we will have a well- trained, supported and engaged workforce who live our values and are proud to work for Ubico.
- 2.4 Operations – we will deliver high quality services which remain safe and compliant, seeking continuous improvement in productivity, value and service excellence. We will harness innovation where appropriate and will explore synergies and opportunities for partnership and cross boundary working.
- 2.5 Climate – we will minimise our environmental impact and support our shareholders to meet their carbon neutral targets, integrating carbon reduction opportunities wherever reasonably possible in both our fleet and non-fleet activities.
- 2.6 Business development – we will build business development capability which enhances our partnerships and allow for effective identification, analysis and presentation to shareholders of potential new business opportunities. We will explore opportunities that aren't simply about profit, including those that would deliver greater value, help our communities or improve services.
- 2.7 The business plan 2023/2024 is part of a 5 year vision – to be recognised by our customers and employees as a quality provider of sustainable services for our local communities, delivery best value and reliability - focuses on the following themes: Leveraging synergies and economies of scale; Harnessing opportunities to deliver value back to partners; Using technology to drive operational efficiency; Understanding our communities' needs; Inspiring our workforce to be committed to providing value for money and carbon neutral services.
- 2.8 Ubico will submit individual business cases to support potential investment proposals within the 2023/2024 Business Plan to develop areas of the business that have been identified as having potential to deliver greater value for shareholders.

## **3 Reasons for recommendations**

Whilst the Leader of the Council has delegated authority, as shareholder representative, to

approve the business plan it is being brought forward for members to note and consider to support greater transparency and involvement in the future strategic direction of Ubico, the Council environmental services partner.

#### **4 Alternative options considered**

4.1 The Leader of the Council, as shareholder representative, has delegated authority to approve the Ubico business plan (which forms part of the 5 year vision), and there is no need, other than to support transparency for a report to be considered and noted by cabinet.

#### **5 Consultation and feedback**

During the consultation stage, Ubico has presented the business plan at a member briefing session, in addition to consulting with senior officers and relevant cabinet members.

#### **6 Key risks**

6.1 Risks are set out in the business plan. Any work streams or projects initiated by Ubico themselves or in partnership with the Council will be subject to appropriate shareholder or member approval following consideration of a business case, PID/project plan and individual risk assessment.

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#### **Report author:**

Karen Watson, Environmental Partnerships Manager, karen.watson@cheltenham.gov.uk

#### **Appendices:**

- i. Risk Assessment – attached
- ii. Ubico Business Plan 2023-24

## 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 all potential risks that the council may be exposed to associated with taking forward any work stream or projects as a result of the Ubico Business Plan 2023/24 within the 5 year vision are not identified, mitigated and managed as part of the appropriate decision making process there may be a negative impact on the MTFS and the Council's reputation.	Darren Knight	4	2	8	Reduce	All potential risks that the council may be exposed to associated with taking forward any work stream or projects as a result of the Ubico Business Plan 2023/24 within the 5 year vision will be subject to consideration of a full business case and risk assessment for approval as part of the decision making process by either the Ubico Board of Directors or CBC members/CBC lead commissioner in accordance with the Constitution.	Karen Watson	Both annual review and ongoing review

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



## **2023/24 Business Plan**

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## 1. Business Overview

### 1.1. Introduction

Ubico delivers high quality front line environmental services for our shareholder councils, which support and improve our local communities to remain clean, green and pleasant places to live and work. The company has grown significantly in its first 10 years of operations, with our eighth local authority shareholder joining as a partner in 2021.

We set out a new five-year vision for the company in 2021, and in 2023/24, the third year of this vision, we will build on the successes already achieved. Particular areas of focus will be around our people, carbon reduction, digitisation and collaborative working.

Ubico's most valued resource is its committed, dedicated and experienced workforce and we must ensure we continue to attract and retain staff with the knowledge and skills required to deliver excellent quality services. Recently, external to Ubico, low unemployment rates, salary inflation and general inflation have created additional challenges to both staff retention and staff recruitment. A salary benchmarking exercise undertaken in 2022 will be revisited in 2023 as it is vital that we continue to evaluate and understand the scale of these challenges and the potential risk to quality service delivery and identify options to mitigate these risks if necessary. We will also look to develop further in the areas of staff attraction, retention and upskilling.

Climate and carbon reduction activity will continue to have a strong emphasis, where we will seek to further improve our carbon reduction activities and support our partners to achieve their carbon goals. Digitisation of our processes remains a pivotal activity, driving innovation and serving as a platform for further development in the future. Our size and geographical coverage places the company in a strong position to explore innovative collaborative and cross boundary opportunities to deliver greater value to our shareholders, and we will continue working with them to progress these opportunities. We will also continue to present proposals for business development and wider partnership working for shareholder consideration.

## 1.2. Our shareholders

Ubico is a wholly-owned local authority company with eight shareholders, Cheltenham Borough Council, Cotswold District Council, Forest of Dean District Council, Gloucester City Council, Gloucestershire County Council, Stroud District Council, Tewkesbury Borough Council and West Oxfordshire District Council.



## 1.3. Quality and safety at our core

Health, safety and compliance remain our number one priority and we are committed to driving continuous improvement in these areas. This is demonstrated through our ongoing achievement of industry-recognised accreditations, including ISO 45001 and ISO 14001 for our Health and Safety Management and Environmental Management Systems respectively. We are committed to building a positive health and safety culture which is evident in all our activities and services, and is driven by our Safety, Health, Environment and Quality team and our health and safety performance is reviewed by our Board of Directors at every board meeting. Our internal compliance function is committed to providing assurance to all our stakeholders and is vital in the organisation's commitment to maintain high standards of compliance and to seek continuous improvement.

In 2023/24 we will remain committed to improving our health and safety performance, in particular around the area of vehicle accidents. We will continue to support our staff through the ongoing provision of health and wellbeing support and advice, which we have recently strengthened through the introduction of our employee engagement app. We will continue to investigate further opportunities provided by the app to improve employee support even further, building on the strong provision already in place.

