

Cheltenham Borough Council Cabinet

Meeting date: Tuesday, 15 July 2025

Meeting time: 6.00 pm

Meeting venue: Council Chamber - Municipal Offices

Membership:

Councillors Victoria Atherstone, Paul Baker, Flo Clucas, Mike Collins, Rowena Hay, Peter Jeffries, Alisha Lewis, Izaac Tailford and Richard Pineger

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SECTION 1 : PROCEDURAL MATTERS

1 Apologies

2 Declarations of interest

3 Minutes of the last meeting (Pages 5 - 18)

SECTION 2 : THE COUNCIL

There are no matters referred to the Cabinet by the Council on this occasion

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

4 Corporate Health, Safety and Wellbeing Policy Review (Pages 19 - 36)

Report of the Leader, Councillor Rowena Hay

5 Review of Taxi and Private Hire Licensing Policy (Pages 37 - 172)

Report of Cabinet Member for Safety and Communities, Councillor Victoria Atherstone

6 Neighbourhood Community Infrastructure Levy Allocations (Pages 173 - 186)

Report of Cabinet Member for Planning and Building Control, Councillor Mike Collins

7 Food Safety Service Plan (Pages 187 - 222)

Report of Cabinet Member for Safety and Communities, Councillor Victoria Atherstone

8 Compliance Strategy and Policies (Pages 223 - 324)

Report of Cabinet Member for Housing and Customer Services

9 Cheltenham Business Improvement District (BID) - 2025 Renewal Ballot (Pages 325 - 358)

Report of the Leader, Councillor Rowena Hay

10 Anti-Social Behaviour Policy (Pages 359 - 392)

Report of Cabinet Member for Housing and Customer Services, Councillor Flo Clucas

11 Revocation of Air Quality Management Area (Pages 393 - 406)

Report of Cabinet Member for Safety and Communities, Councillor Victoria Atherstone

12 Corporate Plan Update, end-of-year performance report and Corporate Plan Refresh (Pages 407 - 464)

Report of the Leader, Councillor Rowena Hay

13 General Fund and HRA Outturn Report 2024-25 (Pages 465 - 506)

Report of Cabinet Member for Finance and Assets, Councillor Peter Jeffries

SECTION 6 : BRIEFING SESSION

- Leader and Cabinet Members

14 Briefing from Cabinet Members

SECTION 7 : DECISIONS OF CABINET MEMBERS

Member decisions taken since the last Cabinet meeting

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

SECTION 9 : LOCAL GOVERNMENT ACT 1972 - EXEMPT BUSINESS

15 Local Government Act 1972 - Exempt Business

The Cabinet is recommended to approve the following resolution:-

“That in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraphs 3 and 5, Part (1) Schedule (12A) Local Government Act 1972, namely:

Paragraph 3; Information relating to the financial or business affairs of any particular person (including the authority holding that information)

Paragraph 5; Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings

16 A Property Matter (Pages 507 - 532)

Report of Cabinet Member for Finance and Assets, Councillor Peter Jeffries



Cheltenham Borough Council

Cabinet

Minutes

Meeting date: 10 June 2025

Meeting time: 6.00 pm - 6.55 pm

In attendance:

Councillors:

Victoria Atherstone, Paul Baker, Flo Clucas, Mike Collins, Peter Jeffries, Alisha Lewis, Izaac Tailford and Richard Pineger

Also in attendance:

Paul Jones (Deputy Chief Executive (Section 151 Officer)), Tracey Birkinshaw (Director of Community & Economic Development) and Richard Gibson (Head of Communities, Wellbeing and Partnerships)

1 Apologies

Apologies were received from the Leader, Councillor Hay. Councillor Jeffries (Deputy Leader) chaired the meeting in her absence.

2 Declarations of interest

As Chair of Big Local, which has awarded significant funding to the Petersfield Partnership, Councillor Clucas, Cabinet Member for Housing and Customer Services felt it appropriate to declare an interest in Agenda item 6, Petersfield Community and Sports Hub.

3 Minutes of the last meeting

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

4 Public and Member Questions and Petitions

There were no Member questions or petitions. Six public questions had been received which together with the following responses were taken as read:

1. Question from Crispian Webb to the Leader, Councillor Rowena Hay

As Leader of the Council and I understand also the person who instigated the idea of the Cheltenham Trust as a way to subsidise non-revenue producing properties, including the Wilson Art Gallery and Museum, by grouping them with revenue generating properties; can I ask Rowena Hay how effective the Trust has been in managing the Prince of Wales Stadium specifically – a key local facility that was passed as unfit to stage England Athletics licensed events in 2022; and as at today's date still has not got a date for resurfacing to take place?

Member response (from Councillor Izaac Tailford, Cabinet Member for Economic Development, Culture, Wellbeing and Public Open Space):

Thank you for the question, Crispian. In Rowena's absence, please allow me to answer your question as it falls within my new cabinet portfolio.

The Cheltenham Trust delivers the council's leisure and culture services and manages five properties (The Wilson, Town Hall, Pittville Pump Room, Leisure@Cheltenham, Prince of Wales Stadium) under a management agreement that started in October 2014. The Trust is paid an annual management fee for their services.

The council manages the relationship with the Trust via a quarterly liaison meeting involving the chair of the trustees, the lead cabinet member and senior officers from both the council and the Trust. This meeting reviews the Trust's financial performance, key performance indicators and key governance targets such as health and safety.

In terms of the Prince of Wales stadium, the Trust is responsible for the day-to-day management of the facility such as cleaning and compliance matters as well as managing the relationship with Harriers and other stadium users.

The council however is responsible for the structure of facility including for the athletics track. Whilst we acknowledge that the track does not currently meet the criteria for England Athletics it does remain open, accessible and safe for general use.

2. Question from Crispian Webb to Cabinet Member for Finance and Assets, Councillor Peter Jeffries

Cheltenham and County Harriers pay around £4,000 per month / £50,000 per year to use the Prince of Wales Stadium. The track surface was assessed as needing to be replaced in 2022. Three years on, there is no date set for the resurfacing to take place. It is around 20 years since the track was resurfaced. How much has been set aside year on year towards the known cost of track replacement?

Member response:

Thank you for your question. Any rent/fees paid by the Harriers or any other third parties for the use of the track goes directly to the Trust and is not passported to the council.

At this time the Council does not have a capital fund set aside to replace the track – which in October 2024 was estimated to cost £489k. However, in recognition that both Leisure@ and the Prince of Wales are ageing facilities the Council has recently commissioned an options appraisal that will consider a needs analysis, site assessment, facility mix options, financial appraisal and will make recommendations for the Council to take forward.

The track was last refurbished in 2012 at which time the track surface was re-topped with a 4mm layer of 'crumb', which was designed to extend the life of the track.

3. Question from Polly Symondson to Cabinet Member for Economic Development, Culture, Wellbeing and Public Open Space, Councillor Izaak Tailford

As part of Cheltenham Borough Council's Physical Activity and Sports Strategy the guidance states: '*Our physical and community infrastructure is accessible and affordable but also high-quality and sustainable*'. Could I ask how the council continues to allow the Prince of Wales Stadium to fall well below the required standard?

Member response:

Thank you for your question Polly.

Whilst we acknowledge that the track does not currently meet the UK Athletics competition standard it remains open and accessible to users, meets all relevant health and safety requirements and continues to provide an affordable entry to athletics.

An inspection in 2022 identified issues with the shock absorbency of the main track surface and as a result UK Athletics advised that they would be unable to licence the track for competitive sports until such time the issues with the shock absorbency were addressed and tested to an acceptable level. However, the track can still be used for training purposes and non-competitive events.

4. Question from Polly Symondson to Cabinet Member for Economic Development, Culture, Wellbeing and Public Open Space, Councillor Izaak Tailford

As you know, the athletics track at the Prince of Wales stadium failed the trackmark accreditation test by England Athletics in 2022 and as such cannot stage licensed competitions. As a result, Cheltenham Harriers have been unable to hold 24 matches to date. Can I ask you to list the practical measures the Council has been implementing to address the situation and when she envisages work will commence in order the track is fit for purpose?

Member response:

Thank you for your question.

Via the planned maintenance budget, the council has recently completed some works to the track including addressing pitting in the track, line-marking, and recently restoring the hammer cage. The council is also looking at replacing the sand in the sand-pit to provide more cushioning for jumpers. In addition the council works with Ubico to ensure that vegetation in and around the Stadium is kept under control.

The council has recently commissioned an options appraisal that will consider a needs analysis, site assessment, facility mix options, financial appraisal and will make recommendations in relation to both Leisure@ and the Prince of Wales Stadium for the council to take forward. I look forward to sharing an update on this when possible, but in the meantime I am meeting with Harriers to discuss their concerns.

5. Question from Jane Woolley to Cabinet Member for Economic Development, Culture, Wellbeing and Public Open Space, Councillor Izaak Tailford

As a Team Manager of the U17/U20 Cheltenham & County Harriers Athletics team, and administrator for U13/U15 athletes' training, I am severely disappointed to see their training facilities are still in poor condition, contributing to some injuries our athletes are suffering. I am asking when will some money be allocated and invested into repairing the track, which was deemed unsuitable for competition by England Athletics in 2022? There has been a lot of talk and no action, and money allocated to other parts of the Cheltenham Trust. Our club is producing some national standard junior athletes and spends in excess of £50k pa for hiring the training facility which is current unfit for purpose, but there is no alternative.

Member response:

Thank you for your question, Jane.

Whilst we acknowledge that the track does not currently meet the UK Athletics competition standard it remains open and accessible to users, meets all relevant health and safety requirements and continues to provide an affordable entry to athletics.

Any rent/fees paid by the Harriers or any other third parties for the use of the track goes directly to the Trust and is not passported to the council.

The council has recently commissioned an options appraisal that will consider a needs analysis, site assessment, facility mix options, financial appraisal and will make recommendations in relation to both Leisure@ and the Prince of Wales Stadium for the council to take forward.

I am also personally meeting with Harriers and Smiths Rugby to better understand their concerns and develop the relationship between them and the council.

In terms of council funds allocated to other parts of the Trust, investment has been prioritised to those works required to ensure venues can remain open safely to the public.

6. Question from Jane Woolley to Cabinet Member for Economic Development, Culture, Wellbeing and Public Open Space, Councillor Izaak Tailford

How much money will be set aside to pay for the repair of the track, a facility that needs replacing every 10 years and should have been budgeted for annually?

Member response

Thank you for your question.

At this time the council does not have a capital fund set aside to replace the track – which in October 2024 was estimated to cost £489k. However, in recognition that both Leisure @ and the Prince of Wales are aging facilities the council has recently commissioned an options appraisal that will consider a needs analysis, site assessment, facility mix options, financial appraisal and will make recommendations

5 Housing Delivery Test Action Plan

The Cabinet Member for Planning and Building Control introduced his report, saying it is important to CBC and Cheltenham residents, and vital to the successful and sustainable growth of the town. He said the requirement for an action plan was first introduced in 2019, to provide an annual measurement over a three-year rolling period, and the report shows that Cheltenham is meeting its challenging housing delivery targets.

The council has worked in collaboration with its JCS colleagues and other partners, and he thanked officers who have managed to make the incredible amount of detail in this very technical report as easy to understand as possible.

In response to Members' questions, the Cabinet Member for Planning and Building Control and the Director of Community and Economic Development confirmed that:

- the outline permission for 4000+ houses at Elms Park is not included in the action plan, as that consent is subject to an S106 agreement and a decision notice won't be issued until that is achieved. This needs to be built into the programme of work;
- the paper presented is based on a three-year rolling programme applied by the government, which looks back at historical data rather than projecting forward. It is likely that the Housing Delivery Action Plan will need to be live for a couple of years to enable the strategic sites to catch up. The Elms Park numbers will be taken into account for monitoring the five-year land supply but this report is based on completions;

- regarding new measures coming forward to track permissions once granted, how long a developer has to start work before the permission lapses, and what the impact of this may be on the planning department's workload, this will be discussed with the Head of Planning to consider national guidance and what other local authorities are doing, see if any patterns are emerging around particular developers, and consider the best action for CBC.

RESOLVED THAT:

- 1. the prepared Housing Delivery Test Action Plan, June 2025, is approved for publication;**
- 2. authority is delegated to the Director of Community and Economic Development, in consultation with the Cabinet Member for Planning and Building Control, to prepare the Housing Delivery Test Action Plan (HDTAP) for publication correcting any minor errors;**
- 3. any future updates to the HDTAP are delegated to the Director of Community and Economic Development, in consultation with the Cabinet Member for Planning and Building Control.**

6 Petersfield Community and Sports Hub

The Cabinet Member for Finance and Assets introduced his report, concerning the Petersfield Partnership and how the council has worked collaboratively with them to deliver a community and sports hub for St Peter's and The Moors residents and the wider community. The report includes information about the proposed lease arrangements with the Saracens Football Club and Petersfield Partnership, which are quite complex, but made clearer by the site plan at Appendix 4. The cost of construction is set out in Section 4 of the report, together with details of fund raising secured so far, the lion's share of which comes from the Big Local trust.

In view of the historic nature and long involvement of the council in this item, he invited the Head of Communities, Wellbeing and Partnerships to provide some background. He highlighted the following points:

- the Big Local programme was introduced in 2012 when the borough council was asked by a national body called the Local Trust to nominate an area of Cheltenham which had not seen much investment or regeneration. CBC's nomination of St Peters and The Moors, an area in clear need, was accepted as part of the Big Local Programme as one of the 150 areas to benefit;
- hallmarks of the Big Local programme, which is benefitting 150 areas nationally, include the requirement that the shape of the regeneration is led by residents rather than by local authorities, is not prescriptive, and puts the power in residents' hands. Projects are also expected to be long-term investments and this is welcomed;
- to take the project forward, the St Peters and The Moors Big Local Partnership was set up, constituted so that the balance of power sat with residents, with

CBC, CBH and others always available in the background to advise when needed;

- the Partnership has delivered a vast array of community-based projects, around green space, culture, community development, financial inclusion, trips and social events, many young people-based;
- as it has matured and grown, and with the end of its term in view, the Partnership's key focus over the last few years has been its legacy project and, having worked hard to appraise different options, came to the conclusion couple of years ago that a community and sports hub project ticked all the boxes and would be the recipient of the remaining Big Local;
- with the national Big Local programme coming to an end in March 2026, and any unspent money will be taken back, the support of local trusts and organisations has been essential in providing the focus and effort to ensure that the plan can be delivered within that timescale.

Finally, he made the following minor correction to the report:

- in Paragraphs 3.4 and 3.5, the proposed 25-year term leases for Saracens Football Club and Petersfield Partnership should refer to the lease terms ending on 04 May 2047.

The Cabinet Member for Safety and Communities said that as ward councillor, she knows the area well and supports all the recommendations as set out, knowing how valuable this community centre and sports hub will be for the community. The area, on both sides of the River Chelt, needs a focus in addition to The Rock on Tewkesbury Road and the YMCA,, and in this hub in this location will help bring the community together. She welcomed the great upgrade from the current units for Saracens Football Club, saying this will add huge value to a much-loved local sports club, and was happy to note that plans regarding a management agreement, changes to the lease, and grant agreement will support the Petersfield Partnership in completing the works in budget and on time. She looked forward to the opening party next March.

In addition she noted that the community impact report highlights the value of this community asset in an area where 42% of the residents are aged 25 and under. It will not only be a place to meet up, but will also provide access to services, and she hoped that all Members would be happy to support the recommendations.

The Cabinet Member for Economic Development, Culture, Wellbeing and Public Open Space also supported the benefits both for wellbeing, sport, and for getting communities together.

The Cabinet Member for Housing and Customer Services made the following comments:

- thanks to Councillors Atherstone and Willingham, ward councillors for St Peters, for all the support, and also David Bath, who was awarded Cheltenham's Medal of Honour last year - he has done and continues to do great work at the heart of the community and is respected by everyone;

- as Chair of Big Local since 2016-17, the long journey to today has been bumpy, with many ups and downs, but this is a community like no other in Cheltenham, and the community and sports hub will link it together, enabling it to grow and strengthen. It will not be just a sports facility, but an important focus at the heart of the community, something that will help the community believe in itself and move forward, and inspiring other Cheltenham communities to do the same;
- thanks to Richard Gibson, Head of Communities, Wellbeing and Partnerships, for carrying the project for so long, to Margaret Jackson, who was part of the original Big Local, and to Sophie Cowdell for all their great work in creating opportunities and giving the community something of which it can be proud for many years to come.

As borough and county councillor representing St Peter's ward, Councillor Willingham made the following comments:

- the value this facility will deliver is really important, and in his previous term at the county, he had been able to contribute 2% of the cost from the Build Back Better fund, demonstrating the county's willingness to support the scheme as far as it could;
- the Assistant Chief Constable of Gloucestershire visited St Pauls and St Peters and The Moors recently, to see how Operation Endeavour's 'Clear, Hold, Build' project – a three-stage approach to reducing crime and anti-social behaviour – is working. Starting at St Pauls Community Hub, it was clear to see that having a community facility where services and outreach is provided, makes a huge difference;
- the community and sports hub will provide that physical presence currently lacking in St Peters and The Moors, and will be an important part of Operation Endeavour which is a generational project set to continue for two decades or longer.

He hoped that Members would support it.

The Cabinet Member for Finance and Assets said he was proud of the Liberal Democrats' track record in supporting communities, working collaboratively and collectively to overcome obstacles and challenges, and particularly in this instance where the community is taking the lead.

RESOLVED THAT:

- 1) the disposal by way of two separate leases of land subject to the meeting of a set of conditions set out in para 3.8 is approved;**
- 2) once these conditions are met, authority is delegated to the Director for Finance and Assets, in consultation with the Cabinet Member Finance and Assets and the Director of One Legal, to agree the terms of the lease and conclude the letting;**
- 3) allocation of the following sums to the hub building is committed to:**

- the Big Local fund of £356,643 which is currently held by the Local Trust, but which will be drawn down by the Council;
 - the council's allocation of the future administration fee of £17,832, that accrues to the Council from its role as accountable body for the SPTM partnership;
 - the previous administration fee of £42,143 that forms part of the funding currently held by the Council; and
 - other funding currently held by the Council for the project comprising the Big Local underspend, the contribution from the Housing Revenue Account and the Police and Crime Commissioner funding totalling £71,133.
- 4) a grant agreement is entered into with the Petersfield Partnership CIO to facilitate the transfer of the funds set out above
- 5) a management agreement is entered into with the Petersfield Partnership CIO to ensure that the hub building is managed for the benefit of the local community;
- 6) authority is delegated to the Director of Governance, Housing and Communities, in consultation with the Cabinet Member Finance and Assets, to agree the final terms of the grant and management agreements and to conclude the arrangements to ensure the hub is managed for the benefit of the community;
- 7) other such documents are entered into as the Director of One Legal deems necessary or desirable to reflect the terms negotiated.

7 Briefing from Cabinet Members

The Cabinet Member for Planning and Building Control said that the Neighbourhood Community Infrastructure Levy Panel report has been circulated and would be brought to Cabinet in July, with information about the funding being provided for good projects around the borough.

The Cabinet Member for Safety and Communities said she was very involved in updating important licensing policies at present, but had recently had an excellent meeting with the new chaplain at the YMCA, Reverend Tim Welch, and attended a productive Violence Against Women and Girls forum meeting and a strategic No Child Left Behind meeting in the last week. She was looking forward to attending a youth event supported by the Children's Society, at which she would be asking young people what three things they would like to change about Cheltenham while hula-hooping.

The Cabinet Member for Economic Development, Culture, Wellbeing and Public Open Spaces said he is busy attending events and meeting as many cultural and wellbeing organisations as possible to discuss their needs and actions plans. Some highlights include:

- a meeting with the trustees of the Playhouse Theatre, which is facing an urgent funding crisis (more details provided in Agenda Item 10);
- the 90th birthday celebrations for Cheltenham Lido, with County Councillor Colin Hay, Councillor Willingham and Max Wilkinson MP - a great testament to an outstanding community asset which serves Cheltenham and the wider community. He enjoyed an interesting tour of the site which included the original machinery, and highlighted the amount of work required to keep the place going;
- the Science Festival has just taken place, with many interesting opportunities to learn; he attended an event with the Leader, and enjoyed a very impressive presentation about photosynthesis and leaves;
- the University of Gloucestershire recently held its arts degree show, an amazing display of animation, fashion, music, fine art, film production and more. It offered a great opportunity for students to connect with local employers and businesses, and showcase their talent. A particular highlight was the interior architecture projects, which focussed on Golden Valley collaborative spaces.

The Cabinet Member for Climate Emergency said he had met with officers today and was learning a lot about his new portfolio. He expressed sincere gratitude to his Liberal Democrat colleagues and the Leader for placing their trust in him with this portfolio, saying he was delighted to take on the role at this critical time, having a lifelong passion for climate action, and hoped to do it justice. He shared the following highlights:

- in May, the council supported two workshops hosted by Climate Leadership Gloucestershire: one focussed on climate risks and vulnerabilities across the county, the other on local area energy planning, foundational steps in shaping a resilient, low carbon future for area;
- the retrofit programme has now reached over 54k home owner interactions, well ahead of September targets. One major event and 10 supporting events have been held, and there is evidence of real momentum with home owners beginning to take action;
- 49 students from nine Cheltenham secondary schools have been supported in preparing for a climate action showcase, which will take place at The Wilson, on 25 June, 6.00-7.30pm. All are invited;
- the Cheltenham Zero initiative continues to grow, with two more businesses signed up for carbon audits, and preparations underway for a celebration and fund launch event later this month. They do vital work in helping the local economy transition to Net Zero;

- regarding flood risk, the proposed scheme at Grange Field is progressing to detailed design, and we are also entering the third summer of the Reclaim the River Chelt volunteer programme, tackling invasive species and improving biodiversity;
- new information posts have been installed in parks and nature reserves to raise awareness of the benefits of wild areas and long grasses. These are small but important steps in increasing public understanding of biodiversity;
- progress is being made in housing decarbonisation with several retrofit schemes progressing, and moving forward with assessments and installations under the Warm Homes Social Housing Fund; these upgrades reduce emissions, improve comfort and reduce bills.

He ended by thanking officers in the climate, housing and flooding teams for their dedication, innovation and hard work behind the scenes, essential for the borough's future.

The Cabinet Member for Waste, Recycling and Public Green Space reported on the following:

- he has attended a meeting of Gloucestershire Resources and Waste Partnership in the Forest of Dean, together with other local authorities and the county, where it was clear that recycling rates are stagnating across the county. It was also clear that CBC has been a leader in new recycling initiatives, now considering flimsy plastic and tetra packs, and other authorities look to us;
- en route, he enjoyed an interesting discussion with the county council Cabinet Member for Nature, Climate and Waste Reduction about the household recycling centre and opportunities for that going forward;
- it is good that despite economic difficulties, CBC is still investing in the town, with the new planting scheme underway in the Long Gardens – this will be a real joy Generating colour and biodiversity – and new play equipment, newly-painted railings, and the amazing new public toilets in Montpellier Park;
- he has enjoyed a positive meeting with officers and the Old Pats, to consider how we can work together to enhance their offer and improve their playing surfaces, in accordance with the policy document considered at the last meeting. Improving the town's sports facilities will benefit everyone, and the council is looking to attract funding from wherever it can.

The Cabinet Member for Housing and Customer Services had a number of items to share:

- she was invited to speak at events in Brussels, providing a great opportunity to talk about what CBC is doing and how. One issue being debated at the Council of Europe in Strasbourg is violence against women and girls, now being handled by local authorities and governments across Europe. She was able to share what we are doing here to make them feel safer, and include them in the discussion which isn't done elsewhere;

- at a local government summit for the UK and Europe, prior to the government and EU summit, she spoke about Cheltenham and enjoyed discussions with other authorities about how we can work together;
- earlier in the day, she walked through the town with the homelessness team, to see what is being done to help homeless people, and consider why the average number in Cheltenham has increased recently. She said this is being investigated, and it appears that people are moving between Cheltenham and Gloucester, but although some people don't want help from the council, there are many wonderful organisations – including P3 Cheltenham, CCP Cheltenham (Caring for Communities and People), Open Door and Citizens Advice – doing great work;
- she shared a story about a man who had been homeless for 20 years, who accepted the offer of a CCP pod before Christmas, due to the extreme cold, and could benefit from heating, water, sanitation, and a bed where he could lay down flat to sleep for the first time in 20 years. He is now moving into his own accommodation in Cheltenham for the first time. She thanked all the volunteers for their work and dedication.

The Cabinet Member for Finance and Assets and the Cabinet Member for Major Developments and Housing Delivery had no briefings to share on this occasion.

8 Cabinet Member decisions since the last meeting

Members reported on the following decisions, taken since the last meeting on 20 May:

03 June 2025: Cabinet Member for Economic Development, Culture, Wellbeing and Public Open Space, Councillor Izaac Tailford

i. [To approve grant funding to the Cheltenham Playhouse Theatre](#)

The Cabinet Member said that the Playhouse has been an important and valuable community asset for 80 years, an inclusive and accessible space for those on stage, behind the scenes and in the audience. Unfortunately, it is facing a financial crisis and struggling to keep its doors open in the short term despite the brilliant new trustees' masterplan for the long term. To help it through its immediate problems and support its continuance for future generations during this challenging time, the council has provided £25k towards the £50k the theatre needs to raise before the end of June. It is facing longer-term financial barriers towards the end of the year, and the council will be working with the trustees going forward, and helping however it can.

He invited Cheltenham residents to offer support to the theatre, either financial or by volunteering in some way, to ensure that this important asset continues to thrive and serve the town.

- ii. **06 June 2025:** Cabinet Member for Waste, Recycling, Parks, Gardens and Green Open Space, Councillor Paul Baker

[Hillend Engineering Ltd to be awarded the contract for the supply of 3 x 7.5t Food Waste Vehicles](#)

The Cabinet Member said this new contract was required to replace the current fleet, and was pleased to note that the new vehicles run on bio fuel. Food waste is turned into energy and fertiliser, and it is important to recycle as much as possible.

- iii. **09 June 2025:** Cabinet Member for Finance and Assets, Councillor Peter Jeffries

[Award of contract for build of 320 Swindon Road](#)

- iv. **10 June 2025 :**Cabinet Member for Housing and Customer Services, Councillor Flo Clucas

[Award of Grant to GARAS](#)

[Award of Grant to Cheltenham Welcomes Refugees](#)

The Cabinet Member said these two awards would help refugees and asylum seekers and ensure they are able to access the assistance they require.

9 Any other item the the Leader determines to be urgent and requires a decision

There were no other items.

10 Date of next meeting

The next meeting is scheduled for Tuesday 15 July, starting at 6.00pm.

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Cheltenham Borough Council

Cabinet – 15 July 2025

Corporate Health and Safety Policy Review

Accountable member:

Councillor Rowena Hay

Accountable officer:

Paul Jones, Deputy Chief Executive

Ward(s) affected:

N/A

Key Decision: No

Executive summary:

Employers are required by the Health and Safety at Work etc. Act 1974 to do what is reasonably practicable to ensure the health and safety of our employees, members, contractors, volunteers, customers, visitors and the public who may be affected by our council activities.

The Act requires a written statement of policy which sets out the general intentions, approach and objectives which should be reviewed and updated on a regular basis.

The current policy has been reviewed and updated to take account of our Housing Services teams being brought back in-house and to reflect that overall responsibility for corporate health, safety and well-being has moved from our Chief Executive to our Deputy Chief Executive.

Recommendations: That Cabinet:

1. **approves the updated Health, Safety and Well-being Policy – Statement of Intent (Part 1) and Responsibilities (Part 2) - and notes that Arrangements (Part 3) is currently under review, to be completed in summer 2025.**

1. Implications

1.1 Financial, Property and Asset implications

There are no direct implications associated with this report, because this is a review of an existing health and safety policy. However effective management of health and safety minimises the likelihood of prosecution and consequent financial penalties.

Signed off by: Gemma Bell, Director of Finance and Assets,
gemma.bell@cheltenham.gov.uk.]

Legal implications

The Council, as an employer, is required to have a written health and safety policy. Before implementing its policy, the authority/employer has a duty to consult with its employees. An authority/employer must also get help from a competent person to enable it to meet the requirements of health and safety law. A competent person is someone who has sufficient training and experience or knowledge and other qualities that allow them to assist it properly. The authority also has a duty to ensure that the policy is, where necessary, updated and that it complies with its health and safety duties

Signed off by: One Legal, legal.services@onelegal.org.uk

1.2 Environmental and climate change implications

There are no environmental or climate change implications arising from the update to this policy.

Signed off by: Maizy McCann, Climate Officer, maizy.mccann@cheltenham.gov.uk

1.3 Corporate Plan Priorities

The policy supports the council with the safe delivery of its priorities as set out in the corporate plan and the health and safety of its staff.

1.4 Equality, Diversity and Inclusion Implications

The protection provided by health and safety legislation applies to all people at work, regardless of their protected characteristics (age, disability, gender, religion etc.).

1.5 Performance management – monitoring and review

The policy sets out the methods of monitoring and compliance within Responsibilities

(part 2) of the Health, Safety and Well-being policy.

2 Background

2.1 The Health and Safety at Work Act 1974, section 2 (3) places a duty on the Council as an employer to ensure that a Health and Safety Policy is in place for managing health and safety across the organisation, and that this be documented and shared with employees to ensure understanding and compliance with the expectations set out within it.

2.2 Legislation states that the policy should set out our Council's general approach and commitment to health and safety and demonstrate how health and safety will be managed across the organisation.

2.3 The Health and Safety Executive, who regulate Health and Safety Practice, state in their guidance that as a minimum the policy should address three clear areas:

- **A statement of intent (part 1)** – articulating a clear commitment from the organisation to protect the health and safety of its employees and those affected by its work activities. It should set out organisational main health and safety objectives and reviewed regularly.
- **Responsibilities and accountability for health and safety (part 2)** - a clear expression of officers, positions and roles that have specific responsibilities for health and safety across the organisation, including reporting lines and any relevant delegations of this responsibility.
- **Arrangements for health and safety (part 3)** – aimed to provide details of the practical arrangements in place and how the Council will achieve its policy aims.

2.4 The Council's Health, Safety and Well-being policy is constructed in line with the above guidance and good practice recommendations made through statutory bodies such as the Health and Safety Executive (HSE).

2.5 The current published version of the Health and Safety Policy is dated 2020 and, following on from housing services being brought back in-house from Cheltenham Borough Homes in July 2024, as well as overall responsibility for health, safety and well-being moving from the Chief Executive to the Deputy Chief Executive, a review of our Health, Safety & Well-being policy has subsequently been undertaken.

2.7 The attached version in Appendix 3 has been reviewed by the Health and Safety Team (including CBC's Health & Safety Manager and H&S Consultant). In

addition to this, formal consultation and full involvement has taken place through members of the Joint Liaison Forum which includes the two recognised trade unions, Unison and GMB, representatives from HR, CBC's Chief Executive and Leadership team. Feedback was received and incorporated into the policy.

2.7 A summary of the changes and amendments made as a result of this review and consultation are as follows:

- Inclusion of more information and objectives set out in our Statement of Intent (part 1) and Roles and Responsibilities (part 2) that places more emphasis on embedding a positive culture and effective leadership. These objectives give more transparency, clarity and accountability for how CBC will proactively manage health, safety and well-being;
- Reference to the roll-out of a health and safety management system (T100) across the whole of the council. This is a digital platform that our Housing Services teams used when part of Cheltenham Borough Homes. It provides a structured approach to managing health and safety, allows CBC to easily identify and mitigate risks, streamlines incident reporting, automates key health and safety processes including task management and generates dashboards and key health and safety data;
- Commitment from CBC to ensure the construction and on-going provision of decent quality and safe homes, properties and services that meet the needs of our residents;
- Inclusion of the health and safety responsibilities of the Director of Governance, Housing and Communities who has overall responsibility for each landlord compliance area: fire safety, gas safety, electrical safety, lift safety, asbestos management, water safety (including Legionella), damp, mould and condensation;
- Establishment of a separate Health, Safety and Well-being group that will have health and safety representatives from our Trade Unions and representatives from all CBC main sites, Health and Safety Manager, Health and Safety consultant, Health and Safety Officer, HR, and chaired by our Deputy Chief Executive. This group will report into CBC's Joint Liaison forum on key health, safety and well-being issues and will produce a high-level briefing to Cabinet members that sets out performance on CBC's health, safety and well-being plan on an annual basis.

2.8 Arrangements for health and safety (part 3) are currently under review. This section of the policy outlines the specific arrangements, procedures and guidance on how to manage and control health and safety risks in the workplace and how the policy's goals and commitments will be achieved in practice. It includes details

on risk assessments, training, safety equipment, emergency procedures, and information provided to employees. The health and safety team are comparing housing service and non-housing service arrangements with a view to merge and align procedures that support our council activities. Our aim is to complete this work by the end of the summer.

3 Reasons for recommendations

3.1 To ensure CBC has a health, safety and well-being policy that is robust, compliant, clear in its objectives and responsibilities and fully takes into account the change in risk with housing services being brought back in-house to CBC.

4 Alternative options considered

4.1 There are no alternatives to be considered as the Council as the employer must comply with the requirement to provide a written Health and Safety Policy.

5 Consultation and feedback

5.1 As set out in 2.7 above. Formal consultation and full involvement has taken place through members of the Joint Liaison Forum which includes the two recognised trade unions, Unison and GMB, and representatives from HR and CBC's Chief Executive and Leadership team. Feedback was received and incorporated into the policy.

6 Key risks

6.1 The document forms the basis upon which health and safety arrangements associated with Cheltenham Borough Council activities are developed and the correct application of these arrangements serves to reduce risk.

Report author:

Paul Jones, Deputy Chief Executive

Appendices:

- i. Risk Assessment
- ii. Equality Impact Assessment
- iii. Health, Safety and Well-being policy – Statement of Intent (Part 1) and Responsibilities (Part 2)

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
	<p>If there is no Health and Safety Policy in place the Council will fail in its legal duty under the Health and Safety at Work Act etc 1974 for employers to provide a Health and Safety Policy which outlines how they intend to manage the Health and Safety of their employees and then the Council will face risk of prosecution for failing in this duty.</p> <p>If there is no Health and Safety Policy in place, then there could be risk of significant harm for Members, staff, clients, service users, volunteers or contractors due to ineffective management of hazards</p>	Deputy Chief Executive	3	2	6	Reduce	Regular review and signing of the Corporate Health, Safety and Well-being policy	Deputy Chief Executive	Statement of Intent to be reviewed annually – May 2026
		Deputy Chief Executive	3	2	6	Reduce	Proactive management, governance and monitoring of the Health and Safety policy, as set out in Statement of Intent and Roles and Responsibilities sections of the policy.	Deputy Chief Executive	On-going

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

Appendix 2: Equality Impact Assessment (Screening)

1. Identify the policy, project, function or service change

a. Person responsible for this Equality Impact Assessment

Officer responsible: Paul Jones	Service Area: Corporate Health & Safety
Title: Deputy Chief Executive	Date of assessment: 21 May 2025
Signature:	

b. Is this a policy, function, strategy, service change or project?

Policy

If other, please specify:

c. Name of the policy, function, strategy, service change or project

Is this new or existing?	Already exists and is being reviewed
Please specify reason for change or development of policy, function, strategy, service change or project	
Review following on from the transfer of housing services back into the Council and responsibility for corporate health, safety and well-being moving from the Chief Executive to the Deputy Chief Executive	

d. What are the aims, objectives and intended outcomes and who is likely to benefit from it?

Aims:	To ensure the Council has a fit for purpose Health and Safety policy in place that reflects to ensure the health and safety of employees, members, contractors, volunteers, customers, visitors and the public who may be affected by Council activities.
Objectives:	As set out in attached Health, Safety and Well-being policy, Part 1 and 2

Outcomes:	As above
Benefits:	As above

e. What are the expected impacts?

Are there any aspects, including how it is delivered or accessed, that could have an impact on the lives of people, including employees and customers.

No

Do you expect the impacts to be positive or negative?

No impact expected

Please provide an explanation for your answer:

This is a review of an existing policy which is in place to keep employees, residents, visitors contractors, members safe etc, therefore no differing impacts expected. The protection provided by health and safety legislation applies to all people at work, regardless of their protected characteristics (age, disability, gender, religion etc.)

If your answer to question e identified potential positive or negative impacts, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

f. Identify next steps as appropriate

Stage Two required

No

Owner of Stage Two assessment

Completion date for Stage Two assessment

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**HEALTH, SAFETY, & WELL-BEING
STATEMENT OF INTENT
2025/26**

This document has been prepared by:

Date	Job Title
03/2026	Cheltenham Borough Council, Health and Safety Business Partner

Version Number	Version Date	Summary of Changes
1	03/2026	First Issue – Statement of Intent reviewed and updated to reflect Housing Services being brought back in-house to CBC
2	04/2025	Second Issue – to reflect comments from JLF and Leadership team

Consultation	Comments
Joint Liaison Forum	03/2026 – minor word change to Statement of Intent
Leadership Team	04/2026 – minor word change to Statement of Intent
CBC Council	

Health, Safety and Well-being Statement of Intent

In accordance with our duty under Section 2(3) of the Health and Safety at Work etc. Act, 1974, and fulfilling our obligations towards employees, contractors, volunteers, customers, visitors, and the public who may be affected by our work activities, CBC has produced the following statement of intent in respect of health, safety, and well-being.

We recognise and accept our statutory, legal and moral obligations to ensure, as far as is reasonably practicable, the health, safety and well-being of our employees and others working for and on behalf of CBC, and not to put at risk the safety of other people. Legal requirements define minimum acceptable standards, however our goal is to exceed these where possible.

Our first priority is keeping our employees, contractors, visitors and public who interact with our services safe and well. Being and staying safe is everyone's responsibility. We expect and require that all employees abide by our Corporate Health, Safety and Well-being policy and procedures and work within our health and safety management system.

CBC will develop and maintain a harmonised health and safety management system and use it to direct and guide employees across the organisation. This system will include our policies, processes, responsibilities and arrangements. Successful implementation of this will enhance our overall business performance by reducing injuries and ill-health, protecting the environment and reducing unnecessary losses and liabilities.

We will also define health and safety roles and responsibilities and ensure these are communicated, understood by all, and that adequate resources are provided.

CBC will ensure that safe and healthy workplaces are provided and maintained for employees and others working on behalf of CBC, including shared services, being without risks to health, ensuring facilities and arrangements are adequate for their well-being at work, as far as is reasonably practicable.

CBC are committed to ensuring the construction and ongoing provision of decent quality and safe homes, properties and services that meet the needs of its residents.

We will follow the Plan, Do, Check, Act management cycle to manage our health, safety and well-being:

- **Plan** our approach to assess where we are now and where we want to be.
- **Do** the work to assess risks and implement the plans we make.
- **Check** our performance and investigate accidents, incidents, and near-misses.
- **Act** on any lessons we learn.

We will achieve the above by:

- Developing a positive Health and Safety culture in all undertakings which secures the commitment and participation of employees and others working on behalf of CBC, at all levels.
- Ensuring there are adequate resources, effective planning/control and a robust health, safety and well-being governance structure in place to assess the risks, ensure suitable and

sufficient risk control and proactive measures are in place and that these are reviewed regularly.

- Ensuring policies and procedures are produced and implemented that are compliant with legislative requirements as well as industry best practice.
- Assessing the risks to the Health and Safety of our employees and to anyone else who may be affected by our undertakings with the aim of eliminating, avoiding and or controlling the hazards/risks, so far as is reasonably practicable and that these are regularly reviewed.
- Consulting with and involving employees in matters relating to their health and safety.
- Defining acceptable Health and Safety performance measures, Key Performance Indicators (KPIs), audit specifications and inspections, including contractors and all who work on behalf of CBC.
- Ensuring that Health and Safety performance reviews, KPIs, inspections and audits are undertaken and met, and that areas that are identified as needing improvements are improved.
- That all incidents, near miss and accidents are investigated so that lessons can be learnt to prevent recurrence.
- Providing information, instruction, training and supervision to employees and others as is necessary to implement and maintain high standards of health and safety. Ensuring that our employees have the skills, knowledge, and experience to enable them to work safely.
- Provide and maintain safe plant and equipment.
- Ensuring effective emergency procedures are in place, communicated, tested, and reviewed.
- CBC will review and develop this policy annually, and our health and safety management system will be reviewed every 3 years or sooner in the light of legislative changes and best practice, or where the opportunity for improvements have been identified, as well as ensuring it continues to meet the needs of the Council.

Deputy Chief Executive

Date

Leader of the Council

Date

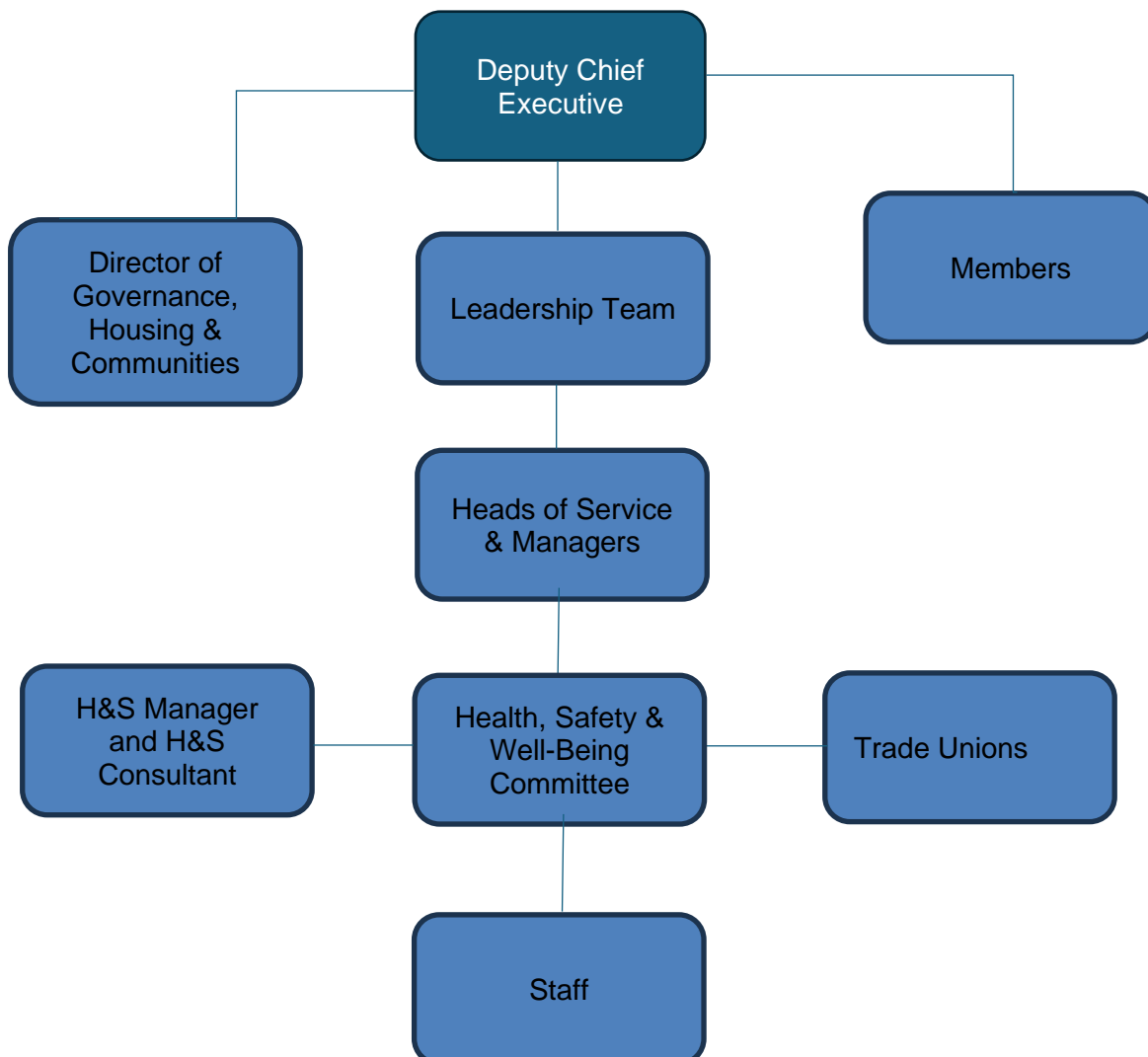
Health, Safety and Well-Being Policy Responsibilities

ORGANISATION

A work colleague who wishes to raise any matter relating to health, safety, or well-being can do so through various channels e.g., Line Manager, Trade Union Representative, Health and Safety Manager, H&S Consultant, Heads of Service, Directors, or the Deputy Chief Executive.

To ensure that health, safety, and well-being is effectively managed within Cheltenham Borough Council, the following responsibilities have been assigned:

2. Reporting Structure



ROLES AND RESPONSIBILITIES

Members shall:

- Ensure that suitable and adequate resources and strategic direction are available to support the Council's health and safety responsibilities.
- Monitor the overall performance of the Council's health and safety management system.

Deputy Chief Executive shall:

- Have overall responsibility for the health, safety, and well-being across the Council and is the lead in setting corporate policy and direction;
- Develop a statement of intent for health, safety, and well-being, ensuring that lines of health & safety responsibilities are defined in policy, and that the arrangements for managing health & safety are developed and communicated;
- Promote a positive health and safety culture.

Director of Governance, Housing and Communities shall:

- Have overall responsibility for each landlord compliance area: fire safety, gas safety, electrical safety, lift safety, asbestos management, and water safety (including Legionella);
- Promote a positive health and safety culture;
- Inform the regulator of any landlord compliance issues which have not been met or the potential of not being met.

Directors and Heads of Service shall:

Have responsibility jointly and individually for health, safety and well-being and overall corporate accountability for CBC, they will:

- Take a proactive approach promoting a positive health & safety culture in their service area(s) and support the Deputy CEO in their health & safety responsibilities;
- Provide strategic direction and oversight of corporate health and safety policies and procedures;
- Ensure that robust health and safety management systems, arrangements and organisation exist and are monitored in their service areas;
- Support the work of the health and safety team;
- Ensure that their teams/departments have undertaken risk assessments;
- Act upon any safety concerns and lessons learnt;
- Take part in any identified health & safety training relevant to their role.

Managers, Supervisors and Team Leaders shall:

- Take a proactive approach promoting a positive health & safety culture in their service area(s) and support the Deputy CEO in their health & safety responsibilities;
- Ensure they comply and implement CBC health and safety policies and procedures as applicable in their service areas;
- Support the work of the health and safety team;
- Ensure employees and others comply with the requirements of their departmental health and safety documentation as well as any specific health and safety requirement(s);
- Ensure that all work-related hazards are identified and suitable and sufficient risk assessments are carried out along with adequate control measures implemented;
- Act upon any safety concerns and lessons learnt;
- Ensure their employees have adequate levels of competency to complete their work tasks safely and are provided with appropriate health and safety training relevant to the hazards in their work;
- Report and investigate accidents and incidents as required.