Our internal training provision affords us the flexibility to deliver targeted health and safety training, which is specific to our activities and delivered at a time and pace to best support our teams. We will seek to further strengthen this offering through increased trainer hours, and effective support and administration of this important division.

### 1.4. Our core services



Refuse collections



Food waste collections



Garden waste collections



Recycling collections



Trade waste and recycling collections



Recycling centre management



Recycling and bulking transfer



Street cleansing



Building and public convenience cleaning



Grounds maintenance



Fleet management and maintenance



MOT and taxi testing

### 1.5. Our values

deliver quality  
be safe  
do the right thing  
care for our environment  
work together

## **1.6. Governance and risk management**

### **1.6.1. Governance**

Good corporate governance and the continued professional development of the board of directors and the senior management team is fundamental to the effective operations of the company. In 2023/24 we will continue to ensure appropriate competency standards and qualifying criteria are applied to all directors and follow the spirit of the UK Corporate Governance Code. At all times, the company will remain open, transparent and accountable. The board and its members will operate as a cohesive team, with its priority at all times to further the aims, goals and values of the company, whilst always having risk and risk management at the forefront of discussions.

Ubico's board of directors comprises three executive directors, four non-executive directors from local authority shareholders, and three independently appointed non-executive directors including an independent chair of the board. The independent non-executive directors will complete their first three-year term of appointment in February 2023, with all three seeking re-appointment to their roles, offering the board stability, continuity of knowledge and resilience.

The board is supported by two sub-committees, a Risk and Audit Committee and a Governance and Nominations Committee. These committees support the board in key governance areas, for example, better understanding of business risk, and ensuring the processes to mitigate risk are effective and there is compliance.

As a company, we regularly review our policies, procedures and governance arrangements to ensure they are fit for purpose, represent good practice and meet all relevant legislative and regulatory requirements, with key policies routinely scrutinised and signed off by the board of directors.

As the company grows, new criterion for reporting is met, and for the year 2021/22 the company was obliged, for the first time, to include carbon performance reporting in its Statement of Annual Accounts, and to produce and publish on its website a Modern Slavery and Human Trafficking Statement. The production of these reports, and the delivery of any associated activities required to meet prescribed standards, will continue, becoming routinely embedded in the company's governance processes.

An internal audit plan is completed annually with Audit Risk Assurance (ARA) continuing to deliver Ubico's audit services throughout 2023/24. A full annual audit plan is agreed by the board. The findings and the full audit reports are shared with the full board of directors for review and oversight, and progress against action plans arising from the audits is monitored by the risk and audit committee and reported to the board.

External audit of the company's accounts is determined by our shareholders at the Annual General Meeting.

### **1.6.2. Risk management**

Risk management is a core principle of effective corporate governance and is also a key contributor to a sound internal control environment. Ubico continues to seek and adopt recognised best practice in the identification, evaluation and cost-effective control of risks and opportunities to ensure that these are managed at acceptable levels. Our strategic risk management objectives include board and senior management setting a 'tone from the top' on the level of risk we are prepared to accept - our 'risk appetite'. We maintain a strategic approach to risk management in order to make better informed decisions and use risk management to enable consistent appraisal of options and improved flexibility/agility in delivering change. We are committed to developing leadership capacity and skills to ensure understanding of the risks facing the company and how we manage them, and to integrate risk management into how we run Ubico business/services. Overall, we aim to develop a culture of well-measured risk taking throughout Ubico, including strategic, programme, partnership, project and operational risk.

## 1.7. 2022 Headline Performance

Pillar	Measure	2021 Goal	2021 Achievement	2022 Achievement	2026 Goal
People	Vacancy fill rate (advertisement closed to acceptance)	<1 month	84.08% fill rate Time to hire 2.4 months	85.02% fill rate Time to hire 1.9 months	<1 month
	Annual training budget utilisation	80% of annual training budget	80.08% (Apr to Dec)	100% (21/22)	100% of annual training budget
	Conformance to mandatory training to schedule	>90%	New starters >95%	New starters >95%	>95%
	Staff turnover	<14% attrition	9.62% (20/21)	13.4% (21/22)	<10% attrition
Operational Excellence	Service KPIs - Missed bins (per 100,000 collections)	<0.05 %	0.073%	0.0807%	<0.05 %
	Fleet compliance	Fleet Audit Scores >90%	92.37% average	92.76% average	Fleet Audit Scores >95%
	RIDDOR occurrence	<12 per year	6	11	<9 per year
	Deliver to set budget	Within 5% set budget	-6.4% (20/21)	-3.1% (21/22)	Within 3% set budget
Climate	Reduced carbon emissions	Benchmark in 2021/22	Carbon reduction strategy in place Baseline work in progress (consultant engaged to advise on methodology)	Emissions from activities from fuel consumption: CO2e 6,237t	Sophisticated measures in place across transport, buildings and key activities
Business Development	% Service coverage of core services to existing shareholders		82.61%	82.61%	95%