Property Services and Housing Services shall:

- Have specific responsibility for maintaining safe buildings for occupiers and communicating relevant health and safety information as appropriate to the occupants in accordance with relevant legislation.

Health and Safety Manager/Health and Safety Consultant shall:

- Be the 'Competent Person' as set out in the Management of Health and Safety at Work Regulations 1999;
- Ensure the development of the CBC Health, Safety, and Well-Being Statement of intent, roles and responsibilities and general arrangements is undertaken;
- Promote a positive health, safety and well-being culture throughout CBC;
- Ensure the development of CBC Health, Safety, policies, procedures, guidance;
- Provide advice and support to all employees on all health, safety, and well-being matters;
- Investigate incidents and near misses as appropriate;
- Assist managers with incident investigations so that lessons can be learnt to prevent any reoccurrence;
- Inform the enforcing authority the Health and Safety Executive of any incidents that fall within the scope of the Reporting of Injuries and Dangerous Occurrence Regulations 2013;
- Be the point of contact and cooperate with all Health, Safety enforcing authorities.

Employees, agency staff, volunteers etc shall:

- Familiarise themselves with the contents of this policy, The health, safety, and welfare statement of intent, roles and responsibilities and general arrangements and all subsequent policies and procedures that relate to their work
- Attend any job specific health and safety training required to enable them to carry out their job safely
- Work with due regard to the health and safety of themselves and others affected by their work activities and not to put themselves or others health, safety, or welfare at risk,
- Familiarise themselves with risk assessments and/or safe systems or work and follow them, report any identified shortfalls in a risk assessment,
- Use equipment in a safe manner and only if trained to do so,
- Report any health, safety, or welfare concerns to their line manager or H&S Manager/H&S Business Partner

Contractors shall:

- Co-operate and communicate with Cheltenham Borough Council on all relevant health and safety matters;
- Meet the health and safety standards required of them whilst carrying out their work activities on behalf of Cheltenham Borough Council;
- Provide relevant documentations as required by the council regarding matters of health and safety, including insurance and competency certificates.

CONSULTATION

Under the Safety Representatives and Safety Committees Regulations 1977 (as amended) and the Health and Safety (Consultation with Employees) Regulations 1996 (as amended), the Council must have in place arrangements for consulting with its employees.

At Cheltenham Borough Council, Safety Representatives are consulted through the Health, Safety and Well-Being Committee and Joint Liaison Forum.

Trade Union Representatives

Under the Safety Representatives and Safety Committees Regulations 1977 (as amended), recognised trade unions are entitled to appoint one or more safety representatives to represent their members on health and safety matters.

The recognised Trade Unions at Cheltenham Borough Council are Unison and GMB.

Where the workforce is not represented by trade unions, employers must make alternative arrangements for consulting with their employees. This can be done by electing an employee representative.

Under the legislation, both trade union representatives and staff representatives can:

- Carry out inspections of the workplace
- Investigate accidents and incidents and complaints from their members regarding health and safety matters
- Receive copies of reports from the HSE
- Receive information relating to the safety of plant, equipment, substances, or work methods
- View inspection documents
- Attend health and safety committees.

Health and Safety Committee

The Health, Safety and Well-Being Committee (HSWC) at Cheltenham Borough Council will:

- act as the forum for discussion, progression and promotion of health, safety and well-being issues within CBC;
- advise, including the Deputy Chief Executive, on the development of policies and procedures which will safeguard the health, safety and well-being of staff, contractors and visitors to CBC, and to monitor their implementation;
- consider issues relating to the health and safety of employees, contractors and visitors to CBC;
- monitor the progress of actions within the health, safety and well-being action plan;
- monitor health and safety key performance indicators (KPI's), including statistics on accidents, incidents, sickness absence and to recommend action to address key issues which may arise from these.

The HSWC will report into the Joint Liaison Forum (JLF) at each meeting to include:

- Progress on CBC's health, safety and well-being plan,
- Council health and safety policies
- Accident, incident, and other relevant statistics and KPIs and to make recommendations for corrective action, as necessary;
- Reports and information provided by inspectors of the enforcing authorities;
- Concerns raised by Trade Union Safety Representatives or other Committee members;
- Reports on health and safety inspections, audits, and other monitoring activities;
- Arrangements for ensuring effective communication of health and safety information.

The JLF is attended by:

- Chief Executive or their representative
- CBC Health and Safety Business Partner and or Health and Safety Manager

- CBC Human Resources
- Trade Union Representatives

The HSWC will produce a high-level briefing to Cabinet members that sets out the performance on CBC's health, safety and well-being plan on an annual basis.

MONITORING AND AUDIT

Monitoring will be by way of inspection of workplaces and properties owned by the Council. These will take place at regular intervals and a report produced with an action plan for implementation.

Audits will be carried out by the Health and Safety Manager/Health and Safety Consultant on a regular basis and the results communicated to the Deputy Chief Executive, Chief Executive, Senior Leadership team, HSWC and JLF for consideration and if necessary, action.

Cheltenham Borough Council

Cabinet – 15 July 2025

Review of Taxi and Private Hire Licensing Policy

Accountable member:

Councillor Victoria Atherstone, Cabinet Member for Safety and Communities

Accountable officer:

Michelle Bignell, Licensing and Public Protection Manager

Ward(s) affected:

All

Key Decision: Yes

Executive summary:

In Spring 2025, the authority consulted on proposed changes to bring Cheltenham Borough Council's taxi and private hire licensing policy up to date with best practice, to mandate card payment machines and to deliver an updated vehicle licensing policy to deliver carbon emission aspirations in the Borough.

Recommendations: That Cabinet:

1. following consultation, adopts the draft policy attached at Appendix 2 from 24 July 2025 (after call-in period);
 2. notes the feedback regarding the vehicle emissions policy and further review is required as set out in 3.5 of the report.
-

1. Implications

1.1 Financial, Property and Asset implications

None arising directly from this report.

Signed off by: Ela Jankowska – Finance Business Partner

1.2 Legal implications

Cheltenham Borough Council may set its own standards for driver, vehicle and operator licensing whilst also taking statutory guidance and best practice into account.

Consultation must be carried out fairly and the council will need to carefully and thoroughly assess the impact of introducing the proposed policy, including the effect on the supply of taxis and private hire vehicles in the area. They should also bear in mind the need for a proportionate approach, ensuring that those licence holders that would not meet the criteria can adapt or change their vehicle within a reasonable time.

Consultation on the policy should include not only the taxi and private hire vehicle trades, but also groups likely to be the trades' customers.

Signed off by: One Legal, legalservices@onelegal.org.uk

1.3 Environmental and climate change implications

The proposed policy still ensures that all licensed vehicles will be of at least Euro 6 emissions by their renewal date in 2026. All new vehicles must be of at least Euro 6 emissions standards.

Further consultation will be carried out with regards to the proposed 2030 delivery date for carbon neutral/zero emissions as set out in 3.5 of the report.

The final version of this policy, after consultation later this year will be assessed using the CIAT.

Signed off by: Maizy McCann, Climate Officer, Maizy.mccann@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

- Ensuring residents, communities and businesses benefit from Cheltenham's future growth and prosperity
- Being a more modern, efficient and financially sustainable council

1.5 Equality, Diversity and Inclusion Implications

As outlined in Appendix 6 of this report.

1.6 Performance management – monitoring and review

Through normal service delivery.

2 Background

- 2.1 The authority's [current policy](#) was adopted in 2021. There has also been an interim review during that time (2023) with regards to vehicle emission and wheelchair accessibility [requirements](#) resulting in two standalone policies.
- 2.2 A review of the current policy was undertaken, and a consultation was carried out in Summer 2024, however due to staff changes within the service the work has not been completed.
- 2.3 In Spring 2025, the team reviewed the previous proposals in line with best practice and carried out a further consultation.

3 Draft taxi and private hire licensing policy

- 3.1 A copy of the draft taxi and private hire licensing policy is attached at Appendix 2.
- 3.2 The proposed changes result from government best practice, service feedback and a need to deliver a vehicle emissions policy fit for delivering the Borough's aspiration of being carbon neutral.
- 3.3 The proposed changes are outlined in the consultation document set out in Appendix 3.
- 3.4 A summary of the consultation feedback, along with officer appraisal is attached at Appendix 4. The Licensing Committee feedback is attached at Appendix 5.
- 3.5 All proposals have been recommended for adoption, except for the zero-emissions aspiration date due to various reasons including lack of infrastructure, timescale and cost to the trade which are struggling at present. Following discussions with the cabinet member, there will be a further review

with the following stakeholders to gather views on a carbon neutral approach:

- CBC's climate change team
- CBC's air quality team
- Gloucestershire County Council
- CBC's Cabinet members

This review will be conducted in July 2025 with a view to adopt the revised policy wording by October 2025.

The taxi and private hire trade will be updated with this information.

- 3.6 The proposal that all vehicles can be replaced like-for-like are to be adopted. For example, a Wheelchair Accessible Vehicle (WAV) must always be replaced with a WAV.

4 Reasons for recommendations

- 4.1 The recommendations are necessary for full consideration of the consultation feedback and to enable Cabinet to make decision on the adoption of the policy amendments.

5 Alternative options considered

- 5.1 The Cabinet can decide not to adopt any, or some, of proposals outlined in the report.

6 Consultation and feedback

- 6.1 A 6-week consultation was carried out in Spring 2025 with the following stakeholders:

- All taxi and private hire licence holders
- CBC's elected members
- CBC's licensing committee
- Gloucestershire licensing authorities
- Gloucestershire County Council
- Gloucestershire Police
- Cheltenham BID
- Cheltenham Safe
- Local MP's
- Taxi meter providers
- Disability awareness groups
- CBC's marketing team

- National Taxi and Private Hire Trade Association

7 Key risks

7.1 As outlined in Appendix 1.

Report author:

Michelle Bignell, Licensing and Public Protection Manager
michelle.bignell@cheltenham.gov.uk

Appendices:

1. Risk Assessment
2. Draft taxi and private hire licensing policy
3. Proposed changes – consultation document
4. Consultation responses
5. Licensing committee response
6. Equality Impact Assessment

Background information:

- [Current private hire and taxi policy](#)
- [Licensed vehicle emission and wheelchair policy 2023](#)
- [DfT Best Practice Guidance](#)

Appendix 1: Risk Assessment

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1-25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
	If Cabinet does not resolve to adopt the policy, the policy direction will remain unclear and uncertain for the licensed trade.	Licensing and Public Protection Manager	2	2	3	6	Accept	Adopt recommendations	Immediate effect except where dates are specified in policy

CHELTENHAM BOROUGH COUNCIL'S TAXI AND PRIVATE HIRE LICENSING POLICY



All enquiries should be directed to:

Licensing Section
Municipal Offices
Promenade
CHELTENHAM
GL50 9SA
Tel: 01242 262626
E-mail: licensing@cheltenham.gov.uk
Website: www.cheltenham.gov.uk/licensing

This Policy was approved on *****
Version 3

Version control

Date	Version	Amendments
July 2025	3	<ul style="list-style-type: none"> Updated to reflect new best practice guidance and other amendments
April 2023	N/A	<ul style="list-style-type: none"> Licensed Vehicle Emission and Wheelchair Accessibility Policy
October 2021	2	<ul style="list-style-type: none"> Updated to reflect “Common Licensing Standards for Licensing Hackney Carriage and Private Hire Drivers in Gloucestershire” Updated to remove reference the WAV policy

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Part One - Drivers

Common Licensing Standards for Licensing Hackney Carriage and Private Hire Drivers in Gloucestershire



Introduction

1. Following the publication of the Department for Transport's ("DfT") Statutory Taxi and Private Hire Vehicle Standards ("the statutory guidance"), the licensing authorities for Gloucestershire has adopted common standards for licensing of hackney carriage and private hire drivers, vehicle proprietors and operators. Please refer to the scope below for further information. These common standards are based on the statutory guidance.
2. The purpose of these common standards is to set a common basic licensing standard for all licence holders and new applicants to promote best practice, maintain high safeguarding standards and to reduce the burden on licence holders and businesses.
3. The scope of the common standards are outlined below and individual licensing authorities retain the right to set its own licensing standards for aspects that are not included in scope.

Licensing Authorities

The Gloucestershire licensing authorities that have signed up to the common standards are:

1. Cotswold District Council
2. Forest of Dean District Council
3. Gloucester City Council
4. Stroud District Council
5. Cheltenham Borough Council
6. Tewkesbury Borough Council

General Principles

Licensing Policies

Each licensing authority that has adopted these common standards will have a comprehensive and a cohesive licensing policy document that brings together procedures on taxi and private hire vehicle licensing including these common standards.

Licensing policy documents will be reviewed every five years or more frequently should there be significant issues arising in their area, and their performance annually. Changes to adopted policies will be consulted on as appropriate including the local licensed trade, with licensing authorities that have adopted these common standards and other key stakeholders.

Any changes in licensing policy and/or requirements will be followed by a review of the licences already issued in accordance with the statutory guidance and on a case to case basis.

Ancillary Policies

Although not in scope of these common licensing standards, each licensing authority that has adopted these common standards will have in place the following ancillary policies:

- Whistleblowing policy and procedure for raising concerns about licensing matters and procedures
- Data sharing agreements and processes to enable sharing licensing information with other licensing authorities
- Procedure(s) for immediate suspension and revocation of licences as circumstances dictate.

Regulatory Structure

Each licensing authority that has adopted these common standards will operate its licensing function in accordance with its own scheme of delegation.

Enforcing the Licensing Regime

The licensing authorities that have adopted these common standards collectively acknowledge the importance of a fair and robust enforcement scheme and approach.

To this end, the following measures have been adopted:

1. Common Enforcement and Complaints Policy & Procedure (Appendix C)
2. Joint authorisation of enforcement officers off the licensing authorities that have adopted these common standards;
3. Information sharing agreements between the licensing authorities that have adopted these common standards

Specific Policies & Procedures

Fit & Proper

Licensing authorities have a duty to ensure that any person to whom they grant a taxi or private hire vehicle driver's licence is a 'fit and proper' person to be a licensee. The question of whether a person is a fit and proper person will be based on the following standard:

Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of day or night?

If, on the balance of probabilities, the answer to the question is 'no', the individual should not hold a licence.

The overriding consideration will be safeguarding the public. This means that an applicant or licensee should not be 'given the benefit of doubt'. If the Licensing Sub-Committee or delegated officer is only "50/50" as to whether the applicant or licensee is 'fit and proper', they should not hold a licence. The threshold used here is lower than for a criminal conviction (that being beyond reasonable doubt) and can take into consideration conduct that has not resulted in a criminal conviction.

Licensing officers are delegated in accordance with the table set out in **Appendix A** including for dealing with serious matters that may require the immediate action in relation to a licence.

Information Sharing

Criminal records checks and information

The assessment of fit and proper includes, amongst other things, an assessment of an applicant or licensee's character and any relevant information relating to current or previous history.

Hackney carriage and private hire applicants or licensees will be subject to enhanced criminal records checks through the Disclosure & Barring Service (DBS) including checks against the national barred list.

The DBS check must satisfy the following:

- Workforce must state 'Other Workforce'
- Child and Adult Barring lists must be included

Appendix B, outlines the common standards for rehabilitation times relating to criminal records and other relevant matters outlined.

Hackney carriage and private hire applicants or licensees must be subscribed to the DBS's Update Service.

Each of the licensing authorities that have adopted these common standards will undertake six monthly enhanced DBS checks including checks against the children and adult Barred Lists for licensed drivers.

In the interests of public safety, a licence is unlikely to be granted to any individual that appears on either barred list.

Each of the licensing authorities that have adopted these common standards will have also subscribe to the national refusals database (NR3). Hackney carriage and private hire applicants or licensees must declare on application whether they have had a hackney carriage and private hire driver's licence refused or revoked by another authority. Each applicant and licensee's application will be checked against the NR3 database to confirm if the information declared is correct and accurate.

Licence refusals and revocations will also be recorded on NR3 database. A decision to refuse or revoke a licence where this decision related to a risk of harm to a child or vulnerable adult, will be referred to the DBS and Gloucestershire Constabulary.

Licensee self-reporting

Licence holders are required to notify the issuing authority **within 48 hours** of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence.

An arrest for any of the offences mentioned above is likely to result in a review by the issuing authority as to whether the licence holder is fit to continue.

Please also refer to the relevance of convictions policy at **Appendix B** for more information on the relevance of other convictions, arrests, cautions and criminal investigations.

Complaints against licensees

Licensees are required to display, in their licensed vehicles, guidance for passengers on making complaints directly to the licensing authority. The guidance for passengers must be displayed where it can easily be read. Signage to be displayed in licensed vehicles showing the guidance will be issued by the licensing authority. The signage will include:

- the licensing authority's name, contact email and address,
- the vehicle plate number for reference when making complaint,
- the licensing authority's website address where there will be further information for passengers about how to make complaint, compliment or concern.

Licensees who are found to not be displaying the complaint guidance face a suspension of their vehicle licence and a possible review of their driving licence.

Complaints will be recorded, investigated and appropriate action taken in accordance with the Enforcement and Complaints policy at **Appendix C**.

Certificate of Good Character

Where any applicant has been resident abroad at any time from the age of 18 prior to an application they must provide a Certificate of Good Conduct, a Criminal Record Check or similar document from each and every country within which they have been resident.

Residency for these purposes is considered by this Licensing Authority as where the person has lived in a country for longer than 6 months in a given calendar year. Where this Certificate has been produced in a non-English language, the applicant is required to produce a translation of the Certificate from the Embassy or Consulate of that country and provide the original document. An exception might be permitted where a refugee has been allowed to stay in the UK and has been given asylum, and this exception will only apply to that country.

[Criminal records checks for overseas applicants](#), will assist you further in obtaining this document.

Immediate suspension and revocation of licences

Where it comes to the attention of a licensing authority that the fitness of a licence holder has been called into question, which raises concerns as to whether the relevant licence holder should be allowed to continue to operate under their licence and that decision cannot wait until the next scheduled Licensing Sub-Committee, the licensing authority will decide if immediate action is necessary under its own scheme of delegation. Immediate action can include a decision to suspend or revoke the licence.

Circumstances that might give rise to concern about the fitness of a licence holder would include, for example, serious complaint, criminal investigation, serious allegation, formal caution, conviction or any other circumstances deemed sufficiently serious that requires immediate action.

For the avoidance of doubt, licence holder relates to a driver, vehicle and/or operator licence.

Hackney Carriage & Private Hire Drivers

Duration of licences

Hackney carriage and private hire driving licences will be granted for a standard period of three years.

Individual licensing authorities retain the right to issue shorter driving licences in exceptional circumstances where circumstances deems this appropriate.

Mandatory Training

Applicants for a hackney carriage or private hire driving licence must undertake mandatory safeguarding and equality awareness training prior to the issue of their licence. A common training approach and provision has been adopted by licensing authorities that have adopted these common standards.

Existing licensees will be required to undertake refreshers training every three years as a condition of the grant of their licence.

Language proficiency

The assessment of fit and proper includes an assessment of an applicant or licensee's English language proficiency. A lack of English language proficiency could impact on a driver's ability to understand written documents, such as policies and guidance, relating to the protection of children and vulnerable adults and applying this to identify and act on signs of exploitation. Oral proficiency will be of relevance in the identification of potential exploitation through communicating with passengers and their interaction with others.

Applicants for a hackney carriage or private hire driving licence must therefore have a sufficient English language proficiency and be able to demonstrate this.

Some applicants may not be required to take the English proficiency test. This is the case if they can demonstrate their ability to communicate in English by providing an appropriate educational certificate for a qualification related to English. Acceptable qualifications may include a GCSE (or equivalent) in a subject such as English language or literature, a degree in a subject containing substantial English content, or an NVQ or BTEC in a subject that requires its students to communicate well in English.

If applicants are unable to provide such a certificate, or if the licensing officer is not satisfied that the certificates provided sufficiently demonstrate the applicant's ability to communicate in English, the applicant will need to pass the English proficiency test.

English language proficiency requirements will apply to new applicants from date of adoption of these standards however, discretion remains to refer existing licence holder for an assessment on a case-to-case basis.

Applying for a driver's licence

The authority issues the following driver licences:

- a) Private Hire; and
- b) Hackney Carriage.

Licences are issued subject to proof of eligibility as outlined below:

Requirement	Relevance
a) Provide his or her original DVLA driving licence (or equivalent). The licence must have been held for at least 12 months, must cover the driver for the category of vehicle he or she will be driving, and must be valid for the entire duration of the period for which he or she is applying to be licensed. The driving licence must show that the applicant has had 12 months free of any driving offences at the time of making the application.	New and renewal applications
b) Provide one passport sized, colour photograph of themselves.	New and renewal applications
<p>a) You will need to provide an enhanced criminal disclosure certificate for 'Other Workforce' issued by the Disclosure and Barring Service (DBS). The Authority cannot accept adult and/or child workforce type on an enhanced DBS.</p> <p>You cannot apply for these online without a reference or link from us. We will contact you to advise how you can apply for your enhanced DBS and pay the fee. We will require you to send us your required ID documents either by uploading these as part of the online form or by email to licensing@cheltenham.gov.uk</p> <p>We will arrange an appointment to verify your identity and documents.</p> <p>You will be required to also register for the DBS update service. You will need your certificate number. You must</p>	New applications

<p>register for the update service within 28 days of the certificate being issued.</p>	
<p>b) A DBS update service check of an Enhanced DBS. The council will carry out an online check of the status of your DBS every 6 months and if unable to do so, a new DBS certificate will be required. This check will show if there has been a change to the data held against the person concerned, in which case the authority will require a new DBS certificate to be obtained by the driver.</p>	<p>Renewal applications</p>
<p>c) Documentation demonstrating their right to work in UK</p> <p>Visit https://www.cheltenham.gov.uk/licensing for information on acceptable documents for manual right to work checks.</p> <p>You can submit your approved documents electronically to us. We will arrange an appointment to verify your documents.</p>	<p>New and renewal applications</p>
<p>d) Submit a driving assessment pass certificate from an <u>approved</u> provider.</p> <p>Visit https://www.cheltenham.gov.uk/licensing for information on approved providers.</p>	<p>New applications</p>
<p>e) You will need to pass a knowledge test and attend safeguarding training. The test will assess your knowledge on a range of relevant subjects such as geographical knowledge, law and conditions, basic numeracy and safeguarding.</p> <p>If you fail the test 6 times, you will need to wait a minimum of 6 months before you are permitted to retake the test.</p> <p>Visit https://www.cheltenham.gov.uk/licensing for information and how to book.</p>	<p>New applications</p>

<p>f) You need to arrange to get your medical assessment done by a medical doctor who has access to your medical history or a medical based on a 'summary of medical records' from a suitably qualified medical practitioner.</p> <p>In line with DVSA recommendations, the authority has adopted the Group 2 driver standard for medical fitness of Hackney and Private Hire drivers. <i>The D4 medical examination report for a Group 2 (bus or lorry) licence form must be completed.</i></p> <p>This form can be submitted electronically either by uploading it as part of the online form, by email to licensing@cheltenham.gov.uk or by posting it to us FAO Licensing at the Municipal Offices. <i>It must also be accompanied by the council's medical declaration form.</i></p> <p>A medical report form is only valid for a maximum of 4 months so if you do not complete your application in this time period you will be required to submit a new medical report form.</p> <p>Licensed drivers will be required to obtain a new and satisfactory medical report at the age of 45 and then every 5 years until the age of 65. After 65, the medical must be carried out every year. The authority will usually send out a reminder letter a few weeks before the medical is due. A failure to produce a satisfactory medical within the required timeframe given by the Authority may lead to the suspension of the driver's licence.</p>	<p>New & renewal applications</p>
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<p>g) Evidence of your English language proficiency</p> <p>Some applicants may not be required to take the English proficiency test. This is the case if they can demonstrate their ability to communicate in English by providing an appropriate educational certificate for a qualification related to English. Acceptable qualifications may include a GCSE (or equivalent) in a subject such as English language or literature, a degree in a subject containing substantial English content, or an NVQ or BTEC in a subject that requires its students to communicate well in English. You can submit your appropriate qualification electronically either by uploading it as part of the online form or by email to licensing@cheltenham.gov.uk. We will accept a scan or photo of the certificate.</p> <p>If applicants are unable to provide such a certificate, or if the licensing officer is not satisfied that the certificates provided sufficiently demonstrate the applicant's ability to communicate in English, the applicant will need to pass the English proficiency test.</p>	<p>New applications</p>
<p>h) Certificate of good character</p> <p>Where any applicant has been resident abroad at any time from the age of 18 prior to an application they must provide a certificate of good conduct.</p>	<p>New applications</p> <p>Renewal applications where the licence holder has lived in another country for longer than 6 months in a given calendar year.</p>
<p>i) Mandatory training</p> <p>Mandatory licensing, safeguarding and equality training.</p>	<p>New & renewal* applications</p> <p>* Refresher training every three years</p>

Duty to notify changes

Licence holders must notify the authority in writing:

- within 7 days of any change of address;
- within 48 hours if they are charged, convicted, cautioned for an offence and/or receives a fixed penalty notice or is the subject of a criminal investigation;
- immediately if an operator changes their name and/or address;
- within 72 hours if a licensed vehicle proprietor has been involved in any accident involving a licensed vehicle;
- within 14 days if a licensed vehicle proprietor transfers his interest in the vehicle to another person and pay the appropriate fee;
- within 72 hours if a licensed vehicle is off the road and uninsured;
- within 7 days, a licensed private hire operator of any complaints concerning a contract for hire or purported contract for hire relating to or arising from his business and of the action (if any) which the operator has taken or proposes to take in respect thereof.
- within 7 days, a licensed private hire operator of any conviction / caution imposed on him/her (or, if the operator is a Company, of any its Directors) during the period of the licence
- within 7 days if any driver/vehicle commences or ceases working for them - licensed private hire operators only

Part Two – Vehicles

Hackney Carriage & Private Hire vehicle proprietors

Criminality checks for vehicle proprietors

Licensed vehicle proprietors will be subject to an annual basic disclosure check from the DBS unless they are also a licensed hackney carriage or private hire driver licensed with the same authority where they hold the vehicle licence.