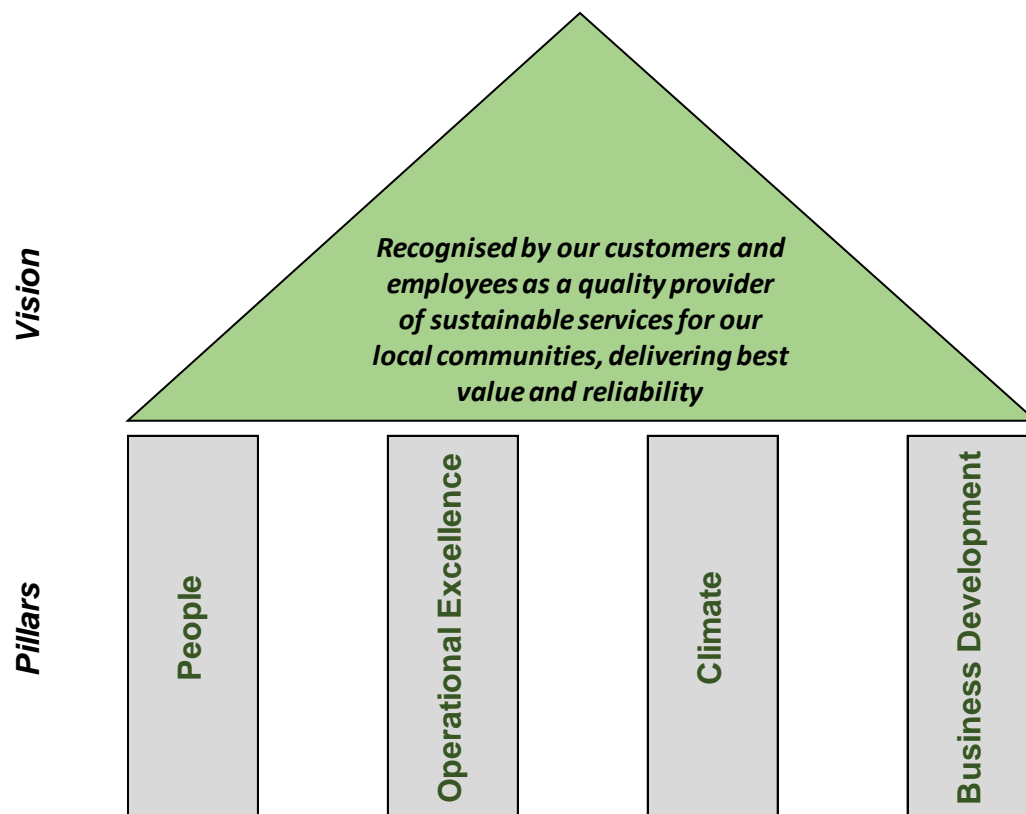
## 1.8. Our five-year vision (2021-2026)

*Recognised by our customers and employees as a quality provider of sustainable services for our local communities, delivering best value and reliability*

Through:

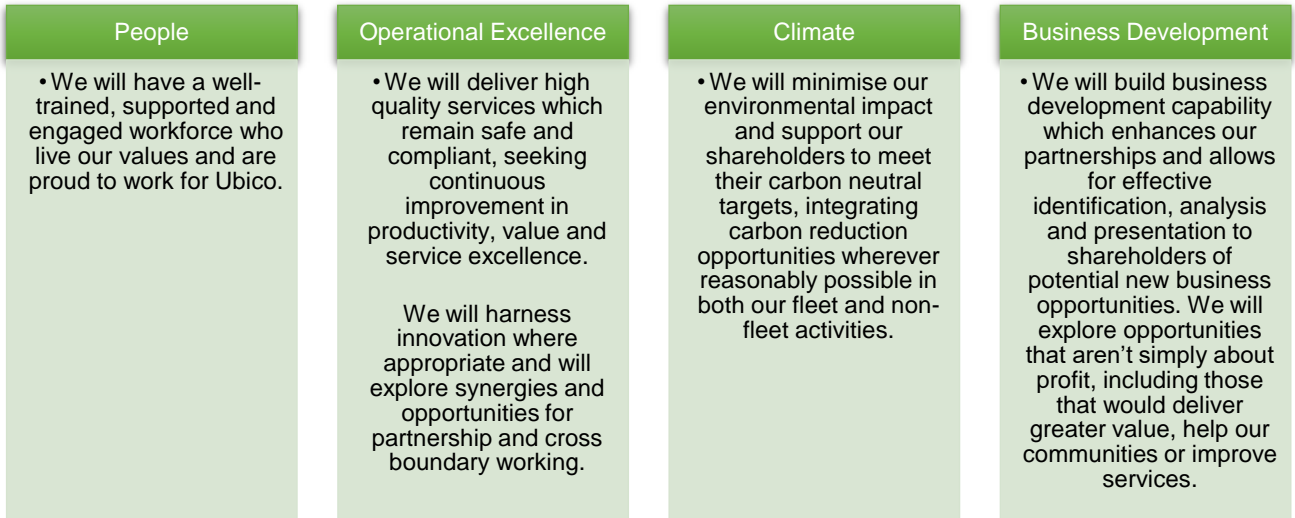
- Leveraging synergies and economies of scale
- Harnessing opportunities to deliver value back to our partners
- Using technology to drive operational efficiency
- Understanding our communities' needs
- Inspiring our workforce to be committed to providing value for money and carbon neutral services

## 1.9. Strategic Pillars of our vision



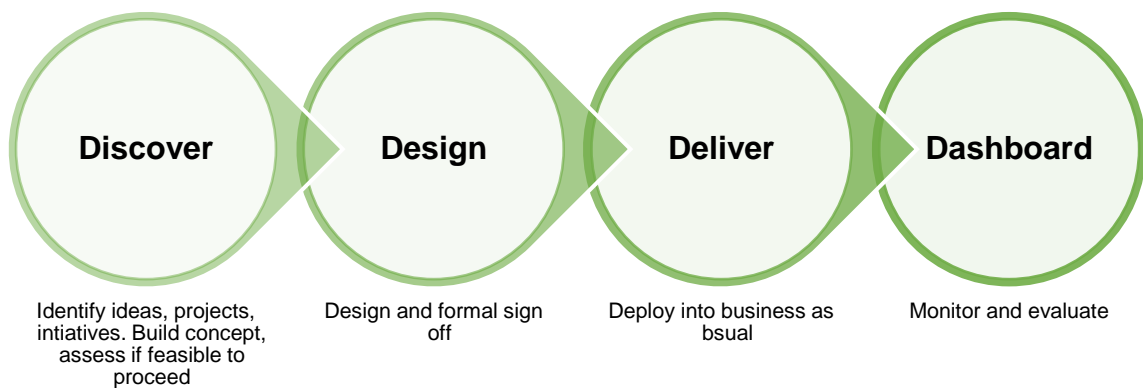
## 2. Business Plan 2023/24

Ubico's 2023/24 business plan is built around our four key pillars:



### 2.1. Project lifecycle

We have adopted a project lifecycle with four phases; Discover, Design, Deliver and Dashboard, and these can be seen alongside the activities outlined in this business plan. This aids in identifying the stage of each project or initiative and assists with long term planning and mapping, and resource management.



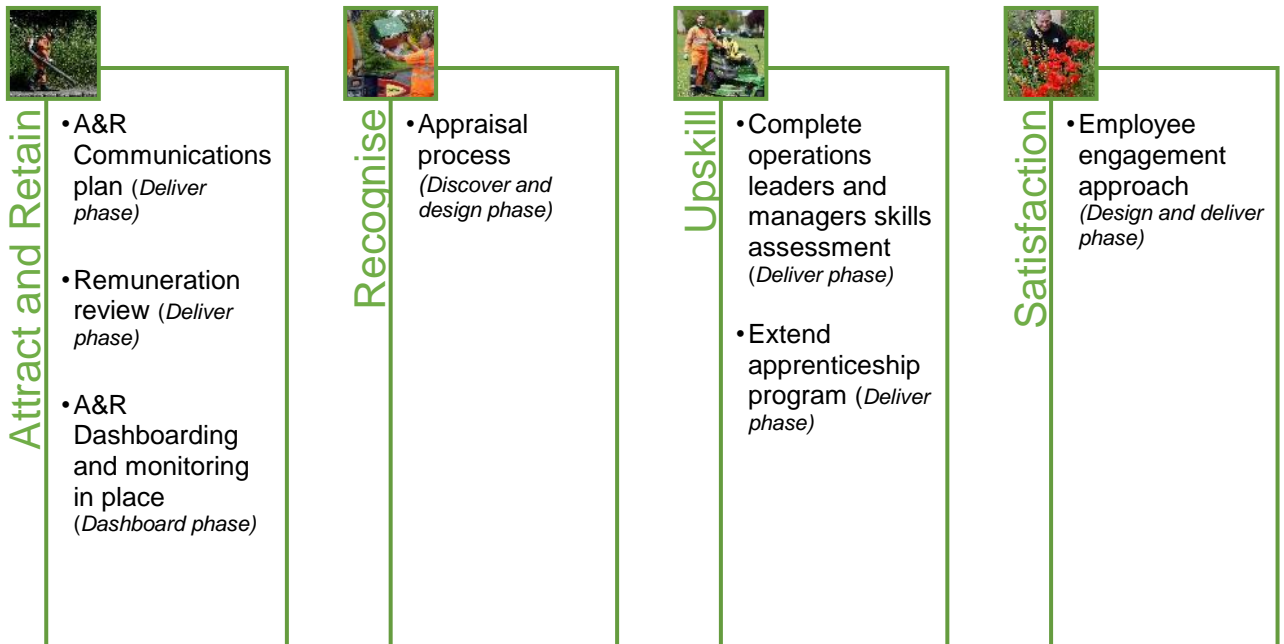


## 2.2. People Pillar

We will have a well-trained, supported and engaged workforce who live our values and are proud to work for Ubico.

### 2.2.1. 2023/24 Focus areas

There are four focus areas in our business plan for our People pillar for 2023/24 - Attract and Retain, Recognise, Upskill and Satisfaction.



### 2.2.2. 2023/24 Activity

It is imperative that Ubico remains an attractive employer, attracting and retaining staff with the right skills and experience, and ensuring they are valued, supported and recognised for the excellent work that they do. In 2023/24 we will have a strong focus on our people, building on and developing from key activities achieved in recent years.

Our Communications Strategy has a strong focus on improving our market presence and enhancing our reputation in order to attract strong candidates to apply for our vacancies, as well as significant activity around supporting and ensuring strong engagement with our existing employees. In 2023/24 we will continue to enter sector awards to promote the excellent work of the business; we will seek to improve the promotion of Ubico and its impact with our partner councils through their communication channels, and we will improve

communications awareness and knowledge in our management teams. We will continue to encourage sign up to our employee rewards app which offers numerous benefits for our staff, including discounts at many popular retailers, access to support around money and managing personal finances, an online health portal containing an online library of health and wellbeing information and access to our employee assistance programme. It is also an excellent platform for employee engagement and communication, and we will continue to share company updates and messages through the app as well as through our more traditional communication channels, and we will expand our use of the app to include employee engagement questionnaires and surveys.

In order to continue to deliver safe, compliant and relevant services for its shareholders, Ubico must offer a package that is competitive and attractive in the marketplace, both to retain current, loyal employees, as well as to attract new ones when required. In 2023/24 we will revisit the salary benchmarking exercise undertaken in 2022/23 to ensure Ubico remains competitive and attractive for both existing and new employees. We will reconcile the findings with our current terms and conditions to ensure early identification of any structural gaps which could risk the ongoing effectiveness of service provision.

In order to monitor the effectiveness of our activities around attraction and retention, we will introduce a dashboard of relevant KPIs, which will be reviewed regularly and lead to an action plan for ongoing or future focus areas.

A methodology will be proposed to the senior management team for a suitable new appraisal process for the company, which will then be trialled with a small sector of the workforce. Skills assessments will be completed for operations leaders and managers, and we will identify priority upskilling for individuals or specific roles.

In recent years, we have significantly strengthened our apprenticeships offering which has led to an increase in the number and variety of apprenticeships offered by the company. However, we do not consider that we have met our potential in this area and see this as a focus area for ongoing improvement. In 2023/24 we will improve our publicity around our apprenticeship opportunities, review our training offer to include apprenticeships as part of the reward and recognition package where appropriate, and further increase the range and number of apprenticeships we offer across the business.

**2.2.3. People risks and mitigations**

Area	Risk	Mitigation
Attract	We are unable to create packages that are competitive in the marketplace.	Continue to improve reward and recognition schemes, staff engagement and the support we provide. Assess market conditions and review with shareholders as required. Monitor interest in vacancies, vacancy fill rate, attrition rate.
Retain	We do not meet our potential in our apprenticeships offer.	Improve our publicity around apprenticeships, increase the range on offer.
Upskill	Inadequate capacity in in-house training team.	Increased trainer resource/hours available, effective support and administration put in place.
	No formal company-wide appraisal or development programme in place.	Ongoing development of the training function, skills assessments in place for priority roles, appraisal process designed.
Satisfaction	Employees are dissatisfied and leave the company.	Continuous improvement around staff support and engagement. Consider expansion of benefits offered both via our employee engagement app and outside it.