Whether a licensed vehicle proprietor is fit and proper will be determined based on the definition set by the common licensing standards and the relevance of convictions policy at Appendix A.

Should the licensed vehicle proprietor cease to hold a driver hackney carriage or private hire driver licence a basic certificate will be required immediately.

A refusal to licence an individual as a hackney carriage or private hire driver or to suspend or revoke a driver licence, does not automatically mean that that individual cannot be issued or continue to hold a hackney carriage or private hire vehicle or private hire vehicle operator licence.

Under these circumstances, a decision on the fitness and propriety of a vehicle proprietor will be made independent of a driver licence refusal, based on the appropriate information and taking into consideration the individual circumstances of each case. An important consideration will be the information that would only be available via an enhanced DBS check but instead that which would be disclosed on a basic check. DBS certificate information can only be used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

Hackney Carriage Vehicles

Limitation of Numbers

The council does not impose restrictions on the number of hackney carriage vehicles.

The authority wishes to promote a mixed fleet of hackney carriage vehicles to provide for individuals with different disabilities and mobility needs. The authority proposes to do so by maintaining and enhancing the number of licensed hackney carriage vehicles that are wheelchair accessible vehicle (WAV), whilst at the same time, allowing existing non – WAV proprietors to continue to licence that design type.

The following has been consulted on and an outcome will be confirmed by October 2025:

The authority will only licence new hackney carriages from 1st January 2030 where they emit zero emissions.

The authority will only permit replacement applications for existing licence holders from 1st January 2030 and renewal applications from 00:01 hours on 1st January 2030, where the vehicle subject to the application emits zero emissions.

Type of application	
New hackney carriage vehicle	<ul style="list-style-type: none"> • Must be a WAV under 8 years from date of first registration and of at least Euro 6 or higher emissions standard • <i>From 1 January 2030, any vehicle must emit zero emissions</i>
Replacement vehicle application	<ul style="list-style-type: none"> • A WAV must be replaced with a WAV and must be less than 8 years from date of first registration and at least Euro 6 or higher emissions standard • A saloon can be replaced with a saloon but must be less than 5 years from date of first registration and of Euro 6 or higher emissions standard • <i>Replacement vehicles from 1 January 2030 must be of the same type of vehicle (for example a WAV must be replaced with a WAV) and must emit zero emissions</i>
Renewal vehicle application	<ul style="list-style-type: none"> • Purpose built WAVs or vehicles converted or adapted to carry wheelchairs (where the work is carried out by a competent and professional person or bona fide business to the satisfaction of the Licensing Section): 16 years (from date of registration) • Euro 3 and 4 vehicles must be replaced with a vehicle manufactured to at least meet Euro 6 or a higher emissions standard that meets all of the authority's requirements by not later than their renewal date in 2025 • Euro 5 vehicles must be replaced with a vehicle manufactured to at least meet Euro 6 or a higher emissions standard that meets all of the authority's requirements by not later than their renewal date in 2026. The only exception to the above will be where an application is for a Euro 5 WAV which may be licensed for not longer than 16 years from date of registration. • <i>All vehicles must emit zero emissions on their 2030 renewal date.</i>

Licensing a New Hackney Carriage Vehicle

The following requirements are applicable to all applications for new hackney carriage vehicle licences. The vehicle must:

- Be disabled accessible as per London Public Carriage Office Specification, Eurocab M1 Specification or such other nationally accepted specification as is agreed by the Council;
- Be silver in colour (as identified on the vehicle's registration document);
- Be less than 8 years from date of manufacture;

- d) Comply with vehicle specifications (see Appendix B);
- e) Be fitted with an approved roof sign bearing the word "TAXI"; these specifications shall be detailed in Section on roof signs on page xx
- f) Be manufactured to at least meet Euro 6 or a higher emissions standard;
- g) Be fitted with a meter of an approved type with the fares charged as determined by the Council.

General conditions are attached to a hackney carriage vehicle proprietor's licence. These are attached at Appendix G.

To make an application an applicant must:

- a) Arrange for the vehicle to be tested at a designated testing station;
- b) Submit an application form along with the following documents:
 - Vehicle fitness test pass certificate – carried out not more than 1 month prior to the start date of the licence;
 - MOT pass certificate –as above;
 - Hackney carriage meter test certificate less than 1 month old to be required on all new, replacement and transfer applications. In addition to be supplied to the authority within not more than 2 weeks following a meter being changed to a new fares schedule introduced by the council;
 - Vehicle registration document (V5 / log-book) in the applicant's name or documentary proof of purchase identifying the applicant as the purchaser of the vehicle;
 - Appropriate valid certificate of motor insurance for the vehicle which must include cover for public hire / hackney carriage work (annual policies only);

Only when all the documents required for licensing the vehicle have been received will the application be accepted and the licence will be granted, if satisfactory, upon receipt of the appropriate fee.

Where an applicant is unable to produce vehicle registration document (V5) this will not prevent the application being considered but the V5 must be produced within 28 days of the application being made.

Replacing a Licensed Hackney Carriage Vehicle

Where a hackney carriage is currently licensed as a WAV, it can only be replaced with another WAV, that meets the criteria below. However, please note the exception below:-

With effect from when this policy takes effect a vehicle licensed as a non – WAV may be replaced with a non – WAV vehicle.

To make an application an applicant must:

- a) Submit a new vehicle application online;
- b) Arrange for the vehicle to be tested at the designated testing station;
- c) Submit an application form along with the following documents:
 - Vehicle fitness test pass certificate – carried out not more than 1 month prior to the start date of the licence;
 - MOT pass certificate – as above;

- Hackney carriage meter test certificate less than 1 month old to be required on all new, replacement and transfer applications. In addition to be supplied to the authority within not more than 2 weeks following a meter being changed to a new fares schedule introduced by the council
 - Vehicle registration document (V5 / log-book) in the applicant's name or documentary proof of purchase identifying the applicant as the purchaser of the vehicle;
 - Appropriate valid certificate of motor insurance for the vehicle which must include cover for public hire / Hackney Carriage work (annual policies only).
- d) Manufactured to at least meet Euro 6 or of a higher emissions standard;
- e) Be less than 5 years (8 for a WAV) from date of manufacture
- f) Comply with vehicle specifications (see Appendix B).

Only when all the documents required for licensing the vehicle have been received will the application be accepted and the licence will be granted, if satisfactory, upon receipt of the appropriate fee.

Where an applicant is unable to produce vehicle registration document (V5) this will not prevent the application being considered but the V5 must be produced within 28 days of the application being made.

Renewing a Hackney Carriage Vehicle licence

The authority will (re)licence a hackney carriage vehicle in accordance with the time periods below:

- a) Purpose built WAVs or vehicles converted or adapted to carry wheelchairs (where the work is carried out by a competent and professional person or bona fide business to the satisfaction of the Licensing Section): 16 years (from date of registration)
- b) Euro 3 and 4 vehicles must be replaced with a vehicle manufactured to at least meet Euro 6 or a higher emissions standard that meets all of the authority's requirements by not later than their renewal date in 2025
- c) Euro 5 vehicles must be replaced with a vehicle manufactured to at least meet Euro 6 or a higher emissions standard that meets all of the authority's requirements by not later than their renewal date in 2026. The only exception to the above will be where an application is for a Euro 5 WAV which may be licensed for not longer than 16 years from date of registration.
- d) All vehicles must emit zero emissions on their 2030 renewal date.

Renewal applications must be submitted electronically via the council's website.

To apply to renew a licence an applicant must:

- a) Arrange for the vehicle to be tested at the designated testing station;
- b) Submit the renewal application form along with the following documents:
 - Vehicle fitness test pass certificate carried out not more than 1 month prior to the start date of the licence;
 - MOT pass certificate – as above;

- Hackney carriage meter test certificate less than 1 month old - to be required on all new, replacement and transfer applications. In addition to be supplied to the authority within not more than 2 weeks following a meter being changed to a new fares schedule introduced by the council
- Vehicle registration document (V5 / log-book) in the applicant's name or documentary proof of purchase identifying the applicant as the purchaser of the vehicle;
- Appropriate valid certificate of motor insurance for the vehicle which must include cover for public hire / Hackney Carriage work (annual policies only);
- Current vehicle licence plate and window badge.

For a vehicle licence renewal, the authority will accept a vehicle fitness test pass certificate issued a maximum of 1 month before the vehicle licence renewal date.

Only when all the documents required for licensing the vehicle have been received will the application be accepted and the licence will be granted, if satisfactory, upon receipt of the appropriate fee.

Vehicle Substitutes

Where any hackney carriage is off the road due to an accident or serious mechanical fault, the authority may allow a 'substitute' vehicle application to be approved, for not longer than 2 months. In all cases, the vehicle being temporarily licensed must be a vehicle manufactured to at least meet Euro 6 or a higher emissions standard and must be a WAV if the existing vehicle is a WAV or may be a non – WAV if the existing vehicle is a non – WAV.

Testing of Older Vehicles

Vehicles over 8 years of age will be subject to 6 monthly fitness inspections. This means that on grant or renewal of a licence, if the vehicle is aged more than 8 years from the date of manufacture, a condition will be applied to the licence requiring the Council's approved vehicle fitness test to be carried out and passed no later than 6 months after the grant of the licence.

For the avoidance of doubt, where the date of manufacture is unrecorded, the date of first registration (shown on the log book) will be taken to be the date of manufacture as long as the log book shows that the vehicle was declared new at first registration.

Private Hire Vehicles

The following has been consulted on and an outcome will be confirmed by October 2025:

The authority aspires to only licence new private hire vehicles from 1st January 2030 where they emit no harmful emissions from the tailpipe.

The authority aspires to only permit replacement applications for existing licence holders from 1st January 2030 and renewal applications from 00:01 hours on 1st January 2030, where the vehicle subject to the application emits zero emissions.

Type of application	
New private hire vehicle	<ul style="list-style-type: none"> • Must be under 5 years from date of first registration (a WAV under 8 years from date of first registration) and of at least Euro 6 or higher emissions standard • <i>From 1 January 2030, any vehicle must emit zero emissions</i>
Replacement vehicle application	<ul style="list-style-type: none"> • A WAV must be replaced with a WAV and must be less than 8 years from date of first registration and at least Euro 6 or higher emissions standard • A saloon can be replaced with a saloon but must be less than 5 years from date of first registration and of Euro 6 or higher emissions standard • <i>Replacement vehicles from 1 January 2030 must be of the same type of vehicle (for example a WAV must be replaced with a WAV) and must emit zero emissions</i>
Renewal vehicle application	<ul style="list-style-type: none"> • Purpose built WAVs or vehicles converted or adapted to carry wheelchairs (where the work is carried out by a competent and professional person or bona fide business to the satisfaction of the Licensing Section): 16 years (from date of registration) • Euro 3, 4 and 5 vehicles must be replaced with a vehicle manufactured to at least meet Euro 6 or a higher emissions standard that meets all of the authority's requirements by not later than their renewal date in 2026. The only exception will be where an application is for a Euro 5 WAV which may be licensed for not longer than 16 years from date of registration. • <i>All vehicles must emit zero emissions on their 2030 renewal date.</i>

Licensing a New Private Hire Vehicle / Replacing a Licensed Private Hire Vehicle

The following requirements are applicable to all applications for new and replacement Private Hire Vehicle licences. The vehicle must:

- Be any colour other than silver (as identified on the vehicle's registration document);
- Be less than 5 years from date of registration unless it is a wheelchair accessible vehicle in which case be not less than 8 years from date of registration;
- Comply with vehicle specifications (see Appendix E).

General conditions are attached to a Private Hire Vehicle proprietor's licence. These are attached at Appendix G.

Executive hire Private Hire vehicles may apply to be exempted from the requirement to display a licence plate and the driver from wearing a driver's badge. The policy in relation to this exemption is at Appendix I.

To make an application to licence a new Private Hire vehicle, an applicant must:

- a) Arrange for the vehicle to be tested at the designated testing station;
- b) Submit an application form along with the following documents:
 - Vehicle fitness test pass certificate – carried out not more than 1 month prior to the start date of the licence;
 - MOT pass certificate –as above;
 - Vehicle registration document (V5 / log-book) in the applicant's name or documentary proof of purchase identifying the applicant as the purchaser of the vehicle;
 - Appropriate valid certificate of motor insurance for the vehicle which must include cover for Private Hire work (annual policies only);

Only when all the documents required for licensing the vehicle have been received will the application be accepted and the licence will be granted, if satisfactory, upon receipt of the appropriate fee.

Where an applicant is unable to produce the vehicle registration document (V5) this will not prevent the application being considered but the V5 must be produced within 28 days of the application being made.

Renewing a Private Hire Vehicle licence

Applicants are reminded that it is their responsibility to renew their licence prior to its expiry. The council has no duty to notify licence holders that their licence is due for renewal, but as a courtesy and part of the council's customer service, reminders will be sent approximately four to six weeks in advance of the expiry of the licence.

Renewal applications must be submitted electronically via the council's website.

To apply to renew a licence an applicant must:

- a) Arrange for the vehicle to be tested at the designated testing station;
- b) Submit the renewal application form along with the following documents:
 - Vehicle fitness test pass certificate –carried out not more than 1 month prior to the start date of the licence;
 - MOT pass certificate – as above;
 - Vehicle registration document (V5 / log-book) in the applicant's name or documentary proof of purchase identifying the applicant as the purchaser of the vehicle;
 - Appropriate valid certificate of motor insurance for the vehicle which must include cover for Private Hire work (annual policies only);
 - Current vehicle licence plate and window badge.

For a vehicle licence renewal, the authority will accept a vehicle fitness test pass certificate issued a maximum of 1 month before the vehicle licence renewal date.

Only when all the documents required for licensing the vehicle have been received will the application be accepted and the licence will be granted, if satisfactory, upon receipt of the appropriate fee.

Vehicle Substitutes

Where any private hire vehicle is off the road due to an accident or serious mechanical fault, the council may allow a 'substitute' vehicle application to be approved, for no longer than 2 months. In all cases, the vehicle being temporarily licensed must be Euro 6 or higher emissions standard and must be a WAV if the existing vehicle is a WAV or may be a non – WAV if the existing vehicle is a non – WAV.

Vehicle Age and Emissions Standards

- A new application or replacement for a private hire vehicle licence will be refused if it is not a vehicle manufactured to at least meet Euro 6 or a higher emissions standard .

Vehicle Renewal Applications

- From 1st January 2026, an application to renew a private hire vehicle will be refused if the vehicle is not a vehicle manufactured to at least meet Euro 6 or a higher emissions standard.

The only exception to the above will be where an application is made for a WAV vehicle that meets Euro 5 emission standards which may be licensed for not longer than 16 years from date of registration.

Liquid petroleum gas (LPG) conversions to vehicles licensed or to be licensed by the authority are acceptable. Any conversion to LPG must be done by an approved converter and the conversion certificate produced to the council for inspection.

Vehicles must however still comply with the minimum luggage capacity and any spare wheel displaced as a result must be stowed in a location that does not impinge on the passenger area of a vehicle.

Testing of Older Vehicles

Vehicles over 8 years of age will be subject to 6 monthly fitness inspections. This means that on grant or renewal of a licence, if the vehicle is aged more than 8 years from the date of manufacture, a condition will be applied to the licence requiring the Council's approved vehicle fitness test to be carried out and passed no later than 6 months after the grant of the licence.

For the avoidance of doubt, where the date of manufacture is unrecorded, the date of first registration (shown on the log book) will be taken to be the date of manufacture as long as the log book shows that the vehicle was declared new at first registration.

Other Matters Relating to all Licensed Vehicles

Licence Plates & Signs

All Vehicles

At all times while the vehicle is being used as a Hackney Carriage or Private Hire vehicle there shall be securely fixed, externally to the rear, the appropriate vehicle licence plate supplied by the Council, except when permission has been granted by the Council (see Appendix I).

All identification plates, stickers and badges issued to the licence holder by the council, shall remain the property of the council.

At all times while the vehicle is being used as either a Hackney Carriage or Private Hire vehicle there shall be displayed on the windscreen the appropriate vehicle window badge supplied by the council.

No smoking signs

All vehicles must display 'no smoking' signs. The signs must be displayed in the 3 side passenger windows, facing outside and clearly visible.

Private Hire vehicles only

All Private Hire vehicles must display two approved stickers stating "Advanced Booking Only", to be affixed to the rear passenger nearside and offside windows.

Roof signs (top-lights)

Hackney Vehicles

Hackney Carriage vehicles must be fitted with an illuminated external sign, of a design approved by the council, on the roof of the vehicle showing the word "TAXI" on both the front and rear of the sign and the licence number on all four sides of the sign.

The dimensions for such roof signs should be either of the following from 1 January 2026:

Dimensions:

Width 762mm/30inches

Height 163mm/6.5inches

Depth 152mm/6 inches

Or

Dimensions:

Width 762mm/30inches

Height 112mm/4.5inches

Depth 178mm/7 inches

Vehicle proprietors displaying alternative roof signage must replace such roof signs with a roof sign of the dimensions above by 1 January 2026.

Vehicles with built-in roof signs must display the word "TAXI".

On licensed vehicles the roof light must be extinguished when the fare meter is in use.

The roof sign must be adequately secured to the vehicle to prevent it becoming dislodged.

Minibuses, transits and people carrier type vehicles which are not fitted with an approved roof sign, as indicated above, shall have the word "Taxi" in letters of between 25cm (9.85 inches) and 30 cm (11.9 inches) in height displayed on the front and rear of the vehicles so that they can be clearly identified as a Hackney Carriage vehicle.

Private Hire Vehicles

A Private Hire vehicle must not carry any roof sign or any markings that might give the impression that it is a Hackney Carriage.

Meters Hackney Carriages

All taximeters must be calendar controlled by no later than 1 January 2026. A taximeter must be fitted in all licensed Hackney Carriages and must be correctly calibrated, sealed and fully functional in accordance with the current council approved fare structure and easily visible to passengers.

The taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances, so as not to be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.

The taximeter shall be positioned so that all letters and figures on the face thereof may be at all times plainly visible to any person being conveyed in the vehicle. The display of the taximeter shall be kept properly illuminated throughout any part of the hiring which is during the hours of darkness and also at any time at the request of the hirer.

When the meter is operating there shall be recorded on the face of the meter in clearly legible figures a fare not exceeding the maximum fare that may be charged for a journey.

An official copy of the council's fare chart shall be clearly displayed in the vehicle so as to be plainly visible to passengers carried therein.

The vehicle taximeter shall be brought into operation at the commencement of the journey and the fare demanded by the driver shall not be greater than that fixed by the council in connection with the hire of Hackney Carriages. In the event of such a journey commencing in but ending outside the Borough there may be charged for the journey such fare or rate of fare, if any, as was agreed before the hiring was effected, if no such agreement was made then the fare to be charged should be no greater than that fixed by the council in connection with the hire of Hackney Carriages.

Private Hire Vehicles

Private hire vehicles may be fitted with a calendar-controlled taximeter. Any taximeter fitted to a private hire vehicle must comply with those conditions and requirements set out above, which appertain to such meters when fitted in Hackney Carriage vehicles, with the exception of the requirement that the meter must only display the approved fares.

Manufacturer's Recall of Motor Vehicles

If a manufacturer of a motor vehicle has cause to recall vehicles due to safety concerns the proprietors of licensed vehicles will ensure that the vehicle is repaired as expediently as possible. The documentary evidence showing the fault(s) has been corrected should be retained by the proprietor of the vehicle for production to the Council if required.

In the event that the fault is of a nature causing safety concerns, it may be necessary for the vehicle licence to be suspended until such time as the proprietor provides documentation to show that the vehicle is safe.

Trailers

Trailers may only be used subject to the following requirements:

- a) Trailers can only be used in connection with private hire/advance bookings and cannot be used for plying for hire on a rank,
- b) The trailer must at all times comply with all requirements of Road Traffic legislation in particular those as laid down in the Road Vehicles (Construction and Use) Regulations 1986,
- c) The vehicle insurance must include cover for towing a trailer,
- d) Trailers must not be left unattended anywhere on the highway,
- e) The speed restrictions applicable to trailers must be observed at all times,
- f) A suitable lid or other approved means of enclosure shall be fitted to secure and cover the contents of the trailer whenever in use.

Insurance write offs

The council will not licence any type of insurance write off for public safety reasons.

Communication Devices

All radio equipment fitted to the vehicle must be fitted securely and safely and in accordance with guidelines published by Ofcom.

Only one two-way radio with a single operator frequency may be operational in the vehicle at any one time and this shall be an approved radio used exclusively for the Hackney Carriage or Private Hire trade and licensed with an effective radio power (ERP) not exceeding 25 watts.

CCTV in vehicles

The Department for Transport (DfT) recommends councils to look sympathetically on the installation of security features, such as a screen between driver and passengers or CCTV systems as a means of providing some protection for vehicle drivers. The councils fully support such measures.