### 2.3. Operational Excellence Pillar

We will deliver high quality services which remain safe and compliant, seeking continuous improvement in productivity, value and service excellence. We will harness innovation where appropriate and will explore synergies and opportunities for partnership and cross boundary working.

#### 2.3.1. 2023/24 Focus areas

There are two focus areas in our business plan for our Operational Excellence pillar for 2023/24 - Performance and Quality.



Performance

- Digital Transformation (In-Cab, Dashboarding, Operations Management) *(Deliver phase)*
- Fleet Management System Review *(Discover phase)*



Quality

- Ubico Communications Plan Implemented and Measured *(Deliver & dashboard)*
- Ubico 5 year financial plan *(Deliver phase)*
- Ubico Business Intelligence Dashboard *(Discover phase)*

#### 2.3.2. 2023/24 Activity

The activities identified in our Operational Excellence pillar support Ubico in providing high quality, safe and compliant services, harnessing continuous improvement and innovation wherever possible.

2023/24 will see the ongoing program of digital transformation continue apace, with large workstreams dedicated to introducing an in-cab technology system which is standardised across the company, in line with the partner-agreed roadmap.

Our fleet management system, introduced to standardise internal fleet processes, maintain high compliance standards and improve reporting, is due for renewal or extension in 2024 and we will undertake work to define our fleet management needs ahead of any procurement decision.

We recognise that communication is central to the delivery of our services and priorities, and want to ensure that our priorities, objectives, values and ambitions are understood by our shareholders, communities, workforce, partners, and other stakeholders. To further underpin our progress, we must continue to effectively communicate and engage with our diverse range of external and internal stakeholders. In 2023/24 we will undertake a perception survey with our stakeholders to identify areas of strength and opportunities for continuous improvement. We will strengthen our external communications by appointing a board communications champion, and we will consider opportunities to speak at events and conferences.

We aim to provide strategic longer-term cost projections to all partners for their individual contracts. This will enable a better understanding of cost commitments when aligned to residency profiles, service level commitments and climate target aspirations, with a view to then combining our plans be able to create a company five-year financial plan to better support our strategic aims.

We will continue to develop the measurement of our progress against our strategic goals and recognise the need for sound business intelligence to be able to react and adapt to change and give a higher assurance of success. We will develop the measures and metrics required to create a business intelligence dashboard for our management teams together with a roadmap for the creation of the means to collect, record and report on those metrics.

### 2.3.3. Operational Excellence risks and mitigations

Area	Risk	Mitigation
Performance	Digitisation projects do not meet plan.	Program structure enables progress monitoring at appropriate levels, allowing early identification and escalation of risks, and intervention to mitigate. Detailed project plan in place, required resource in place and fully funded, with appropriate skills to deliver to requirements.
Quality	Inflationary cost pressures.	Continue to highlight potential areas of cost pressure as early as possible in both budget setting processes and monthly forecasting reports. Ensure partners are aware that Ubico do not hold contingency funding.
	Information gaps, concerns over data security and/or the cost of data collection devalue planning and information reporting initiatives	Risk that the cost of collecting the data required to provide data insights is prohibitive or the data is not directly available may undermine the drive for insight to drive value. The mitigation is to have clarity of data needs, combined with pragmatism over the means to collect data and the appropriate skills in place to build requirements 'right first time' in a secure manner. We will look to leverage partner capabilities but to date we are having to build a capability within which takes time and has more risk of failure.

#### **2.3.4. Procurement Activity 2023/24**

In 2023/24 we will complete procurement activity to allow contract award as follows:

Further to procurement activity undertaken in 22/23, contracts will be awarded for the supply of:

- PPE and uniform
- Static compactor service and maintenance
- Occupational Health
- Pest Control
- Cleaning and grounds products
- Site fire and security contracts

Award contract extensions or undertake new procurement activity and award a contract for the supply of:

- Weed Control Operations (covering Cheltenham & Cotswold)
- Vehicle Telematics
- Employee Rewards and Engagement App
- Waste management route modelling software
- Insurance Services
- Confidential waste disposal services

Undertake new procurement activity and award a contract for the supply of:

- Mobile Phones
- Fleet Maintenance - Downs Road
- Fleet Tyres
- Insurance Brokerage Services
- Workshop Overalls Cleaning
- Fleet Framework - Liquid Fuels - Diesel
- Liquid Fuel - Supply of HVO
- Textile Recycling
- Learning Management System (activity deferred from 22/23)

## 2.4. Climate Pillar

We will minimise our environmental impact and support our shareholders to meet their carbon neutral targets, integrating carbon reduction opportunities wherever reasonably possible in both our fleet and non-fleet activities.

### 2.4.1. 2023/24 Focus areas

There are two focus areas in our business plan for our Climate pillar for 2023/24 - Our Environmental Impact, and Supporting Partners with their Impact



#### Our Environmental Impact

- Measure our energy use (*Design and deliver phase*)
- Design carbon dashboard (*Design phase*)
- CI Programme Q1-4 (*Discover and Design phase*)



#### Supporting Partners with their Impact

- Work with partners to capture and evaluate climate opportunities (*Discover and design phase*)
- Design process for capturing partner climate opportunities (*Discover and design phase*)

### 2.4.2. 2023/24 Activity

Ubico's carbon strategy recognises two strands of activity:

- Ubico owned carbon reduction activities that are within the gift of the company to deliver.
- Shareholder sponsored activity which requires approval and funding from our shareholders.

Building on work undertaken in 2022/23, we will continue to measure our emissions, and design a carbon dashboard for ongoing measurement and monitoring of our carbon performance. This dashboard will be a key input into identifying new carbon projects.



In 2023/24 we will continue to work in close partnership with our shareholder partners to deliver carbon reduction and climate beneficial initiatives. We will seek to increase Ubico’s involvement with both individual climate officers and wider partnership climate forums and will design a process to capture and evaluate partnership climate opportunities. In some of our depots and offices, we face the challenge of not having access to information around our specific energy usage, and we will work with our council landlords to overcome this issue and get accurate reporting in place. We will seek to understand any requirements or opportunities within the buildings that we occupy, and we will produce individual options strategies for partners on fleet CO<sub>2</sub> / CO<sub>2</sub>e reduction.

**2.4.3. Climate risks and mitigations**

Area	Risk	Mitigation
Our Environmental Impact	Emissions from fleet remain high due to ageing fleet or fuels chosen.	Alternative fuel vehicle options identified on fleet replacement programmes; replacement strategy agreed with partners.
	Inability for Ubico to access energy usage details for the buildings it occupies.	Close partnership working with our council landlords to ensure Ubico’s energy usage can be separately identified and is available for Ubico to report on.
Supporting Partners with their Impact	Ubico is not consulted on decisions which could impact carbon emissions, or the success of our carbon reduction initiatives.	Ubico invited to attend key meetings, both with individual partners and in wider partnership forums to ensure our input or impact on our activities is considered.

## 2.5. Business Development Pillar

We will build business development capability which enhances our partnerships and allows for effective identification, analysis and presentation to shareholders of potential new business opportunities. We will explore opportunities that aren't simply about profit, including those that would deliver greater value, help our communities or improve services.

### 2.5.1. 2023/24 Focus areas

There are two focus areas in our business plan for our Business Development pillar for 2023/24 - Innovation and Evolution, and Build.



#### Innovation & Evolution

- Cross boundary phase 1 (*Deliver phase*)
- More for Partners (*Discover & deliver phase*)
- Service innovation (*Deliver phase*)



#### Build

- Expansion of services for existing partner(s) (*Discover phase*)
- Embed board and shareholder review process for strategic proposals (*Deliver phase*)

### 2.5.2. 2023/24 Activity

Further to presentations to partners in 2022/23 to understand appetite and direction around cross boundary and collaborative working proposals, we will design a roadmap for this activity, identifying key strands of work, outlining any additional resource requirements, and highlighting priority activity. We will also continue to support partners with any service (re)design or innovation projects and will continue to support the Environmental Services Innovation Programme (ESIP) in partnership with the three partners involved in that programme.

We will continue our work begun in 2022/23 exploring opportunities for delivering services to shareholder partners which build on our existing capabilities. The feasibility exercise begun

last year evaluating the options and benefits of Ubico extending its activities beyond recycle handling and bulking and into the downstream haulage or reprocessing activity will be concluded and presented to shareholders for consideration. We will continue to work with partners to evaluate high level options for strategic depot locations across our operational areas to inform partner decision making, where necessary.

Ubico delivers operational environmental services, and our vision sees us delivering as many of our core services as possible for our current shareholder partners. From 2024 we will be expanding the services we deliver for Forest of Dean District Council to include waste, recycling and street cleaning services and will begin the mobilisation for this change in 2023/24. We will also continue to evaluate any other opportunities to extend the range of services provided to each of our partners, within our core service portfolio.

An area we aim to develop in the coming year is the progression of strategic ideas and projects which arise outside those identified in the business plan, for which we require shareholder authorisation. To address this, we will embed a new process where projects will have clear information requirements and approval flows with board and the shareholders to simplify and accelerate decision making and delivery.

### 2.5.3. Business Development risks and mitigations

Area	Risk	Mitigation
Innovation & Evolution	Cross boundary or collaborative working proposals are not endorsed by all partners.	Proposals adjusted to reflect the opportunity should only some partners wish to proceed. Suitable governance arrangements put in place at outset to ensure risk (or benefit) is allotted fairly.
	Expectation of delivery beyond that which can be achieved with available capacity.	Roadmap drawn up and agreed, highlighting priority activity and any additional resource requirements. Additional round routing capacity necessary for service redesign projects included in 23/24 budgets.
Build	Leadership capacity to manage an expanding portfolio.	Focus on core environmental services where we are skilled and experienced.
	Expectation of delivering strategic proposals without requisite skills or capacity.	Detailed shareholder consultation and full understanding of shareholder risk appetite and commitment ahead of commencement of any project.

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## Cheltenham Borough Council

### Cabinet – 4 April 2023

## Refurbishment of Montpellier Gardens Public Toilets

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**Accountable member:**

Cllr Iain Dobie, Cabinet Member for Waste, Recycling and Street Services

**Accountable officer:**

Gemma Bell, Director of Finance & Assets (Deputy s151 Officer)

**Accountable scrutiny committee:**

None

**Ward(s) affected:**

College

---

**Key/Significant Decision:**

No

**Executive summary:**

Montpellier Gardens toilets are a well-used convenience in the town centre. The current layout of the toilets provides for six female toilets, five male toilets, five urinals and one accessible toilet which is accessed by a radar key.

In September 2021, the Council submitted a bid to the Department for Levelling Up, Housing and Communities for funding to provide Changing Places facilities in the town centre and the Montpellier Gardens toilets was identified as a site where this could be delivered.

The recently approved Corporate Plan 2023-24 also recognises the importance of continued investment in the town centre, particularly following the COVID-19 pandemic and the current cost of living emergency. As an initial response, the 2020/21 budget outturn report set aside £250,000 for green and inclusive economic development and this project was identified as one of the priorities for this funding.

The final concept design presented for approval in this report is the result of work undertaken by the Council in consultation with key stakeholders such as the Disability Forum. The final design increases the provision of Changing Places and disabled access public toilet facilities in the town, improves the existing male, female and family toilets as well as providing two gender neutral toilets.

Once approved, work will begin to procure a contractor to undertake the work. The timeline for delivery of the refurbishment is estimated to be through the winter of 2023 for re-opening in the early Spring of 2024, subject to any further decision being required post procurement when a contract price is known.