The councils do not require enhanced security or CCTV measures in vehicles. Where a proprietor installs a CCTV system, signage must be clearly displayed in the vehicle including contact details for the system manager/operator. All such equipment and images must be operated in accordance with any relevant data protection legislation or regulations. It is the responsibility of the driver/operator to ensure compliance.

No audio, video or recording systems shall be installed or operated in the vehicle without prior written notification being supplied to the council.

Further information on CCTV can be found on the Information Commissioners website at <http://www.ico.gov.uk>.

Vehicle Testing Arrangements

All vehicles will be tested in accordance with the Hackney Carriage and Private Hire Vehicles National Inspection Standards in conjunction with the current VOSA MOT inspection manual.

All Hackney Carriage and Private Hire vehicles regardless of age will be subject to the vehicle fitness test and the MOT certificate will be issued as a matter of courtesy and convenience for the driver.

Part Three - Private Hire Operators

Duration of licences

Private hire operating licences will be granted for a standard period of five years.

Individual licensing authorities retain the right to issue shorter driving licences in exceptional circumstances where circumstances deems this appropriate.

Criminality checks for private hire vehicle operators

Licensed private hire operator(s) will be subject to an annual basic disclosure check from the DBS unless they are also a licensed hackney carriage or private hire driver licensed with the same authority where they hold the operating licence.

Whether a private hire operator(s) is fit and proper will be determined based on the definition set by the common licensing standards and the relevance of convictions policy at **Appendix B**.

Should the private hire operator(s) cease to hold a driver hackney carriage or private hire driver licence, a basic certificate will be required immediately.

Refusal to licence in individual as a driver or to suspend or revoke a driver licence does not automatically mean that that individual cannot be issued or continue to hold a private hire vehicle operator licence.

Under these circumstances, a decision on the fitness and propriety of a private hire operator(s) will be made independent of a driver licence refusal, based on the appropriate information and taking into consideration the individual circumstances of each case. An important consideration will be the information that would only be available via an enhanced DBS check but instead that which would be disclosed on a basic check. DBS certificate information can only be used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

A private hire vehicle operator licence may be applied for by a company or partnership. In this case, the 'fit and proper' test will apply to each of the directors or partners in that company or partnership.

A licensed private hire operator issued to a company or partnership must advise the licensing authority of any change in directors or partners. Any change to directors or partners will require additional criminality checks.

Booking and dispatch staff

Licensed private hire operator(s) will be subject to a licence condition ensuring that all booking and dispatch staff have had a basic DBS check. In addition, private hire operators must ensure they have written policies and procedures in place to:

- a. ensure criminality checks are undertaken on all booking and dispatch staff at appropriate intervals; and
- b. set out its approach on employing all booking and dispatch staff that are ex-offenders.

Where a licensed private hire operator has outsourced its booking and dispatch function that licensed private hire operator must ensure the third-party have adequate arrangements in place as outlined above.

Record keeping

As a common standard enforced by way of a licensing condition, all licensed private hire operators will be required to record the following information for each booking accepted:

- the name of the passenger;
- the time of the request;
- the pick-up point;
- the destination;
- the name of the driver;
- the driver's licence number;
- the vehicle registration number of the vehicle;
- the name of any individual that responded to the booking request;
- the name of any individual that dispatched the vehicle.

Safeguarding Training

Existing Operators on renewal

A named individual in a management position or acting as a director for the company licensed as an operator must undertake safeguarding training approved by the authority from 1 January 2026.

When a renewal application is made evidence must be shown to demonstrate that at least one named individual has undertaken safeguarding training approved by the authority and completed refresher training on a cycle of not less than 5 years.

If the trained person leaves employment of the licensed operator or resigns as director, a new person must be trained. This must be done within 28 days of the person ceasing the position to ensure that a trained person is in post.

New Applicants

A named individual in a management position or acting as a director for the company licensed as an operator must undertake safeguarding training approved by the authority prior to the grant of the licence with effect from 1 January 2026.

Appendix A - Table of Delegations

Matter to be dealt with	Cabinet/ Full Council	Sub-Committee	Licensing Officers
Full policy review	All cases		
Application for driver's licence, with no convictions			All cases
Application for driver's licence, with relevant convictions		Cases where referral for determination required, other than traffic offences	Cases in relation to traffic offences
Suspension of driver's licence (public safety)		All cases where referral for determination required	Head of Service if immediate suspension is required
Revocation of driver's licence (public safety, immigration)		Cases where referral for determination required	Head of Service if immediate revocation is required
Application for vehicle licence			All cases
Suspension of vehicle licence (public safety)		Cases where referral for determination required	All cases with a reasonable cause
Revocation of vehicle licence (public safety)		Cases where referral for determination required	Head of Service if immediate revocation is required
Application for operator's licence			All cases
Application for operator's licence, with relevant convictions		All cases where referral for determination required	
Suspension of operator's licence (public safety)		All cases where referral for determination required	Head of Service if immediate suspension is required
Revocation of operator's licence (public safety)		Cases where referral for determination required	Head of Service if immediate revocation is required
Assistance dogs in taxis: exemption certificate request forms			All cases
Decision on whether a complaint is irrelevant, frivolous, vexatious, etc.			All cases

Appendix B – Relevance of Convictions Policy

GLOUCESTERSHIRE LICENSING AUTHORITIES – TAXI AND PRIVATE HIRE CONVICTIONS POLICY

INFORMATION FOR APPLICANTS AND EXISTING LICENCE HOLDERS

1. This policy is intended to provide guidance on determining suitability of new applicants and existing licence holders where the applicant or licence holder has been convicted of a criminal or driving offence.
2. The policy lists the types of offences that may give concern to the Licensing Authority. For the more serious offences the expectation is that an application will be refused or an existing licence holder will have their licence revoked. For other offences the policy gives the times scales that it is expected will have elapsed since the conviction before an application will be granted.
3. The Policy states that each case will be treated on its own merits. Where an applicant or Licence Holder has an offence listed in this policy it will not necessarily mean an automatic barring or revocation. However, the applicant or licence holder can expect that their application or licence will be put before a Licensing Sub-Committee for consideration who will take account of this policy. The obligation will on the applicant or licence holder to put forward reasons and/or evidence in support of their case for the Licensing Sub-Committee to consider.
4. If an application is refused or a licence is revoked the applicant or licence holder will have right of appeal to the Magistrate's Court. The application to the Magistrates Court should be made within 21 days of the applicant or licence holder being notified by the Licensing Authority of the decision to refuse or revoke.
5. Where a licence holder is convicted of an offence where the Licensing Authority believes that the safety of the public may be at immediate risk, the licence may be suspended/revoked with immediate effect. The licence holder will have right of appeal to the Magistrates Court against a suspension issued with immediate effect however they may **not** use the licence until any decision is made by the Court
6. Existing licence holders that have been granted licences previous to this policy coming into effect may have convictions on their record that fall within the timescales within this policy. The Licensing Authority will have made decisions on those licences based on policies in place at the time where the timescales may have been lesser or those offences not included. It is not reasonable that those licences should be automatically revoked. The Licensing Authority will review all existing licences in light of this policy and where the Licensing Authority has concerns about a particular licence holder and/or there are further offences, breaches or complaint, the licence holder may be reviewed by a Licensing Sub-Committee who will take into account all matters including any previous offences that may now fall within this current policy. In particular, serious account will be taken of any history of safeguarding matters. Where appropriate, existing licence holders may be requested to apply for a new enhanced DBS certificate in order that the Council can review historic offences in line with this policy.

OVERVIEW

7. The function of licensing is the protection of the public. A member of the public stepping into a motor vehicle driven by a stranger must have the confidence that the driver is safe and suitable.
8. Taxi legislation provides that any person must satisfy the authority that they are a fit and proper person to hold a licence. If a licence holder falls short of the fit and proper standard at any time, the licence should be revoked or not renewed on application to do so.
9. These guidelines apply to all new applications for a taxi or private hire driver licence and all licensed taxi and private hire drivers.
10. In addition, where relevant, they will also be applied to taxi and private hire vehicle licence applicants and licence holders, and private hire operator licence applicants and licence holders. Where such applicants and licence holders are not applying for, or already hold a taxi or private hire driver licence they will be required to provide a basic criminal conviction checks on application and then at regular intervals. The Licensing Authority will take account of any current criminal convictions showing on the basic criminal conviction check, or criminal conviction received, in accordance with this policy.
11. Taxi legislation specifically identifies offences involving dishonesty, indecency or violence as a concern when assessing whether an individual is 'fit and proper' to hold a taxi or private hire vehicle licence.
12. This policy is based on the Statutory Taxi and Private Hire Vehicle Standards issued by the Department of Transport in July 2020, Annex - Assessment of Previous Convictions.
<https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards>
13. The Licensing Authority will consider each case on its own merits, and applicants/licensees are entitled to a fair and impartial consideration of their application.
14. In each case appropriate weight should be given to the evidence provided. This will include assessing the risk of re-offending and harm.
15. The Licensing Authority will be looking at the entirety of the individual when making the decision whether an applicant or licence holder is a safe and suitable person. Time periods are relevant and weighty considerations, but they are not the only determining factor. Other factors that the Licensing Authority will take into account when making a decision include but are not exhaustively:
 - Relevance and date of the offence
 - Sentence imposed by the court
 - Age of person and circumstances when the offence was committed
 - Subsequent periods of good behaviour
 - Overall conviction history
 - Any history of complaints made to the Licensing Authority against an existing licence holder. Unproven complaints may in some circumstances be taken into account if it is considered

that there is a strong likelihood that the complaints are justified and the nature and/or number of complaints raise concern regarding suitability of applicant

- Whether the applicant has intentionally misled the Licensing Authority or has lied as part of the application process
- Information provided by other agencies or other services at the Licensing Authority. This may include information disclosed by the Police or Safeguarding Services □ Any other matters that are relevant

16. Convictions for attempt or conspiracy will be regarded as convictions for the substantive crime.
17. A caution is regarded in exactly the same way as a conviction.
18. Fixed penalties and community resolutions will also be considered in the same way as a conviction.
19. Hackney carriage and private hire drivers are exempt from the provisions of the Rehabilitation of Offenders Act 1974. This means that there are no “spent” convictions and that any and all criminal convictions (apart from “protected convictions” and “protected cautions” where they have been declared) can be taken into account by the local authority in assessing safety and suitability, but only relevant spent convictions should be considered
20. Where a period is given below, it should be taken to be a minimum in considering whether a licence should be granted or renewed in most cases. This places passenger safety as the priority while enabling past offenders to sufficiently evidence that they have been successfully rehabilitated so that they might obtain or retain a licence.
21. It is important to recognise that matters which have not resulted in a criminal conviction (whether that is the result of an acquittal, a conviction being quashed, decision not to prosecute or an investigation which is continuing where the individual has been bailed) can and will be taken into account by the licensing authority. In addition, complaints where there was no police involvement will also be considered.
22. Within this document, any reference to “conviction” will also include matters that amount to criminal behaviour, but which have not resulted in a conviction.
23. In the case of any new applicant who has been charged with any offence and is awaiting trial, the determination will be deferred until the trial has been completed or the charges withdrawn. Where an existing licensee is charged, it will be for the licensing authority to decide what action to take in the light of these guidelines.
24. Any offences committed, or unacceptable behaviour reported whilst driving a hackney carriage or private hire vehicle, concerning the use of a hackney carriage or private hire vehicle, or in connection with an operator of a private hire vehicle will be viewed as aggravating features, and the fact that any other offences were not connected with the hackney carriage and private hire trades will not be seen as mitigating factors.
25. In addition to the nature of the offence or other behaviour, the quantity of matters and the period over which they were committed will also be considered. Patterns of repeated unacceptable or

criminal behaviour are likely to cause greater concern than isolated occurrences as such patterns can demonstrate a propensity for such behaviour or offending.

26. It is also important to recognise that once a licence has been granted, there is a continuing requirement on the part of the licensee to maintain their safety and suitability. The licensing authority has powers to take action against the holder of all types of licence (driver's, vehicle and operator's) and it must be understood that any convictions or other actions on the part of the licensee which would have prevented them being granted a licence on initial application will lead to that licence being revoked.
27. Any dishonesty by any applicant or other person on the applicant's behalf which is discovered to have occurred in any part of any application process (e.g. failure to declare convictions, false names or addresses, falsified references) will result in a licence being refused, or if already granted, revoked and may result in prosecution.
28. Where an applicant/licensee is convicted of an offence which is not detailed in this guidance, the licensing authority will take that conviction into account and use these guidelines as an indication of the approach that should be taken.
29. These guidelines do not replace the duty of the licensing authority to refuse to grant a licence where they are not satisfied that the applicant or licensee is a fit and proper person.
30. Where a situation is not covered by these guidelines, the authority must consider the matter from first principles and determine the fitness and propriety of the individual.

OFFENCES

Crimes resulting in death

31. Where an applicant or licensee has been convicted of a crime which resulted in the death of another person or was intended to cause the death or serious injury (where there was an intention or strong likelihood of death) of another person they will not be licensed. A licence holder who is convicted of the above will have their licence revoked.

Exploitation

32. Where an applicant or licensee has been convicted of a crime involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victim or victims were adults or children, they will not be licensed. This includes slavery, child sexual abuse, exploitation, grooming, psychological, emotional, financial abuse, domestic abuse, harassment and stalking but this is not an exhaustive list.

Offences involving violence against the person

33. Licensed drivers have close regular contact with the public who could be at risk from violent behaviour. Drivers are often entrusted with the care of children, young persons and vulnerable adults. The Licensing Authority seeks to protect the safety of the public and minimise risk.

34. Where an applicant has a conviction for an offence of violence against the person, or connected with any offence of violence, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed. A licence holder convicted of the above will have their licence revoked

Examples of Violent offences include (this is not an exhaustive list)

- a. Arson
- b. Malicious wounding or grievous bodily harm
- c. Actual bodily harm
- d. Grievous bodily harm with intent
- e. Robbery
- f. Riot
- g. Assault Police
- h. Any racially aggravated assault
- i. Violent disorder
- j. Resisting arrest
- k. Common assault/battery
- l. Affray
- m. Obstruction

Possession of a weapon

35. Where an applicant has a conviction for possession of a weapon or any other weapon related offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed. A licence holder convicted of the above will have their licence revoked

Sexual offences

36. As licensed drivers often carry unaccompanied and vulnerable passengers, the Licensing Authority will take a strong line in relation to applicants or existing licence holders with convictions for sexual offences. All sexual and indecency offences should be considered as serious.

37. Where an applicant has a conviction for any offence involving or connected with illegal sexual activity, a licence will not be granted. A licence holder convicted of the above will have their licence revoked

38. In addition to the above, the licensing authority will not grant a licence to any applicant who is currently on the Sex Offenders Register or on any barred list. A licence holder who goes on any of the above will have their licence revoked

39. Sexual/Indecency Offences include (this is not an exhaustive list)

- a. Rape
- b. Assault by penetration
- c. Offences involving children or vulnerable adults

- d. Trafficking, sexual abuse against children and / or vulnerable adults and preparatory offences (as defined within the Sexual Offences Act 2003).
 - e. Making or distributing obscene material
 - f. Possession of indecent photographs depicting child pornography.
 - g. Sexual assault
 - h. Indecent assault
 - i. Exploitation of prostitution
 - j. Soliciting (kerb crawling)
 - k. Making obscene / indecent telephone calls
 - l. Indecent exposure
 - m. Any similar offences (including attempted or conspiracy to commit) offences
40. Any licence holder charged with, convicted or issued with a formal caution for any of the offences mentioned above should expect to have their licence revoked with immediate effect.

Dishonesty

41. Drivers of hackney carriage and private hire vehicles are expected to be persons of trust. It is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal fare and in other ways. In certain situations, drivers will know that a property is empty whilst the occupants are away on holiday for a set period of time after taking them to the airport or railway station. For these reasons convictions of dishonesty are treated very seriously
42. Where an applicant has a conviction for any offence where dishonesty is an element of the offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed. A licence holder convicted of any of the above will have their licence revoked
43. Dishonesty offence includes (this is not an exhaustive list)
- a. Theft
 - b. Burglary
 - c. Fraud
 - d. Benefit fraud
 - e. Handling or receiving stolen goods
 - f. Forgery
 - g. Conspiracy to defraud
 - h. Obtaining money or property by deception
 - i. Other deception
 - j. Any similar offence

Drugs

Where an applicant has any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with intent to supply, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

44. Where an applicant has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted until at least five years have elapsed since the completion of any sentence imposed. In these circumstances, any applicant may also have to undergo drugs testing for a period at their own expense to demonstrate that they are not using controlled drugs. A licence holder convicted of the above will have their licence revoked

Discrimination

46. Where an applicant has a conviction involving or connected with discrimination in any form, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed. A licence holder convicted of the above will have their licence revoked

47. Examples of Discrimination offences include (this is not exhaustive list)

- a. Racially aggravated common assault
- b. Any racially-aggravated offence against a person or property.
- c. Any offences (including attempted or conspiracy to commit offences) that are similar to those above.
- d. Offences under Equality Act 2010
- e. Any offence considered as hate crime. Hate crime is any criminal offence which is perceived by the victim, or anybody else, to be motivated by hostility or prejudice towards someone's: race, religion, sexual orientation, transgender identity, disability.

Motoring convictions

48. Hackney carriage and private hire drivers are professional drivers charged with the responsibility of carrying the public. It is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence would not prohibit the granting of a licence. However, applicants with multiple motoring convictions may indicate that an applicant does not exhibit the behaviours of a safe road user and one that is suitable to drive professionally.

49. For the purposes of this policy a minor traffic offence is one where the DVLA has imposed no more than 3 penalty points on the applicant's DVLA driving licence for the offence. A major conviction is one where the DVLA has imposed more than 3 penalty points on the applicant's DVLA driving licence for the offence. There is more information about endorsement codes and penalty points on the Government's website. <https://www.gov.uk/penalty-points-endorsements/endorsementcodes-and-penalty-points>

50. For the purposes of this policy, a 'valid' traffic offence is the same definition as used by the DVLA. Points that stay on a DVLA licence for 4 years are 'valid' for 3 years. Points that stay on a DVLA driving licence for 11 years they are 'valid' for 10 years. There is more information on the Government's website <https://www.gov.uk/penalty-points-endorsements/how-longendorsements-stay-on-your-driving-licence>

- 51. Where an applicant has more than one minor traffic offence a licence would be refused whilst the relevant points remain 'valid' on their driving licence.
- 52. Where an applicant has a major conviction the application will be refused whilst the relevant points remain 'valid' on their driving licence.
- 53. Any motoring conviction while a licensed driver demonstrates that the licensee may not take their professional responsibilities seriously. However, it is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence may not necessitate the revocation of a taxi or private hire vehicle driver licence providing the Licensing Authority considers that the licensee remains a fit and proper person to retain a licence.
- 54. Where there is a second occurrence of a minor traffic offence, whilst the first minor traffic offence is valid, or a single occurrence of a major traffic offence of up to 6 points, a licence holder can agree to complete a driving assessment, at their own expense, through an approved provider, as an alternative to a review/revocation of their licence by a Licensing Sub-Committee
- 55. Where a licence holder has more than 6 valid penalty points for driving offences their licence will be revoked.

Drink driving/driving under the influence of drugs

- 56. Where an applicant has a conviction for drink driving or driving under the influence of drugs, a licence will not be granted until at least seven years have elapsed since the completion of any sentence or driving ban imposed. In the case of driving under the influence of drugs, any applicant may also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs. A licence holder convicted of the above will have their licence revoked

Using a hand-held device whilst driving

- 57. Where an applicant has a conviction for using a held-hand mobile telephone or a hand-held device whilst driving, a licence will not be granted until at least five years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later. A licence holder convicted of the above will have their licence revoked.
- 58. Where the offence is dealt with as driving offence and penalty points have been imposed on a DVLA licence, the licence will not be granted until at least four years have passed. This is the length of time these points remain current of the DVLA licence. A licence holder who has had penalty points imposed on their DVLA licence for using a held-hand mobile telephone or a hand-held device, will have their licence revoked.

Hackney Carriage and Private Hire Offences

- 59. Where an applicant has any offences under any relevant hackney carriage or private hire legislation a licence will not be granted until at least 7 years have elapsed since the conviction. A licence holder convicted of the above will have their licence revoked.

Appendix C - Enforcement and Complaints Policy & Procedure

Enforcement

This policy takes a risk based proportionate, targeted and flexible approach to inspection and enforcement and where appropriate will work with external agencies such as the Police.

When a potential breach or offence is identified Licensing Officers will investigate the matter.

If it is in relation to a licensed vehicle the licence holder may be requested to bring in the vehicle for an inspection by a Licensing Officer or to take the vehicle to an MOT approved garage for a full inspection.

If it is in relation to a licensed driver or operator the licence holder may be requested to attend an interview. If the licence holder is suspected of a criminal offence or an offence under Hackney Carriage law the interview may be carried out under caution in accordance with the Police and Criminal Evidence Act 1984 (PACE) codes of practice.

Complaints by the Public

The public are able to make complaints to the licensing service about licensed drivers and operators. This could include such issues as offensive comments by a driver, unsafe driving, failure or lateness of attending bookings and refusal to take guide dogs.

Licensing Officers will normally ask the complainant to put their complaint in writing or by email giving details of the nature of the complaint with date, time and location if relevant.

All such complaints will be recorded and investigated and the licence holder notified. Licensing Officers may request the licence holder to attend an interview in order determine the facts. If the licence holder is suspected of a criminal offence or an offence under Hackney Carriage law that interview may be carried out under caution in accordance with the Police and Criminal Evidence Act 1984 (PACE) codes of practice.

Some complaints such as those alleging a serious criminal offence, traffic offence, violence or verbal abuse may be referred to the Police.

Actions that may be Taken Following Enforcement or Complaint

When deciding what action to take the Licensing Officers will consider each case on its own merits and will consider all relevant matters including:

- Seriousness of the offence, breach or complaint
- Any history of previous offences, breaches and/or complaints
- Consequences of non-compliance
- Effectiveness of any action
- Danger to the public
- In the case of an unproven allegation the seriousness of the allegation and the likelihood and risk of danger to the public

Action	Examples (but not an exhaustive list)
Take no action	<ul style="list-style-type: none"> Breach, offence or complaint is proven to be false. Matter is minor or unproven and there is no previous history
Verbal or written advice for example recommendation to retake driver assessment test	<ul style="list-style-type: none"> Matter is minor and/or due to misunderstanding by the licence holder
Verbal , written warning or strike	<ul style="list-style-type: none"> Complaint made by the public Minor traffic offence Contravention of the code of conduct or dress code
Fixed penalty notice	<ul style="list-style-type: none"> Smoking offences in a licensed vehicle
Immediate suspension or revocation of licence	<ul style="list-style-type: none"> Suspension of vehicle (S 68) issued when on inspection of a vehicle Officers believe that it has a defect or is potentially unsafe for passengers or the meter is defective Suspension of driver licence (s 61 (2B) if in interest of public safety for example failing a medical, safeguarding or serious criminal allegations Suspension of driver licence (s 61) if driver fails to provide relevant documentation by expiry e.g. DBS/Medical
Suspension of licence – 21 days’ notice	<ul style="list-style-type: none"> Suspension of a vehicle licence (s60) for failure to have a Council Vehicle Inspection or provide relevant document or visual condition of vehicle is not satisfactory
Simple caution issued by authorised officer	<ul style="list-style-type: none"> A licence holder admits to committing a less serious offence and the issuing of such a caution is likely to reduce re-offending
Review of the licence by the Licensing Sub Committee	<ul style="list-style-type: none"> A licence holder receives criminal conviction, police caution, major motoring offence, safeguarding concern or serious complaint or allegation A licence holder has a history of complaints and/or offences. In the case of complaints by the public these complaints could be unproven if there is previous history of such complaints or a likelihood that the complaint is justified, and the public could be at risk A licence holder that had received more than 3 <i>strikes from</i> Officers for breaches of conditions, policy or legislation within a 12-month period A licensed driver who has accumulated more than 6 current points on their driving licence Any matter where a possible outcome is the revocation of the licence

Prosecution	<ul style="list-style-type: none"> • Using an unlicensed vehicle • Unlicensed driver driving a licensed vehicle • Unlicensed operator • Driving without valid insurance • Refusing to carry a guide dog • Exceeding the number of passengers on the plate
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Review of the Licence by the Licensing Sub-Committee

The licence holder will be invited to a Licensing Sub-Committee meeting. The licence holder will be given reasonable notice of the meeting. However, if the licence holder does not attend without reasonable cause the panel may undertake the review in his/her absence. The licence holder may bring another person with them to the review to support or represent them or they may wish to put comments in writing for the panel to consider. After considering all the facts the panel may take any action they feel appropriate. Below is a list of possible actions.

- No action
- Oral or written warning
- Requirement to take action within a time period for example recommendation to take a anger management course, safeguarding or disability awareness training, speed awareness course or driving assessment
- Suspend the licence until an action or requirement has been met
- Suspend the licence for a period of time as a deterrent to ensure future compliance
- Revoke the licence
- Recommend a simple caution
- Recommend prosecution

Right of Appeal

A licence holder has a right of appeal to the Magistrates Court for any decision by the Council to refuse, suspend or revoke a driver, vehicle licence or operator licence or against any conditions added to a licence. This appeal must be made within 21 days of the notification of the Council's decision.

There is an exception to the above right of appeal in the case of a decision to refuse to grant a Hackney Carriage vehicle licence. In this case the right of appeal is to the Crown Court.

There is no right of appeal against an immediate suspension of a vehicle licence (s68).

Appendix D - Code of Good Conduct for Licensed Drivers

The Council has adopted the following Code of Good Conduct, which should be read in conjunction with the other statutory and policy requirements set out in this document. This is promoted in conjunction with the Codes of Practice in relation to targeting crime in Cheltenham and reducing crime and disorder.

Codes of Practice in Relation to Targeting Crime in Cheltenham, Reducing Crime and Disorder

Licence holders shall:-

- a) Always be polite and courteous to all members of the public, avoiding the use of bad language, even when provoked;
- b) Ensure that where an incident occurs requiring the attendance of Police, that the Police are promptly alerted so that the offender may be dealt with in an appropriate manner;
- c) Make themselves available to Police for the taking of statements etc following any incident in which they are involved and which requires Police investigation;
- d) Will not refuse a fare, unless they have reasonable cause to do so;
- e) NOT attempt to 'detain' passengers in the vehicle following a non-payment, to prevent possible allegations of kidnap, assault etc.;
- f) Consider installing CCTV their vehicle;
- g) Consider a small lockable safe in the boot of each vehicle for use of placing cash to reduce the amounts held by each individual;
- h) Ensure that where practical that they check for left property after every fare and in any case at the conclusion of their duty.
- i) Take proper care of any property left by passengers in the vehicle and take steps to assist in its return to the owner or to hand it in at the police station within 48 hours;
- j) Seek to develop a good rapport and working relationship with all other members of the nighttime economy, including the emergency services and Taxi Marshalls;
- k) Ensure when dropping off 'vulnerable' passengers at night that they wait until they can confirm that the person is safe before driving off. '
- l) Consider operating a 'buddy' system with another driver or group of drivers to provide mutual support and conduct regular safety checks, particularly at night.
- m) Drive with care and due consideration for other road users and pedestrians
- n) Obey all Traffic Regulation Orders and directions at all time;
- o) Not consume alcohol or misuse drugs (legal or illegal) immediately before or at any time whilst driving or being in charge of a hackney carriage or private hire vehicle;
- p) Fulfil their responsibility to ensure compliance with legislation regarding the length of working hours.

Responsibility to Passengers

Licence holders shall:-

- a) Maintain the vehicle in a safe, clean and satisfactory condition at all times;
- b) Attend punctually when undertaking pre-booked hiring;
- c) Assist, where necessary, passengers into and out of vehicles;

- d) Offer passengers reasonable assistance with luggage;
- e) Take the most time efficient route, bearing in mind traffic problems, and known diversions, and explain any diversion from the main route;
- f) If a taximeter is fitted, use the meter at all times;
- g) When using the meter, do not start the meter until the passenger is seated in the vehicle;
- h) If a hackney carriage is travelling outside the licensed area, agree the fare in advance. If no fare has been negotiated in advance for a journey going beyond the licensed area, then the driver must adhere to the meter and charge no more than the metered rate;
- i) Private hire drivers will ensure the passenger has pre booked and agrees to the fare before setting out.

Responsibility to Residents

To avoid nuisance to residents when picking up or waiting for a fare, a driver shall:-

- a) Not sound the vehicle's horn between 2330 hours and 0700 hours;
- b) Keep the volume of any sound reproducing equipment (e.g. radio) to a minimum;;
- c) Switch off the engine if required to wait.
- d) When parked at Private Hire offices or elsewhere, take whatever steps are necessary to avoid disturbance to residents.

At Taxi ranks and other places where Taxis ply for hire by forming queues, drivers shall, in addition to the requirements above:-

- a) Park in an orderly manner and proceed along the designated rank in order and promptly; b) Remain in the vehicle.

Drivers' Dress Code

In order to raise the profile of the licensed trade, drivers should operate at all times in a professional manner and conform to minimum standard of dress and personal hygiene.

The following are deemed unacceptable:-

- a) Clothing not kept in a clean condition or which is torn or damaged;
- b) Words or graphics on any clothing that is of an offensive or suggestive nature or which might offend;
- c) Sportswear (e.g. football/rugby kits, track suits, beach wear etc.);
- d) Sandals with no heel straps, flip flops or any other form of footwear not secured around the heel;
- e) Drivers not having either the top or bottom half of their bodies suitably clothed;
- f) Shorts, other than tailored shorts;
- g) Very short skirts.

Appendix E - Specifications applicable to all vehicles (unless otherwise stated)

Minimum Interior Dimensions

The following minimum dimensions are applicable to both Hackney Carriage and Private Hire vehicles.

Proprietors should bear in mind that the manufacturers' claimed seating capacity may not always be the same as the Council's licensed seating capacity scheme as detailed below.

Height - From the top of the seat cushions to the roof at the lowest part (inside) must not be less than 865 mm (34 inches approx.)

Seat Depth - fixed passenger seats (measured from the back of the seat to the front edge of the seat cushion) must be no less than 406 mm (16 inches approx.)

Seat Width - fixed passenger seats (measured along the front edge of the seat) must allow at least 406 mm (16 inches approx.) per person. There must also be a minimum of 1371mm (54 inches) between the inner door handles.

Legroom – each passenger seat shall provide sufficient legroom for passengers to be seated in comfort.

Facing seats - the distance between the seat backs measured in a horizontal plane along the top surface of the seating cushion must be not less than 1300 mm (51 inches approx.). The distance between the front edges of the seat cushions must be not less than 425 mm (16 ¾ inches approx.).

Type Approval

All vehicles should have an appropriate 'type approval' which is either:

- European Whole Vehicle Type approval;
- British National Type approval; or
- British Single Vehicle Approval (SVA).

Specialist vehicles or any vehicle that has been structurally modified, converted or imported from a non-EU State since its original manufacture will require separate SVA and/or Department for Transport approval and this documentation must be submitted with an application.

Wheels

All vehicles must have four road wheels fitted.

Right hand drive

All vehicles, with the exception of stretch limousines, must be right-hand drive.

Tinted Windows

In the interest of public safety vehicles with tinted windows will not be licensed other than where the tinting is factory-fitted standard.

Doors

All saloons, estates or purpose built taxi vehicles shall have at least 4 doors, which may be opened from the inside and the outside.

All vehicles shall be constructed so that the doors open sufficiently wide as to allow easy access into and egress from the vehicle.

All vehicles, including larger passenger vehicles (multi-purpose vehicles), must have sufficient safe and suitable access and egress from the vehicle for the driver and all passengers.

Seats

Access to every passenger seat must be unobstructed and be easily accessible to passengers and without the need for more than one passenger to move.

Head rests must be fitted to all forward or rear facing seats.

Passenger capacity

All vehicles must be capable of carrying a minimum of 4 or a maximum of 8 adult passengers in safety and comfort.

Seat Belts

All vehicles must be fitted with fully operational rear seat belts, one for each passenger to be carried, fully compliant with British Standards except where the law specifically provides an exemption.

First Aid Kit & Fire Extinguisher

Each vehicle should have a readily available and accessible first aid kit at all times when the vehicle is used for hire, a suitable First Aid Kit, bearing the registered number of the vehicle, containing appropriate dressings and appliances for immediate use in an emergency. All items should be serviceable.

First Aid kits must comply with European and British Standards and it is the responsibility of the driver to ensure the contents of the kit comply with the relevant standards.

A fire extinguisher shall also be provided which is readily accessible and complies with relevant BS or EN codes.

Drivers should only use such equipment where it is safe to do so, and they feel confident and competent to do so. A fire extinguisher should not be used on occasions where such use may invalidate a vehicle warranty.

Ventilation

Windows must be provided at the rear and sides along with means of opening and closing not less than one window on either side.

All passenger windows must be capable of being opened by passengers when seated.

Luggage

Adequate storage for passenger luggage separated from the passenger compartment without obstructing any emergency exits must be available.

Luggage carried must be suitably secured in place.

Condition and Maintenance

The interior and exterior of the vehicle shall be maintained in a clean, safe and proper manner to the reasonable satisfaction of the Authority and without prejudice to the foregoing. In particular the exterior of the vehicle shall be free of large dents, rust or unrepaired accident damage and shall at all times have uniform paintwork equivalent to that applied by the manufacturer. The interior shall be free of all stains, splits, and tears and the seats shall be required to function in accordance with the original manufacturer's specification.

Vehicles shall be liable to be inspected and tested at any time. If upon inspection it is discovered that a vehicle is not being properly maintained, or kept in good order, a notice may be served on the owner to this effect, setting out the defects to be remedied. If public safety is compromised by the defects, the further use of the vehicle may be prohibited until the defects have been addressed and the vehicle has successfully undergone a further inspection.

Modifications

No material alteration or change in the specification, design, condition or appearance of the vehicle may be made without first complying with road traffic and insurance legislation and securing the prior approval of the Council, at any time while the licence is in force.

Advertising

Please see policy attached at Appendix H.

Special Event Private Hire Vehicles

A special event Private Hire vehicle is a vehicle used as a Private Hire car for special journeys, for example a stretch Limousine.

Most special event vehicles, in particular limousines, are imported for commercial purposes and are required to take a single vehicle type approval (SVA) test. This ensures that the vehicles meet modern safety standards and environmental standards before being used on public roads.

The Council will consider licensing a stretch Limousine on its individual merits and providing it meets the following criteria, in addition to those criteria applicable to all private hire vehicles:

- a) It has fewer than 9 passenger seats and
- b) It has been subjected to a Single Vehicle Type Approval (SVA) inspection or an Individual Vehicle Approval Scheme (IVA) inspection.
- c) Evidence of the inspection must be presented in the form of a SVA or IVA Certificate or an appropriate endorsement of the V5C Registration Certificate relating to SVA or IVA.
- d) The vehicle complies with the Council's applicable Private Hire vehicle testing standards.

Appendix F – Specification for Wheelchair Accessible Vehicles

Vehicle requirements, safety and comfort

- a) All vehicles will be licensed on their individual merit and designed or adapted to the London Public Carriage Office Specification, Eurocab M1 Specification or such other nationally accepted specification as is agreed by the council.
- b) The vehicle must be capable of accommodating at least one “reference wheelchair” in either a forward or rear facing position whilst they remain seated in the wheelchair allowing adequate space to ensure the safety and comfort of the wheelchair user, and without interfering with the safety and comfort of any other passengers.
- c) Hackney carriages must be silver in colour (as identified on the vehicle’s registration document). Private hire vehicles can be any colour but silver.
- d) Be right-hand drive.
- e) Be less than 8 years from date of manufacture (as identified in the vehicle’s registration document).
- f) Be fitted with an approved roof sign bearing the word ‘TAXI’ (integrated or freestanding).
- g) Be manufactured to EU emissions in accordance with age and emissions policy.
- h) Be fitted with a meter of an approved type with the fares charged as determined by the council.
- i) Be capable of carrying not less than 4 and not more than 8 passengers with the provision of a seatbelt and head restraint for each passenger.
- j) Windows must be provided at the rear and sides along with means of opening and closing not less than one window on either side.

Access

- a) In the case of all vehicles which are built or adapted for disabled passengers, the design of the vehicle should ensure that any wheelchair is loaded from the side or the rear of the vehicle.
- b) Should have a minimum 4 doors, which are capable of being opened from the inside. The rear passenger compartment must have an openable door on either side of the vehicle.
- c) The vertical distance between the highest part of the floor and the roof in the wheelchair passenger area must be no less than 1.3 metres.
- d) Rear doors to have mechanism to positively hold them open.

Anchorage & Restraints

- a) Approved anchorages must be provided for the wheelchair. These anchorages must be either chassis or floor linked and capable of withstanding approved dynamic or static tests.
- b) The anchorage must be of the manufacturer’s design and construction and secured in such a position as not to obstruct any emergency exit.
- c) Wheelchair internal anchorage must be installed and fitted by a competent person able to verify in a professional capacity that it has been fitted in accordance with all relevant legislative safety standards and requirements.
- d) Restraints for the wheelchair and occupant must be independent of each other.

- e) All passenger seats to have three point lap fully operational diagonal seatbelts, one for each passenger carried, fully compliant with British Standards except where the law specifically exempts.
- f) Access to and exit from the wheelchair position must not be obstructed in any manner at any time except by wheelchair loading apparatus.
- g) Ramps
- h) A single ramp must be of a suitable design to ensure that it does not slip or tilt when in use and provide a suitable gradient when in use.
- i) Ramps and lifts must be securely stored in the vehicle before it may move.

Appendix G - Conditions attached to a Private Hire and Hackney Carriage Vehicle Proprietors Licence

1. Standard Conditions

1.1 Maintenance of Vehicle

The vehicle, all of its fittings and any attached equipment shall at all times when the vehicle is in use or available for hire, be kept in a clean, safe, tidy and efficient state, and must also comply with all relevant statutory provisions including in particular those contained in the Road Vehicles (Construction and Use) Regulations 1986.

1.2 Alteration of Vehicle

No material alteration or change to the vehicle, its fittings or any attached equipment shall be made without the prior approval of the Council.

1.3 Trailers & Towbars

Trailers must not be used without the consent of the Council.

The trailer shall display the appropriate registration plate fitted to the rear of the trailer.

A spare wheel tyre appropriate for the trailer must be carried when the vehicle is being used for public hire.

1.4 Identification Plates, Window Badges and Stickers – all vehicles

All licensed Hackney Carriage or Private Hire vehicles will be provided by the Council with the following identifying features:

- An approved licence plate identifying the vehicle as a Hackney Carriage or Private Hire vehicle, which must be securely fixed externally to the rear of the vehicle in such a manner as to be easily removed if necessary by an authorised officer of the council or a police officer.
- An approved window badge which must be displayed on the nearside of the windscreen of the vehicle in a prominent position so as to be clearly visible.
- Three 'no smoking' signs.
- The signs must be displayed in the 3 side passenger windows, facing outside and clearly visible.

All of the above must be maintained in a satisfactory condition at all times.

Any vehicle with CCTV must display a sign advising passengers that a CCTV system is in operation in the vehicle.

1.5 Additional markings applicable to Private Hire vehicles only

All licensed Private Hire vehicles must display two stickers stating "Advanced Booking Only". These must be affixed to the rear passenger nearside and offside windows.

All Private Hire vehicles must display an approved roundel on the outside on both sides of the vehicle displaying the Private Hire Operator name, telephone number, company logo, email and/or website.

The Council can supply approved 'Bus Lane' stickers for Private Hire vehicles whose drivers wish to use the Borough's bus lanes. The Council encourages Private Hire vehicles to display approved 'Bus Lane' stickers on the rear of the vehicle.

1.6 Tyres

All tyres fitted to the vehicle or carried as a spare must comply with the Motor Vehicles (Construction and Use) Regulations 1986 and Motor Vehicle (Tests) Regulations 1981.

Re-cut and Remoulded Tyres

Re-cut tyres are not acceptable for M1 passenger vehicles and remould tyres shall only be acceptable if they carry a recognised approval marking (currently BSAU144e) and display the following information clearly displayed on each tyre:

- a) Nominal size;
- b) Construction type (e.g. radial ply);
- c) Load capacity; and
- d) Speed capability

Space Saver Tyres

The carrying and use of Space saver tyres and tyre sealant kits will only be approved with the support of a method statement. The method statement will detail the drivers and vehicle owners responsibility with regard to the maximum permitted speed and restrictions of use and highlight that they are ONLY a temporary measure to complete the journey in which the puncture occurred. An approved repair to BS AU159 or a replacement tyre must be undertaken before any further fares are carried.

Run flat tyres fitted to any vehicle by the manufacturer will not be replaced by any other type or make either individually or all of them. The use of these tyres must be supported by a method statement (such as the manufacturers handbook for the vehicle) specifying the capability and restrictions of use following a puncture. In all cases the Tyre Pressure Monitoring System (TPMS) must be working correctly and if required, be reset when a tyre(s) are renewed or replaced. Worn or damaged run flat tyres must be replaced by the same make and size.

1.7 Luggage Rack

A roof rack may only be used when excess luggage is to be carried and any luggage so carried shall be safely secured and shall not exceed such weight or size that as can safely be carried on the vehicle.

1.8 Change of Address

The proprietor shall notify the council in writing within seven days of any change of address during the period of the licence.

1.9 Accident Notification

The proprietor shall notify the council in writing within 72 hours of any accident involving the vehicle.

1.10 Deposit of Driver's Licence

If the proprietor permits or employs any other person to drive the vehicle as a Taxi or Private Hire vehicle, the proprietor shall retain the person's Taxi or Private Hire drivers licence until such time as the driver ceases to be permitted or employed to drive the vehicle.

1.11 Transfer of Interest

The proprietor shall notify the council in writing, giving the name and the address of the new proprietor, within 14 days if he transfers his interest in the vehicle to another person and pay the appropriate fee.

1.12 Additional Charges

The proprietor shall pay the council any reasonable additional charges to be determined by the council for the replacement of any lost, damaged or stolen plate, or sign provided by the council (and which is required to be attached or displayed on or in the vehicle as a condition of this licence).

1.13 Insurance

All vehicles must have a current, valid, annual policy of insurance at all times appropriate to the vehicle, the certificate for which must be carried in the vehicle at all times and be made available for inspection on request by any authorised officer of the Council or any Police Officer .

If a vehicle is off the road and uninsured the proprietor must advise the Licensing Team in writing immediately or in any event within 72 hours.

1.14 Smoking in Vehicles

The Health Act 2006 prohibits smoking in enclosed places, all licensed vehicles are designated as an enclosed public space and therefore it is unlawful for any person to smoke in a licensed vehicle at any time, including any time when it is not being used for hire.

1.15 Unauthorised Use

The proprietor of a private hire vehicle or hackney carriage shall not allow the vehicle to be driven and used for hire by any person who does not hold a current Private Hire or Hackney Carriage driver's licence, as appropriate, issued by the Council.

1.16 Card Machines and Card Payments

Card Payment

Hackney carriage vehicles

From 1st September 2025, licensed hackney carriages shall have a machine or device available and on display within the vehicle for use by any customer on request to process bank debit and credit card payments and payments using applications on smart phones or devices.

The card machine or device must be in working order at all times, and the licensed vehicle cannot be used to carry passengers if this is not the case.

All hackney carriages must display signage that can be seen at all times from outside the vehicle on the off side of the vehicle that confirms card payments are accepted at all times.

Failure to ensure full compliance with these conditions will lead to an immediate suspension of the vehicle licence until full compliance is demonstrated in full to the satisfaction of an authorised officer of the authority unless the licensed driver can demonstrate circumstances outside of their direct control that rendered the card machine unusable at the relevant time.

Such suspensions will only be lifted, in such circumstances during normal office hours, Monday to Friday, by appointment only and between the hours of 09.00 and 17.00 hours.

Private hire vehicles

From 1st September 2025, licensed private hire vehicles shall have a machine or device available and on display within the vehicle for use by any customer on request to process bank debit and credit card payments and payments using applications on smart phones or devices if condition x below applies.

Any private hire vehicle that is operated by a private hire operator where the customer is permitted to pay the driver directly shall have a machine or device available and on display within the vehicle for use by any customer on request to process bank debit or credit card payments.

The card machine or device must be in working order at all times, and the licensed vehicle cannot be used to carry passengers if this is not the case.

All private hire vehicles must display signage that can be seen at all times from outside the vehicle on the off side of the vehicle that confirms card payments are accepted at all times.

Failure to ensure full compliance with these conditions will lead to an immediate suspension of the vehicle licence until full compliance is demonstrated in full to the satisfaction of an authorised officer of the authority unless the licensed driver can demonstrate circumstances outside of their direct control that rendered the card machine unusable at the relevant time.

Such suspensions will only be lifted, in such circumstances during normal office hours, Monday to Friday, by appointment only and between the hours of 09.00 and 17.00 hours.

Dealing with problems with card payments

All drivers must check that their card payment device is fully working before starting work. Should a problem occur, our advice to all drivers is:

- Ask the passenger to try their payment card again
- If the issue persists, ask the passenger whether they have another payment card or cash to pay for the fare
- If not, offer to take the passenger to the nearest cashpoint

If a passenger refuses to pay and an amicable agreement cannot be found, drivers should contact the police and wait at your location till police arrive to assist.

Drivers should always remain calm, and always act in a professional manner when dealing with customers. In the same instance drivers should always act in a civil and orderly manner towards their customers. For the driver's safety they are not expected to leave their cab should a problem with a payment arise.

Issues with card readers and reporting procedure

If a driver experiences any problems with their card payment device, they should contact the provider of the card payment system as soon as possible in order to report the problem and rectify the issue.

If you rent a vehicle then you must immediately report the problem to the proprietor so they can report this to the card payment device company and arrange for the device to be fixed or replaced, and provide you with a replacement vehicle if necessary. When reporting a problem, the card payment device company should be asked to provide:

- Confirmation that the problem has been reported
- Details of the appointment for the device to be fixed or replaced

This information must then be produced if you are stopped by a council officer before the card payment device has been fixed or replaced.

If you experience any problems with your card payment device outside of office hours you should follow the same steps as above. You can also contact the licensing team by emailing licensing@cheltenham.gov.uk explaining the issues occurred and inform the team of the issues.

Network data issues affecting payment

In the instance there is any network-wide data outage which affects card payment devices and payments, affected drivers should advise passengers before accepting the fare that they cannot take a card payment and explain to the passenger of the reason. Advise the passenger that cash payments can be taken and offer to take them to a cashpoint if required.

Appendix H – Advertising on Licensed Vehicles

Hackney Carriage Vehicles Required and Permitted Advertising

Third-party Advertising

Third Party advertising is only permitted with prior written approval of the Council.

The following advertising will not be permitted:

- a) Anything of a religious or political nature;
- b) Alcohol or tobacco products;
- c) Any matter of a sexual nature or likely to cause offence;
- d) Any matter which is insulting, offensive or abusive.