**Recommendations:**

- 1. Approve the final concept for the Montpellier Gardens toilets as described in the report and in Appendix 2.**
  - 2. Delegate authority to the Director of Finance and Assets, in consultation with the Cabinet Member for Waste, Recycling and Street Services and the Borough Solicitor to undertake the procurement and award the contract for a construction contractor to deliver the design.**
- 

**1. Implications**

**1.1. Financial implications**

As detailed in the report – a separate decision on the budget for the construction will be brought to Cabinet and Council once the procurement for a construction contractor is complete.

**Signed off by:** Gemma Bell, Director of Finance & Assets (Deputy s151 officer)

**1.2. Legal implications**

The Council has a power (but not a duty) under section 87 of the Public Health Act 1936 (as amended) to provide public conveniences.

If approved, Officers will work with colleagues from Publica procurement and One Legal to implement the Recommendations to ensure that the procurement complies with the Councils Contract Rules and the Public Contracts Regulations 2015 (where applicable).

**Signed off by:** One Legal, [legalservices@onelegal.org.uk](mailto:legalservices@onelegal.org.uk), Tel no: 01684 272012

**1.3. HR implications**

There are no HR implications of the recommendations in this report.

**Signed off by:** Clare Jones, HR.Cheltenham@publicagroup.co.uk

**1.4. Environmental and climate change implications**

The decision in this paper has no direct environmental or climate change implications. The specification of the construction contract should be reviewed to ensure the refurbished building is in line with our climate ambitions and a Climate Change Impact Assessment should be published with the decision on the final budget and design paper.

**Signed off by:** Laura Tapping, Climate Emergency Programme Officer, 01242 264263

### 1.5. Property/asset implications

As detailed in this report and appendices.

**Signed off by:** Gemma Bell, Director of Finance & Assets (Deputy s151 officer)

### 1.6. Corporate policy framework implications

The refurbishment of Montpellier Gardens toilets is a named project in the Corporate Plan for 2023-2027 and will directly contribute to the Corporate Priority to ensure residents, communities and businesses benefit from Cheltenham's future growth and prosperity.

**Signed off by:** Ann Wolstencroft, Head of Performance, Projects and Risk

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## 2. Background

- 2.1. Montpellier Gardens toilets are a well-used convenience in the town centre. The current layout of the toilets provides for six female toilets, five male toilets, five urinals and one accessible toilet which is accessed by a radar key. The building is indexed in the conservation area but is not itself Listed.
- 2.2. In September 2021, the Council submitted a bid to the Department for Levelling Up, Housing and Communities for funding to provide Changing Places facilities in the town centre and the Montpellier Gardens toilets was identified as a site where this could be delivered.
- 2.3. The recently approved Corporate Plan 2023-24 also recognises the importance of continued investment in the town centre, particularly following the COVID-19 pandemic and the current cost of living emergency. As an initial response, the 2020/21 budget outturn report set aside £250,000 for green and inclusive economic development and this project was identified as one of the priorities for this funding.
- 2.4. There are several issues with the existing design that the project seeks to address; security from the viewpoint of users and of the building, wasted circulation space; lighting and signage amongst them. A maintenance report has also been commissioned as part of the preparatory work for this project which has identified remedial works required to the building. In the interests of reducing disruption to public toilet facilities, these have been built into the design and indicative costings for the construction contract.
- 2.5. The final concept design presented for approval in this report is the result of work undertaken by the Council in consultation with key stakeholders such as the Disability Forum. The final design increases the provision of Changing Places and disabled access public toilet facilities in the town, improves the existing male, female and family toilets as well as providing two gender neutral toilets.

## 3. The recommended design concept

3.1. The design of Montpellier Gardens toilets has been driven by the following design principles:

- Accessibility, safety and inclusivity

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- Increasing the sustainability of the toilet building
- Durable and attractive finishes
- Contributing to Cheltenham's wider place-making outcomes

3.2. The main consideration during the design process was the end user, and how this space accommodates a wide variety of people every day. The design looked at ways to create an inclusive space for all to be able to use and enjoy regardless of age, gender and disability.

3.3. The final design concept provides parity between male and female toilet facilities, increases the family and accessible facilities and also provides two gender-neutral facilities which are accessed by a separate entrance to the male and female facilities. The accessible and gender-neutral facilities will also be signposted separately to the male and female facilities, providing options for all.

3.4. Whereas the Changing Places facility will be accessed by radar key, the gender-neutral and accessible facilities will not have radar access to ensure the facilities are available for all who require them.

3.5. Advice from the Designing Out Crime Office recommended that the entrances to the toilets be moved to face the road rather than the park. These recommendations have been incorporated into the design to maximise the safety of all users. It was also recommended to reduce the number of entrances to the building to minimise the opportunity for anti-social behaviour and this has also been factored into the design.

3.6. As well as the design of the building, the specification of the fixtures and fittings have also considered the sustainability, inclusivity and safety and the facilities and of users. In particular:

- Height, colour and shape of controls should accommodate different users, including those with visual impairments, limited dexterity and those who will have a carer or family member present;
- Surfaces and fittings should be easy to clean and maintain;
- Emergency assistance alarms should be easy to use and generate an adequate and timely response;
- Water fountain provision will be made in the area surrounding the building;
- Where possible and in line with planning advice, materials sourced in the construction should be sustainable, robust and sympathetic to the building and wider gardens.

3.7. An illustration of the design concept can be found in Appendix 2. Subject to approval, the specification for the tender of the construction contract will include the key requirements outlined above.

## 4. Consultation and feedback

4.1. As part of the development of the concept design, stakeholder feedback was sought from a number of different groups and where possible has been incorporated into the design options along with research findings and guidance. In particular:



- Designing Out Crime Office advice recommends that the entrance to the toilet should face onto the street to encourage natural surveillance and reduce the opportunities for anti-social behaviour.
- Having separate unisex wheelchair accessible toilets were also welcomed by the Disability Forum as they can more easily accommodate wheelchair users with carers of the opposite sex.
- The final concept design also provides parity between male and female toilets for the first time.

4.2. The Local Planning Authority have also been consulted in the development of the concept design and advised that planning permission is not required for the design as the external structure will not be changed.