The content of any advertising on the vehicle shall be legal, decent and truthful.

No words, letters or graphics may be displayed on any windows of the vehicle.

No advertisement will be permitted which impedes the vision of the driver.

The Council reserves the right to require the licensee to remove the advertisement from display on the vehicle if the content of the advertisement changes without written permission of the Council or for any reason affecting the appearance of the advertisement.

All materials used and affixed for advertising purposes on Hackney Carriage Vehicles must comply with current legislation which includes the Motor Vehicle (Construction and Use) Regulations and must not provide any risk of injury to drivers /passengers or pedestrians.

No secondary advertising of any kind will be permitted including the name of the company preparing the vehicle or the name of the advertising agency.

All advertisements must comply with the UK Advertising Standards Authority (ASA) Codes and it is the responsibility of the vehicle proprietor to ensure that they do so.

Advertising to do with crime and disorder or public safety issues such as advertising “Crime Stoppers” or Crime Prevention Matters will be permitted.

Exterior Advertising

The following surfaces are permitted for the use of exterior advertising on licensed Hackney Carriages, subject to the requirements above:

Full livery - advertising material covering the complete exterior body shell of the vehicle

Supersides - advertising material covering the exterior doors and wings on both sides of the vehicle, excluding the window area

Doors only - advertising material covering the exterior lower panels of both doors on both sides of the vehicle

Boot lid - advertising on the boot lid is permitted other than where it in any way obscures the licence plate.

Interior Advertising

Advertising is not permitted on any interior surface other than on the base of the two lift up seats, if applicable.

Private Hire Vehicles

Required and Permitted Advertising

Private Hire Vehicles are required to display an approved roundel on the outside of both front doors beneath the window displaying the Private Hire Operator name, telephone number, company logo, email and/or website.

Advertising of a Private Hire Operator's Logo and contact details will be allowed on the rear tailgate of licensed private hire MPVs and on the rear most nearside and offside windows of licensed private hire estate vehicles in the form of small logos provided written application has been made to the licensing section.

No vehicle may advertise an operator other than the one that has dispatched it.

No third-party advertising will be permitted on Private Hire vehicles other than advertising to do with crime and disorder or public safety issues such as "Crime Stoppers".

No advertisement will be permitted which impedes the vision of the driver.

Appendix I - Exemption from Requirement to Display Identification Plates and Signs (Private Hire Vehicles Only)

Introduction and Statement of Intent

The aim of this part of the policy is to ensure public safety whilst taking a balanced approach to licensing requirements. Its objective is the provision of an exemption to allow 'executive vehicles' to operate without displaying external identification plates and other signage.

There are occasions when the requirement to display an external identification plate and other signage may have a negative effect in terms of commercial implications for the operating business. The display of a licence plate and other signage may deter some corporate customers from using the service and in some circumstances the identification of the vehicle as a licensed vehicle may allow "high risk" passengers to be more readily targeted putting both them and the driver at risk.

The Local Government (Miscellaneous Provisions) Act 1976 allows the Council to exempt vehicles from the need to display an identification plate and, where that exemption applies, the requirement to wear a private hire driver's badge.

Plate exemption will only be granted by the Council where there is a genuine operational reason and business requirement, and where the Council is certain that the safety of the public will not be compromised as a result. For instance vehicles which convey passengers to and from airports may not be permitted the plate exemption.

Vehicle Requirements

The following vehicle requirements are in addition to the standard vehicle specification contained in Appendix E.

1. Applications for exemption from displaying external identification plates and other signage may be made in respect of individual vehicles only. Applications for exemptions relating to a fleet of vehicles will not be allowed.
2. Each application will be assessed on its own merit and each vehicle will be inspected by an authorised council officer to ensure that it is fit for purpose.
3. Applications for exemption from displaying external identification plates and other signage may be considered where the following requirements are met:-
 - a) Vehicles must be of a standard of comfort and equipped to a level equal to or above luxury brands of vehicles such as 'S' and 'E' Class Mercedes Benz, 7 Series BMW, Lexus 'GS' or 'LS' models, Audi A8 series, Rolls Royce and Bentley saloons. (The highest specification executive type cars from other manufacturers may also be considered.);
 - b) The vehicle will be in pristine condition with no visible defects, dents or blemishes to the external bodywork or internal trim and seating;
 - c) The type of work undertaken must be 'Executive' in nature. This means that the vehicle is used specifically to provide transport under a written contract to a company or person, or by the type of clients who for security or personal safety reasons would not want the vehicle to be identifiable.
 - d) Applications may only be made by a holder of a private hire vehicle licence issued by Cheltenham Borough Council.

Application procedure

To complete an application an applicant must:

- a) Submit a completed Private Hire plate exemption form;
- b) Provide documentary evidence in support of the application showing that the vehicle carries out 'executive work';
- c) Pay the appropriate application fee.

Officers will assess each application on its own individual merit.

Where an application is granted an exemption notice will issued as soon as practical after the decision is made. Where a vehicle is exempted from the requirement to display an external identification plate the vehicle will also be exempted from the need to display the window badge, advance booking stickers, no smoking stickers and the private hire operator's logo and contact details. The licence plate must be kept in the boot of the vehicle at all times.

Irrespective of when an exemption notice is granted the initial exemption notice will expire on the same day as the expiration of the vehicle's current private hire licence, unless it is otherwise surrendered or revoked. Thereafter any renewed exemption notice will last for a period of time that is coterminous with that vehicle's private hire licence unless either the licence or notice is otherwise surrendered or revoked.

Conditions

In addition to standard conditions applicable to licensed vehicles (Appendix G), the following apply to all vehicles granted an exemption:

- a) Any vehicle granted an exemption from displaying an external identification plate will be required to keep the identification plate inside the boot of the vehicle at all times.
- b) In the event of loss or damage rendering such plate or notice unserviceable the proprietor shall make immediate application for a replacement for which a fee is payable.
- c) The exemption notice issued by the Council will be carried in the vehicle at all times and will be produced upon request to an authorised officer of the Council or any Police Officer.
- d) The proprietor will not display in, on or from the vehicle any advertisement, signage, logos or insignia advertising the operating company or the vehicle's status as a Private Hire vehicle.
- e) During the period of the exemption notice, the driver shall not be required to wear the Private Hire driver's identification badge but will have it available for immediate inspection by an authorised officer of the Council or any Police Officer on request.
- f) During the period of the exemption notice the driver of the vehicle whilst engaged on private hire work will be smartly dressed in either a formal chauffeur's uniform or a business suit with collar and tie.
- g) The proprietor shall notify the Council in writing immediately of any change in the use of the vehicle.
- h) During the period of the exemption notice, the proprietor shall not use the vehicle for Private Hire purposes other than for executive use.
- i) The exemption will cease to have effect on selling or transferring the vehicle to another party. The person to whom the exemption is granted must inform the council of the sale/transfer of ownership immediately and in writing, and provide details of the new

owner. The exemption notice must be returned to the Council along with the private hire vehicle identification plate unless being sold to another private hire operator licensed by the Council; in which case, only the exemption notice has to be returned.

- j) A taximeter will not be installed in the vehicle.

Appendix J - Intended Use Policy for the Licensing of Hackney Carriages

Licensing a new Hackney Carriage Vehicle

Applicants for new licences will be expected to demonstrate a bona fide intention to ply for hire within the borough of Cheltenham under the terms of the licence for which the application is being made.

There will be a presumption that applicants who do not intend to a material extent to ply for hire within the borough of Cheltenham will not be granted a hackney carriage licence authorising them to do so. Each application will be decided on its merits.

Even where the applicant intends to ply for hire to a material extent within the borough of Cheltenham, if the intention is to trade in another authority's area also for a substantial amount of time (and it appears that the purpose of the legislation and public safety will be frustrated) then, subject to the merits of the particular application, there will be a presumption that the application will be refused.

Renewing a Hackney Carriage Vehicle licence

Applicants for renewals of licences will be required to inform the Council whether they have a bona fide intention to ply for hire within the borough of Cheltenham under the terms of the licence for which the renewal application is being made.

There will be a presumption that applicants who do not intend to a material extent to ply for hire within the borough of Cheltenham will not be granted the renewal of their hackney carriage licence authorising them to do so. Section 60 of Local Government Miscellaneous Provisions Act 1976 gives the Council a broad discretion to refuse to renew a licence for any reasonable cause. Each application will be decided on its merits.

Even where the applicant intends to ply for hire to a material extent within the borough of Cheltenham, if the intention is to trade in another authority's area also for a substantial amount of time (and it appears that the purpose of the legislation and public safety will be frustrated) then, subject to the merits of the particular application, there will be a presumption that the renewal application will be refused.

Replacing a licensed Hackney Carriage Vehicle

Applicants seeking the grant of a hackney carriage licence for a vehicle intended to replace another licensed vehicle will be asked to inform the Council of their intended use of the vehicle. There will be a presumption that applicants who no longer intend to ply for hire to a material extent within the borough of Cheltenham will not have the new hackney carriage licence granted. Even where the applicant intends to ply for hire to a material extent within the borough of Cheltenham, if the intention is to trade in another authority's area also for a substantial amount of time (and it appears that the purpose of the legislation and public safety will be frustrated) then, subject to the merits of the particular case, there will be a presumption that the application will be refused.

Transfer of ownership

Section 49 of the Local Government (Miscellaneous Provisions) Act 1976 requires that the proprietor of the licensed vehicle who transfers his or her interest to another person must, within 14 days of the transfer, give written notice to the Council of the name and address of the transferee of the

hackney carriage. The Council has no power to refuse to register the new proprietor. (*R v Weymouth Borough Council, ex p Teletax (Weymouth) Ltd* [1947] KB 583)

Provided requisite notice has been given in accordance with section 49 of the Local Government (Miscellaneous Provisions) Act 1976 the Council will register the transferee of a licensed hackney carriage as the new proprietor. This is a legal requirement.

Transferees of existing licences will be expected to have a bona fide intention to ply for hire within the borough of Cheltenham under the terms of the licence in respect of the vehicle being transferred.

The transferee of a licensed hackney carriage will be asked to inform the Council whether he has a bona fide intention to use the vehicle to ply for hire within the borough of Cheltenham. Transferees should note the obligation under section 73 of the Local Government (Miscellaneous Provisions) Act 1976 to give to an authorised officer information which may reasonably be required by him for the purpose of carrying out his functions under the legislation. Where there is a failure to provide the requested information, the Council will give serious consideration to exercising its powers of suspension of the licence under section 60 of the 1976 Act until such information is forthcoming, in addition to its powers under section 73.

Where the transferee of a licensed hackney carriage is found to have no intention to ply for hire to a material extent within the borough of Cheltenham and/or intends to trade in another authority's area also for a substantial amount of time (and it appears that the purpose of the legislation and public safety will be frustrated) then, subject to the merits of the particular case, consideration will be given (either at renewal or earlier) to the suspension or revocation of the licence under section 60 of the 1976 Act. Where the transferee proposes to operate remotely from within the borough of Cheltenham there will be a presumption that his licence will be revoked. Each case will be decided on its merits.

Revocation of licence

Where a licence has been granted under the terms that the applicant intends to ply for hire to a material extent within the borough of Cheltenham but is subsequently found not to be plying for hire to a material extent within the borough of Cheltenham and/or to be trading in another authority's area for a substantial amount of time (and it appears that the purpose of the legislation and public safety will be frustrated) there will be a presumption that the licence will be revoked.

Exceptional circumstances

Each application will be decided on its merits. However, the presumptions that intended use is to ply for hire to a material extent within the borough of Cheltenham will be rebuttable in exceptional circumstances. Whilst it is neither possible nor prudent to draw up a list of what might amount to exceptional circumstances, an applicant who claims that exceptional circumstances exist will be expected to be able to satisfy the Council that it would not frustrate the purposes of the legislation or compromise public safety if the licence were granted, renewed or if were not suspended or revoked as the case may be.

Appendix K - Private Hire Operator's Licence Conditions

Records

The records required to be kept by the operator under s.56 (2) of the Local Government (Miscellaneous Provisions) Act 1976 must be kept in a suitable book, the pages of which are numbered consecutively, or other durable recording format and the operator shall enter or cause to be entered therein before the commencement of each journey, the following particulars of every booking of a private hire vehicle invited or accepted by him:-

- a) the name of the passenger;
- b) the time of the request;
- c) the pick-up point;
- d) the destination;
- e) the name of the driver;
- f) the driver's licence number;
- g) the vehicle registration number of the vehicle;
- h) the name of any individual that responded to the booking request;
- i) the name of any individual that dispatched the vehicle.

The operator shall also keep records of the particulars of all vehicles operated by him, which particulars shall include details of the proprietors, registration numbers and drivers of such vehicles, together with any radio call sign used. The operator shall also keep records of all desk clerks employed by him/her.

Copies of all vehicle and driver licences shall be kept by the operator.

The operator shall submit to the Licensing Section of Cheltenham Borough Council in writing at monthly intervals the names and vehicle licence numbers of all proprietors, drivers and desk clerks employed or used by him with the dates they commenced and ceased such employment or use if this occurred during the said month.

The desk clerk shall sign the booking sheet at the start of each duty.

All records kept by the operator shall be preserved for a period of not less than TWO years following the date of the last entry.

Standard of Service

The operator shall provide a prompt, efficient and reliable service to members of the public at all reasonable times and for this purpose shall in particular:-

- a) Ensure that when a private hire vehicle has been hired to be in attendance at an appointed time and place, the vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at that appointed time and place;
- b) Keep clean, adequately heated, ventilated and lit any premises which the operator provides and to which the public have access, whether for the purpose of booking or waiting;
- c) Ensure that any waiting area provided by the operator has adequate seating facilities;
- d) Ensure that any telephone facilities and radio equipment provided are maintained in a sound condition and that any defects are repaired promptly.

- e) Ensure that all vehicles dispatched by them are maintained at all times in a safe and roadworthy condition.

Complaints

The operator shall notify the Council in writing, within 7 days, of any complaints concerning a contract for hire or purported contract for hire relating to or arising from his business and of the action (if any) which the operator has taken or proposes to take in respect thereof.

Change of Operator's Home Address

The operator shall notify the Council in writing of any change of his/her home address during the period of the licence within seven days of such change taking place.

Change of Operator's Business Premises

If an operator wishes to change the base from which they operate they will be required to submit a new application. (Note: all operators' business premises must be within the Borough of Cheltenham).

Convictions and Cautions

The operator shall within seven days disclose to the Council in writing details of any conviction or caution imposed on him/her (or, if the operator is a Company, of any its Directors) during the period of the licence.

Operator's Licence

Operators shall operate wholly from those premises specified in the licence and situated within the boundaries of the Borough of Cheltenham.

The Operator shall display the Operator's Licence issued by the Council in a conspicuous position at the licensed premises.

Signage

In the interests of public safety and to give confidence to the public the Operator shall ensure that the company logo is appended to the front nearside and offside doors of all vehicles operated by him/her. When an operator ceases to dispatch a vehicle, the operator shall ensure that the driver returns all such signage and livery to them.

Booking and dispatch staff

Operators shall ensure they have procedures in place to ensure all booking and dispatch staff have an annual basic DBS check. Operators shall ensure they have written policies and procedures in place to:

- ensure criminality checks are undertaken on all booking and dispatch staff at appropriate intervals; and
- set out its approach on employing all booking and dispatch staff that are ex-offenders.

Where a licensed private hire operator has outsourced its booking and dispatch function that licensed private hire operator must ensure the third-party have adequate arrangements in place as outlined above.

Public Liability Insurance

Operators shall have at all times a current valid policy of public liability insurance for the premises they are licensed to operate from, if those premises are open to the public.

Appendix L - Diabetes Policy

Cheltenham Borough Council has determined that the following criteria must be met by all new applicants and existing holders of private hire and hackney carriage driver licences who have insulin treated or tablet-treated diabetes.

All applicants and existing licence holders must declare to the Council if they are diagnosed with any form of diabetes. Medical declaration forms for either insulin or tablet-controlled diabetes are available upon request from the Licensing department.

Treatment of diabetes with insulin

It is a requirement that the applicant has attended an examination by a hospital consultant specialising in the treatment of diabetes, who has provided a report confirming that the applicant:

- a) has a history of responsible diabetic control;
- b) currently has a minimal risk of impairment due to hypoglycaemia;
- c) has undergone treatment with insulin for at least four weeks;
- d) has full awareness of hypoglycaemia;
- e) has not, during the immediately preceding year, had an episode of severe hypoglycaemia;
- f) regularly monitors his or her condition and, in particular, undertakes blood glucose monitoring at least twice daily and at times relevant to driving, using a device that incorporates an electronic memory function to measure and record blood glucose levels, and undertakes to continue so to monitor;
- g) will continue to have annual reviews with a hospital specialist and provide evidence of this to the Council.

The applicant must provide a signed declaration that he or she:

- a) understands the risk of hypoglycaemia and will comply with such directions regarding treatment for diabetes as may from time to time be given by the registered medical practitioner overseeing that treatment, or one of the clinical team working under the supervision of that registered medical practitioner;
- b) regularly monitors his or her condition and, in particular, undertakes blood glucose monitoring at least twice daily and at times relevant to driving, using a device that incorporates an electronic memory function to measure and record blood glucose levels, and undertakes to continue so to monitor;
- c) will immediately report to the Council in writing any significant change in his or her condition and will follow the advice of his or her registered medical practitioner, or one of the clinical team working under the supervision of that registered medical practitioner, concerning fitness to drive.

Treatment of diabetes with medication other than insulin Sulphonylureas,

including the following:

Chlorpropamide, Glibenclamide, Gliclazide, Glimepiride

Glipizide, Glibense, Tolbutamide

Glinides, which include the following tablets

Nateglinide also known as Starlix

Repaglinide also known as Prandin

It is a requirement that the applicant has attended an examination by a registered medical practitioner, who has provided a report confirming that the applicant:

- a) has a history of responsible diabetic control and currently has a minimal risk of impairment due to hypoglycaemia.
- b) has full awareness of hypoglycaemia;
- c) has not, during the period of one year immediately preceding the date when the licence is granted, had an episode of severe hypoglycaemia; and
- d) regularly monitors his or her condition and, in particular, undertakes blood glucose monitoring at least twice daily and at times relevant to driving.

The Council may request evidence of any of the above.

Provides a signed declaration that he or she:

- a) understands the risk of hypoglycaemia and will comply with such directions regarding treatment for diabetes as may from time to time be given by the registered medical practitioner overseeing that treatment, or one of the clinical team working under the supervision of that registered medical practitioner;
- b) will immediately report to the Council in writing any significant change in his or her condition and will follow the advice of his or her registered medical practitioner, or one of the clinical team working under the supervision of that registered medical practitioner, concerning fitness to drive.

Appendix M – Three Strikes Policy

1. The Council operates a policy for dealing with complaints, allegations and witnessed incidents of misconduct or infractions of a type which is not considered sufficiently serious in itself to justify a review of a person's suitability to hold a taxi or private hire driver, vehicle or operator licence, but which may give rise to such concerns if repeated or if regarded cumulatively with other such incidents.
2. Where complaints are substantiated for an applicable infraction, the council may consider issuing a formal written advice, particularly if it would be disproportionate or inappropriate to take formal legal action for the infraction. Such advice shall be issued only in situations where the investigating officer (or a reviewing officer) is satisfied that the infraction was committed, such as if they personally observed the infraction being committed, or if the results of the investigation into a complaint lead them to conclude on the balance of probabilities that the infraction was committed. This advice will remain on file for 12 months.
3. If a driver, operator or vehicle proprietor should receive three warnings for any combination of applicable infractions within a rolling period of 12 months, they shall be referred to the Council's Licensing Sub-Committee, for a review hearing into that individual's suitability to continue to hold the relevant licence.
4. In conducting such reviews, the Sub-Committee will take account of all of the pertinent facts, and of any representation made by the driver, operator or proprietor before considering what action, if any, would be appropriate to take. The Sub-Committee may also have regard to any previous warnings or Committee determinations in reaching a decision. The options available to the Sub Committee, depending upon the severity of the infractions and any previous record of misconduct, will typically be:
 - to take no further action;
 - to warn the licensee as to their future conduct;
 - to suspend the licence for a specified period, or until such time as certain conditions have been satisfied;
 - or to revoke the licence.
5. The existence of this guidance does not bind the Council, its officers or members to reach a particular decision in every case, and if the circumstances of a particular case support doing so it shall be open to the Council to select a different course of action in respect of that case, such as prosecution for a single infraction of a type listed below, or issuing an informal warning which does not count towards the cumulative total.
6. The following lists of applicable infractions are non-exhaustive, and similar infractions may be regarded in the same way, even if not specifically referred to below.

Applicable infractions – operators

- Failing to declare convictions / cautions in a timely manner
- Failing to produce operator licence on request
- Failing to maintain operators records complying with licence conditions, or to produce on request
- Touting of hire car services
- Abusive/improper behaviour by operator or staff
- Use of unapproved door signs on vehicles
- Obstruction of authorised officer or constable
- Making false statement to authorised officer or constable

- Making a false statement in connection with a licence or application
- Failing to inform the licensing authority that a licensed driver has ceased working for them
- Failing to submit monthly operator returns

Applicable infractions – drivers / vehicle proprietors

- Failing to declare convictions / cautions / motoring endorsements in a timely manner
- Failing to report accident
- Failing to produce vehicle/driver licence on request
- Failing to wear driver badge
- Failing to produce vehicle insurance certificate on request
- Failing to return licence plate / badge (following expiry, suspension or revocation)
- Using vehicle which is mechanically unsound / unsafe / excessively soiled
- Using vehicle at a time when it would not satisfy compliance standards
- Charging more than metered fare / use of incorrect tariff / previously agreed fare
- Non-display of fare card
- Prolonging journeys
- Tampering with taximeter seal, altering taximeter with intent to mislead
- Meter, radio or other equipment installed in dangerous position
- Non-display / incorrect display of licence plates
- Non-display of roof sign / door signs
- Display of roof/taxi sign on vehicle other than a hackney carriage
- Failure to carry first aid kit / fire extinguisher in vehicle
- Abusive/improper behaviour
- Driver improperly attired
- Touting
- Misuse of taxi ranks (obstructing or hindering other driver, preventing hiring)
- Hackney carriage driver refusing fare from taxi rank • Private hire vehicle stopping on taxi rank
- Leaving hackney carriage unattended on a taxi rank
- Failing to deliver lost property to police station
- Obstruction of authorised officer or constable
- Making false statement to authorised officer or constable
- Making a false statement in connection with a licence or application
- Failing to inform licensing that they have moved to a different private hire operator

Police infractions

In addition to work undertaken by Cheltenham Borough Council officers, Gloucestershire Constabulary officers may issue warnings which will have the same effect under this policy, for any of the above infractions, or for the following general violations:

- Minor offences under Road Traffic Acts in respect of a hackney carriage or private hire vehicle
- Minor offences under the Road Vehicles (Construction and Use) Regulations in respect of a hackney carriage or private hire vehicle
- Minor public order offences in the course of use of a hackney carriage or private hire vehicle

In all cases, issue of a warning under this scheme by a police officer shall represent an alternative disposal option, and police shall retain the right to instead utilise any other disposal method (e.g. fixed penalty notice or legal proceedings) for any applicable offence where deemed appropriate.