## 5. Current funding available

5.1. There is £426,950 of funding currently approved for the project, made up as follows:

<b>Funding Source</b>	<b>£</b>
Capital budget agreed in 2020/21 outturn report	£100,000
Property programme maintenance budget for Montpellier internal redecoration & window replacement to contribute to project refurbishment costs	£46,950
DLUHC Changing Places fund allocation	£100,000
Disabled Facilities Grant (DFG)	£150,000
Reducing Barriers to Access, GCC funding	£30,000
<b>Total funding available</b>	<b>£426,950</b>

5.2. Following the procurement of the construction contract, a decision on the project budget will be brought to the appropriate forum in line with the Council's constitution and financial regulations.

## 6. Outline Project Timeline

6.1. The outline projected project timeline is as follows:

- April 2023: Cabinet approval of the final concept design
- April 2023 – September 2023: procurement of a preferred construction contractor
- October 2023: contract award and final budget approval
- November 2023 – February 2024: construction phase
- March 2024: completion

## 7. Key risks

7.1. See Risk Assessment in Appendix 1.

**Report author:**

Gemma Bell, Director of Finance and Assets (Deputy s151 Officer)

Tel. 01242 264124; [gemma.bell@cheltenham.gov.uk](mailto:gemma.bell@cheltenham.gov.uk)

**Appendices:**

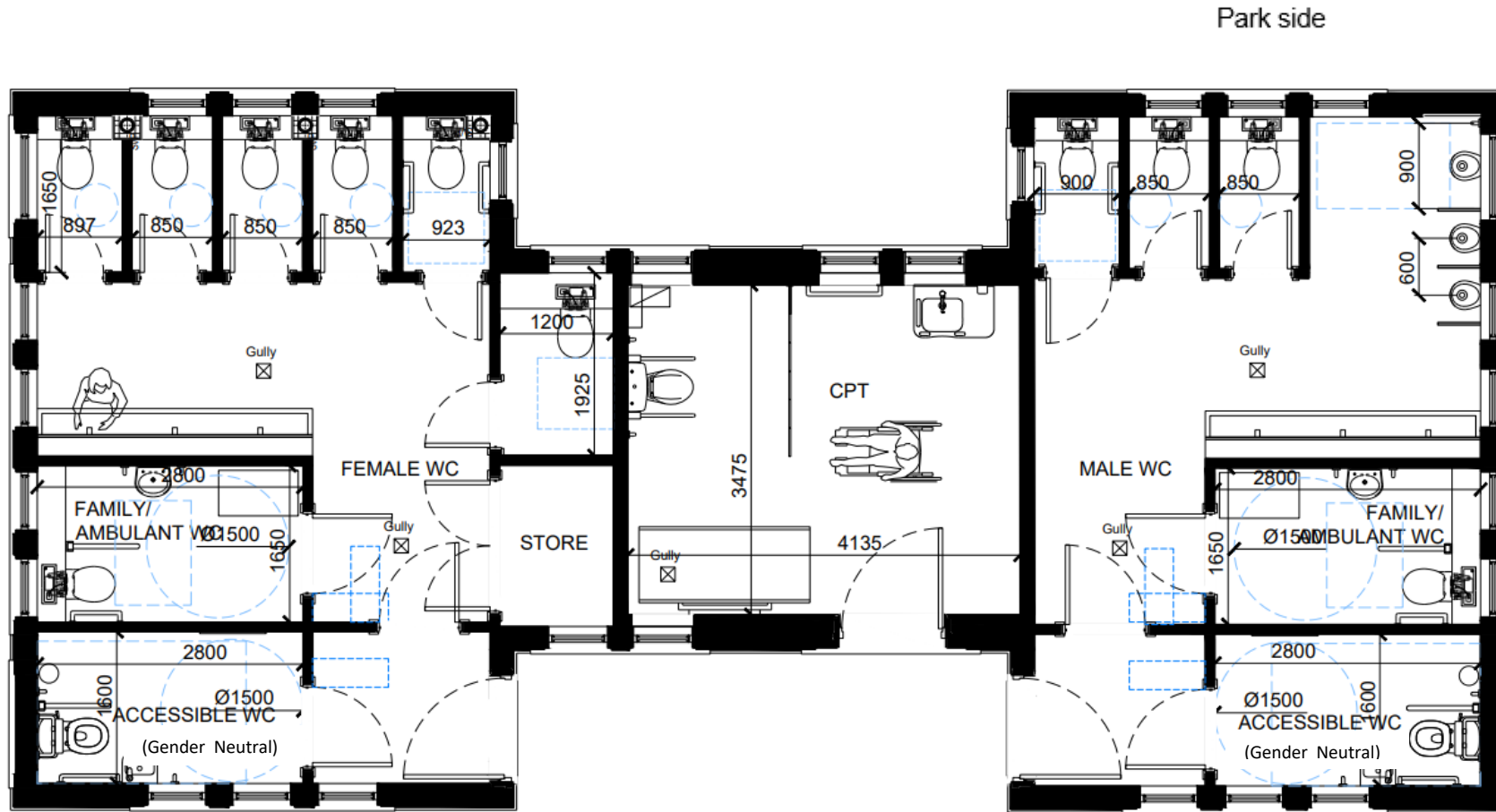
1. Risk Assessment
2. Concept Design

## 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 the council does nothing then the toilets will fall into further disrepair and will be vulnerable to criminal and anti-social behaviour, with potential financial, reputational and/or legal consequences.	Gemma Bell, Director of Finance & Assets	3	3	9	Reduce	The concept design which reflects the advice of the Designing Out Crime Office.  To move forward with RIBA Stage 4 and the procurement of a construction contractor to implement the changes proposed.	Gemma Bell, Director of Finance & Assets	March 2024

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# Appendix 2 – Final Concept Design



	Existing	Proposed
Female WC	6	6
Male WC	4	3
Urinals	5	3
Accessible WC (Gender Neutral)	1	2
Family WC	0	2
Changing Places WC	0	1
<b>Total</b>	<b>16</b>	<b>17</b>

Road side

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