More serious offences

The following offences are deemed sufficiently serious that they will be excluded from this scheme, with prosecution or committee referral likely to result from a single incident:

- Plying for hire without HCV licence (or driving or standing for hire)
- Using an unlicensed vehicle for private hire
- Driving a licensed vehicle without a valid HC/PH driver's licence
- Employing an unlicensed driver to drive a licensed vehicle
- Operating unlicensed vehicles, or operating vehicles without an operator's licence
- Refusing to accept booking to carry disabled passenger, or passenger with assistance dog
- Injuring or endangering any person or property through wanton and furious driving or other wilful misconduct
- Carrying excessive number of passengers

Appendix N - Code of Good Practice for Licensed Drivers' Working Practices

About this Code

Licensed taxi and private hire drivers are exempt from the requirements set out by the EU Working Time Directive. As a consequence, there is no statutory national standard for acceptable and safe working hours for licensed drivers.

Excessive working hours can cause fatigue which can place the health and safety of drivers, passengers and other road users at risk.

This code is a guide for licensed operators, vehicle proprietors and licensed drivers alike, to make sure that everyone understands what fatigue is, how it can affect the safety of drivers and their passengers and what the council's expectations are for safe working practices in the trade.

It sets out a number of minimum standards regarding fatigue management and hours of work. In the absence of any specific legislation, these serve as benchmarks against which the council will measure the fitness and suitability of drivers and operators.

Recommended hours of work

The UK Government recommends the following safe working time for passenger-carrying vehicles and drivers:

Obligation on licensed drivers

- You must not work more than 16 hours between the times of starting and finishing work including non-driving work and any times when you're off (rest breaks).
- After 5 hours 30 minutes of driving you must take a break of at least 30 minutes for rest and refreshment.
- You must take a rest of 10 hours before the first duty and immediately after the last duty in a working week.
- You must take a rest of at least 10 hours between 2 working days
- All duties must start and finish within a 24-hour period.
- Every 2 weeks you must take at least one period of 24 hours off duty
- Hackney Carriage drivers should keep a record of their hours of work through whatever practical means and present this to authorised council officers on request within a reasonable timescale. The council will not prescribe the format but expects as a minimum the records to include dates and working times for that date.

Obligations on licensed operators

- Operators shall, as far as is reasonably practical, have procedures in place to ensure that all licensed drivers do not work in excess of the maximum hours outlined in the recommended hours of work.
- Operators shall, as far as is reasonably practicable, have plans in place to ensure that all their drivers are fit to work at the start of their shift (ie. they are not fatigued).
- Operators shall on request provide authorised council officers records of private hire working hours as recorded on the dispatch system.

Indicators of fatigue

- Not feeling refreshed after sleep
- Falling asleep at work
- Loss of concentration at work, leading to increased errors or lack of awareness of danger (eg. drifting out of lane when driving)
- Poor visual perception - even hallucinations - in poor light/weather conditions
- The need for extended sleep during days off
- The need for frequent naps in leisure time

Ways to avoid fatigue

- Ensure you take plenty of rest breaks
- Avoid extended reliance on artificial aids such as loud radios, bright lights or “blowby” airconditioners
- Don't rely on the prolonged use of stimulants such as caffeine drinks or drugs.
- If you feel sleepy, stop work and take a 20-minute “power nap”. If this does not work then go home and get some proper rest
- If you “nodded off” in your vehicle for any length of time, stop work immediately and get some rest
- When switching from day to night shifts (or vice-versa) take a 24-hour break in between
- Get 7.5 hours quality sleep every 24 hours

Appendix O – Partition Screens in Licensed Vehicles

Introduction

1. Partitions or safety screens provide a physical barrier between drivers and passengers in the vehicle. They are commonly installed in purpose built hackney carriages as a safety feature to protect the driver from physical attacks or theft..
2. Purpose built hackney carriages are already fitted with partitions between drivers and passengers. However, licensed saloon vehicles do not have partitions/safety screens installed. There are a wide variety of different makes and model of these vehicles licences in Cheltenham.
3. Whilst a partition screen between drivers and passengers will not provide 100% protection against transmission of the coronavirus, evidence shows that the use of physical barriers is effective in lowering the rate of infection and spread of the virus.
4. Whether a partitions or screens should be installed is a matter for vehicle owners, drivers and/or operators to consider.
5. This policy outlines the authority's policy on the installation of partitions or screens in hackney carriages or private hire vehicles. Any queries can be directed to licensing@cheltenham.gov.uk.

Specification

The partition or screen:

1. must comply with the Road Vehicle (Construction and Use) Regulations.
2. must be professionally and securely fitted and maintained in accordance with the manufacturer's instructions. Certification from the fitter must be obtained to certify the safety of the installation and confirmation it has been fitted to manufacturers standards.
4. should be constructed with a transparent polyvinyl chloride (PVC) or polycarbonate and be of firm design.
5. should not impede the driver's vision, movement, or communication with passengers.
6. should not impede driver or passenger access or egress to the vehicle.
7. must be fitted in such a way so as not to affect the structural integrity of the vehicle or interfere or affect any manufacturer fitted safety equipment or features including headrests, seatbelts, airbags, egress points, CCTV.
8. must not wrap around the driver seat and create a partition between the two front seats, in addition to the rear cabin area.
9. must not affect the ability of the vehicle to be properly insured for the purpose of carrying persons for hire and/or reward.
10. must not adversely influence or interfere in any way with vehicle type approval.
11. should not be significantly changed or modified from the original manufactured design. In cases where it is necessary to modify the original design of the device (for example, to facilitate installation of the device in the vehicle), assurances should be sought from the supplier/installer that the modification does not raise any concerns in relation to safety of the device and complies with the relevant UK and/or EC safety legislation.
12. should remain clear and be free of scratches, clouding or stickers which would impede the drivers or passengers' visibility.

Approval Procedure

In accordance with the conditions attached to private hire and hackney carriage vehicle proprietors licences, permission must be sought prior to any vehicle alterations including installation of a partition or screen in any vehicles licensed by Cheltenham Borough Council.

Permission can be sought by completion of the correct form and returning it to the authority by email to licensing@cheltenham.gov.uk.

The authority reserves the right to seek any additional information that it might require including, but not limited to:

1. Technical specifications on any partition or screen installed;
2. Written confirmation that any partition or screen installed has been done so professionally and in accordance with the manufacturers requirements and specifications;
3. Confirmation that the vehicle's insurance cover has not been affected by the installation of the partition or screen; and/or
4. Written confirmation from the vehicle's manufacturer that the installation of the partition or screen does not compromise the integrity of the vehicle structure.

Appendix P - Medical Exemption Policy

1. Background Information

The Equality Act 2010 means that employers and service providers must make 'reasonable adjustments' or changes to take account of the needs of disabled employees and customers.

Cheltenham Borough Council is committed to an accessible public transport system in which disabled people have the same opportunities to travel as other members of society. Taxis and Private Hire vehicles are a vital link in the transport chain. It is important that people who use wheelchairs or guide, hearing or other assistance dogs can have confidence that drivers will accept them and their wheelchair or assistance dog and carry them at no extra charge.

The Equality Act 2010, Section 165, places the following duties on drivers of designated wheelchair accessible Taxis and Private Hire Vehicles;

- To carry the passenger while in the wheelchair;
- Not to make any additional charge for doing so;
- If the passenger chooses to sit in a passenger seat, to carry their wheelchair;
- To take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort;
- To give the passenger such mobility assistance as is reasonably required

In addition, Sections 168 and 170 places the following duty on drivers of Taxis and Private Hire vehicles;

- To carry the passenger's dog, allowing it to remain with the passenger and not make any additional charge for doing so.

A driver who fails to comply with any of the above is guilty of an offence and may receive a fine if convicted.

2. What is a Medical Exemption?

In some circumstances a driver of a designated Taxi or Private Hire vehicle may be unable to fulfil the requirements of the Equality Act 2010 for medical reasons, either short or longer term.

Section 166 of the Act allows licensing authorities to exempt drivers from the duties to assist passengers in wheelchairs if they are satisfied that it is appropriate to do so on medical grounds or because the driver's physical condition makes it impossible or unreasonably difficult for them to comply with the duties.

Sections 169 and 171 of the Act allow licensing authorities to exempt drivers from the duties to transport assistance dogs if they are satisfied that it is appropriate to do so on medical grounds.

3. How to apply for a Medical Exemption

To apply for a Medical Exemption Certificate, a driver must submit an exemption application form and obtain written evidence from their doctor and/or specialist detailing exactly what duties cannot be undertaken and why.

Upon receipt of the doctor's note, the Licensing Section will provide a temporary exemption certificate which will cover the driver for a period of up to three months. The Licensing Section will consider the evidence presented and may require further information, where appropriate. If the

officer is satisfied on the basis of information provided, they may approve such an application. If not, then the driver will be required to be referred to the authority's Occupational Health provider and pay any costs for them to consider the application.

If the evidence states that the driver is unfit to carry passengers in wheelchairs and/ or assistance dogs for a specified period of time, a temporary exemption notice will be issued with an expiry date in line with the information provided on the doctor's note. Upon expiry, the Licensing Section will deem drivers fit to undertake all duties unless a second doctor's note is received. Upon receipt of a second doctor's note, the referral process will be initiated as detailed above.

Upon expiry of the temporary exemption certificate, the certificate must be returned to Licensing Section. Failure to do so in a reasonable timeframe might result in the suspension of a driver's licence on the basis of being fit and proper.

If the referral process to occupational Health is initiated, the driver will receive further information from the Occupational Health provider. The licensing section will contact the driver to discuss the outcome of the referral.

- If the driver is declared fit for work, the temporary exemption certificate must be returned to the Licensing Section.
- In the event of a recommendation to make reasonable adjustments, the licensing section will consider an extension to the temporary exemption certificate to allow the driver to make necessary reasonable adjustments.
- If the driver is declared permanently unfit to carry passengers in wheelchairs and/ or assistance dogs an Exemption Certificate will be issued. The exemption may be reviewed every one to five years, with reference to expert medical evidence, and each case will be reviewed on its own merits.

4. Appeals Process

If the driver does not agree with the decision to refuse the application for a medical exemption, they are able to appeal the decision to the magistrates' court. The driver has 28 days from the date of refusal to appeal.

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Consultation on proposals to amend the
Authority's Licensing Policy, Guidance
and Conditions for Private Hire and Taxis
Operating Within the Borough of
Cheltenham

Consultation Closing Date: 23:59 on 13 April 2025

<https://www.cheltenham.gov.uk/consultations>

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Introduction

Cheltenham Borough Council (the authority) previously adopted the [Licensing Policy, Guidance and Conditions for Private Hire and Taxis Operating within the Borough of Cheltenham](#) in 2021 that supports the Licensing Authority in carrying out its responsibilities in administering, monitoring and carrying out enforcement in respect of the taxi and private hire licensing regimes. These responsibilities primarily come from primary legislation, namely the Local Government (Miscellaneous Provisions) Act 1976 and the Police and Town Clauses Act 1847.

As one will note this legislation is quite dated, however the government has produced statutory guidance to support Licensing Authorities in carrying out their functions. The Statutory Taxi and Private Hire Vehicle Standards was published in July 2020, and the authority has previously taken steps to reflect a number of priorities contained therein.

More recently, the government published an updated version of the Taxi and Private Hire Vehicle Licensing Best Practice Guidance for Licensing Authorities in England in November 2023. The authority has considered this best practice guidance in reviewing its existing Taxi and Private Hire Policy, and this is reflected in some of the amendments proposed.

A consultation was carried out in Summer 2024, but no further developments took place due to a change in the structure of the licensing team. This is a new 6-week consultation period. If you submitted a comment during the 2024 consultation, please ensure that you respond to this survey to ensure that your views are considered.

IF YOU SUBMITTED COMMENTS DURING THE 2024 CONSULTATION, PLEASE ENSURE THAT YOU RESPOND TO THIS CONSULTATION IN ORDER FOR YOUR COMMENTS TO BE TAKEN INTO CONSIDERATION.

How you can respond

This consultation **closes at 23:59 on 13 April (6 weeks)**. There are several ways to respond to this consultation:

- **Online using the electronic consultation form ****link******
- By completing and returning this form to licensing@cheltenham.gov.uk or by post to:

Cheltenham Borough Council
Licensing Section
Municipal Offices
Promenade
Cheltenham
GL50 9SA

Privacy and Data Protection

The Licensing Consultations Privacy Statement can be found on the authority's website at https://www.cheltenham.gov.uk/info/81/how_we_use_your_data/1375/licensing_privacy_data.

Policy Proposals

This section of the consultation document **outlines the proposed policy changes and amendments that the authority is specifically seeking feedback on** as part of the consultation process.

About You

Name (optional): _____

Email address: _____

Which best describes the capacity in which you are responding to this consultation **(required)**:

- ☐ A councillor/committee member
- ☐ A Member of Parliament
- ☐ A licence holder
- ☐ A customer of the taxi/private hire trade
- ☐ A statutory body (police etc.)
- ☐ A body (for example disability awareness group)
- ☐ Other not specified (please specify): _____

The following proposals were within the consultation that was carried out in summer 2024:

1. Confirmation of the existing requirement to display information to make a complaint in licensed vehicles.

Question: Do you agree, or disagree, with the authority's proposal to display information on how to make a complaint in licensed vehicles? (required)

- ☐ Agree
- ☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

2. Clarification around DBS checks for new applicants for a driver licence and existing licence holders, namely that only an enhanced level check for 'other workforce' will be accepted and that all drivers must subscribe to the update service through the DBS. Furthermore, that the authority will carry out a check for any changes to such subscriptions on a 6 monthly

frequency. **NB This is a requirement under the Department for Transport (DfT) Statutory Standards and Home Office Guidance regarding DBS checks so no views will be sought.**

3. Medical assessment frequency brought into line with DVLA guidelines for bus and lorry drivers and the frequency reduced – see Annex 1 for details.

Question: Do you agree, or disagree, with the authority's proposal regarding medical assessment frequency? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

4. Vehicles – confirmation of the aspiration for a mixed hackney carriage fleet of WAVs and non – WAVs; confirmation that from 2030 only zero emissions vehicles will be licensed as hackney carriages and confirmation that this is the authority's *aspiration* for the PHV fleet; WAV requirements to be relaxed in the hope of seeing more WAV vehicles licensed as hackneys and PHVs; vehicle emissions standards clarified for existing and new proprietors for hackney carriages and PHVs – the standard being Euro 6 or better and phasing out higher emission emitting vehicles.

Question: Do you agree, or disagree, with the authority's proposal regarding WAVs and emissions? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

5. Confirmation that WAV hackney carriages licensed as such, since first licence, must remain as a WAV.

Question: Do you agree, or disagree, with the authority's proposal regarding WAVs remaining as WAVs? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

6. Clarification on what vehicles must be provided for a temporary replacement.

Question: Do you agree, or disagree, with the authority's clarification on temporary vehicle replacements? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

7. Lessening the burden on vehicle proprietors for hackney carriage taximeter tests by reducing the frequency of these tests.

Question: Do you agree, or disagree, with the authority's proposal on the frequency of taximeter tests? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

8. Lessening the maximum period of time a vehicle test may be carried out before the start date of a new vehicle licence to 1 month.

Question: Do you agree, or disagree, with the authority's proposal that vehicle tests can be no more than 1 month old? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

9. Clarification on roof sign dimensions.

Question: Do you agree, or disagree, with the authority's proposed roof sign dimensions? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

10. Confirmation that all taximeters in hackney carriages will be required to calendar controlled.

Question: Do you agree, or disagree, with the authority's proposal that meters must be calendar controlled? (required)

- ☐ Agree
- ☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

11. Implementation of requirements for a director or person with management responsibility for each PHV operator to have carried out safeguarding training.

Question: Do you agree, or disagree, with the authority's proposal that private hire operators must undertake safeguarding training? (required)

- ☐ Agree
- ☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

12. Clarification of the situations where first aid kits and fire extinguishers should be used.

No views are sought as this is clarification.

13. Implementation of requirement for hackney and PHV proprietors to fit and ensure a card machine or device is available to take card payments, and sanctions for non-compliance without good cause or in certain situations, such as loss of mobile data signal.

Question: Do you agree, or disagree, with the authority's proposal that card machines in licensed vehicles will be mandatory? (required)

- ☐ Agree
- ☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

14. Changes proposed to make the medical exemption process less burdensome, whilst ensuring the system remains robust and is not open to abuse.

Question: Do you agree, or disagree, with the authority's amendments to the medical exemption process? (required)

- ☐ Agree
- ☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

In addition to the proposals above, further proposals since the 2024 consultation are:

15. To remove topographical questions from the knowledge test for private hire drivers.

Question: Do you agree, or disagree, with the authority's proposal to remove topographical questions from the private hire knowledge test? (required)

- ☐ Agree
- ☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

16. For private hire operators to notify the licensing team when a driver or vehicle commences/ceases working for them.

Question: Do you agree, or disagree, with the authority's proposal? (required)

- ☐ Agree
- ☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

17. CCTV wording updated and the requirement for any vehicle proprietors to notify the licensing team if they have CCTV installed.

Question: Do you agree, or disagree, with the updated CCTV wording and requirement to notify the licensing authority if a system is fitted? (required)

- ☐ Agree
- ☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

18. Update to the enforcement and complaints policy to include strikes.

Question: Do you agree, or disagree, with the authority's amendments to the enforcement and complaints policy? (required)

- ☐ Agree
- ☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

19. Lost property to be returned to the owner or taken to a police station within 48 hours.

Question: Do you agree, or disagree, with the authority's update to lost property being returned or taken to a police station? (required)

- ☐ Agree
- ☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

20. Private hire operator returns to be submitted monthly (currently quarterly).

Question: Do you agree, or disagree, with the authority's proposal that operator returns are changed from quarterly to monthly? (required)

- ☐ Agree
- ☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

21. Updates to the strike policy.

Question: Do you agree, or disagree, with the authority's amendments to the strike policy? (required)

- ☐ Agree
- ☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

22. Update to specify that insurance write-offs (vehicles that have been involved in accidents and subsequently written off) will not be licensed.

Question: Do you agree, or disagree, with the authority's proposal that insurance write offs should not be licensed? (required)

- ☐ Agree
- ☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

23. Amendment to state that individuals who fail the knowledge test will need to wait a period of 6 months until they are permitted to re-sit the test?

Question: Do you agree, or disagree, with the authority's proposal that individuals will have to wait 6 months until they are permitted to re-sit the knowledge test if they have already failed the test 3 times? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

Consultation

The authority believes that the proposals outlined in this consultation document will provide balanced and comprehensive improvement to the way it regulates the taxi and private hire industries.

However, the authority is keen to hear your views on these proposals, and is consulting with the trades it regulates, relevant stakeholders and the wider public.

We will also use the authority website to publicise the consultation taking place and our proposals. An online survey tool to respond to the consultation will be available on our website and in paper form available from the authority reception area at the Municipal Offices.

We will also consult directly with the following groups, organisations or individuals.

- The Cheltenham Borough Authority – Licensing Committee
- The local MP
- Gloucestershire Constabulary
- Gloucestershire School Transport
- Cheltenham Borough Council elected members
- Cheltenham Business and Improvement District (BID)
- Cheltenham Safe
- Disability groups
- Taximeter calibrators

If you have any questions about this consultation, please contact licensing@cheltenham.gov.uk before making the final decision in respect of these proposals.

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Total number of responses received: 21

Breakdown of category

- Hackney carriage/private hire licence holder (HC/PH): 11
- Councillor: 5 (inc Licensing Committee)
- Other statutory body: 1 (GCC)
- Public: 3
- Head of Service (HoS): 1

Analysis of responses

Proposal	Support for proposal	Not supporting proposal	No response/comment	Comments/officer assessment
Q1: Do you agree, or disagree, with the authority's proposal to display information on how to make a complaint in licensed vehicles?	HC/PH: 8 Cllr: 4 GCC Public: 3	HC/PH: 3 Cllr: 1	HoS	<p>HC/PH:</p> <ol style="list-style-type: none"> 1. I believe only the plate number is sufficient for the safety of drivers. 2. Displaying the information on how to make a complaint is very positive, but equally how to submit a compliment or comment is equally important too. <p>Cllr: Complaints should be made with proper evidence it is vital to proof.</p> <p>Public: Always good to provide this info for members of the public.</p> <p><i>Officer assessment:</i> <i>Update to information on how to make a complaint, compliment or concern – pg 7</i></p>
Q2: Clarification around types of DBS checks that CBC can accept and 6 month checks that will be carried out on update service				<p>NB This is a requirement under the Department for Transport (DfT) Statutory Standards and Home Office Guidance regarding DBS checks so no views will be sought.</p> <p><i>Officer assessment:</i> <i>Adopt</i></p>

Proposal	Support for proposal	Not supporting proposal	No response/ comment	Comments/officer assessment
Q3. Do you agree, or disagree, with the authority's proposal regarding medical assessment frequency?	HC/PH: 10 Cllr: 4 GCC Public: 3	HC/PH: 1 Cllr: 1	HoS	<p>HC/PH:</p> <ol style="list-style-type: none"> 1. I think drivers should have to do a taxi driving assessment every 5-10yrs as well. 2. Licence holder should declare any changes immediately to the licence authority. <p>GCC: Aligning with the DVLA guidelines makes sense.</p> <p>Cllr: Would help to assessment easy if reduced the list of questionnaire in medical assessment form.</p> <p><i>Officer assessment:</i> <i>We cannot amend the D4 medical examination used by the DVLA as this is prescribed by them and is industry best practice.</i></p> <p><i>Adopt.</i></p>
Q4. Do you agree, or disagree, with the authority's proposal regarding WAVs and emissions?	HC/PH: 6 Cllr: 1 GCC Public: 2	HC/PH: 6 Cllr: 4 Public: 1		<p>HC/PH:</p> <ol style="list-style-type: none"> 1. All current licenced vehicles should be Licenced until they age out. 2. The fleet will naturally evolve over time. There is no need for a " line in the sand" date. 3. Confirmation that from 2030 only zero emissions vehicles will be licensed as hackney carriages and confirmation that this is the authority's aspiration for the PHV fleet; 4. Will the council make allowances for retiring drivers? Older drivers will find this difficult as finance options to purchase Zero emission vehicles will have limitations. <p>What infostructure will the council make available in support of drivers changing to such vehicles?</p>

Proposal	Support for proposal	Not supporting proposal	No response/ comment	Comments/officer assessment
				<p>Will the council change the policy in good time if net zero is abolished or relaxed if a new government is appointed? Basically to avoid another Policy fiasco such as the WAV implementation.</p> <p>Will the council also consider the affordability of such vehicles ?</p> <p>Currently we are experiencing the erosion of work available or lost ie;</p> <ol style="list-style-type: none"> 1. Uber 2. Hospitality sector (especially night time economy) is on the decline 3. Electric Scooters 4. 24hr Stagecoach buses 5. National express may pick up and drop off solely for the Golden Valley Transport Hub 6. Student population no longer use Hackneys - Uni Transport provided 7. Invasion of non local taxis during festivals 8. Mileage limitations on zero emission vehicles (as it stands at the moment) Drivers may find themselves having to avoid long distance work such as Airport runs due to mileage anxiety. Having to pause work to charge such vehicles - especially during festival times. <p>10 years ago there was none of the above to consider but now we are faced with unguaranteed income - where before a driver could meet his targets fairly easily due to demand - now its like playing roulette - you just hope you fall lucky.</p> <ol style="list-style-type: none"> 5. agree with emissions and disagree with WAVs policy. as there are enough available. Mostly people prefer to travel in non WAVs. we have seen this objection from customers. 6. Cheltenham does not have enough charging points for full electric taxis.

Proposal	Support for proposal	Not supporting proposal	No response/ comment	Comments/officer assessment
				<p>7. A market research should be conducted in regard to WAVs demand on taxi ranks.</p> <p>8. Page 21 of the Draft Policy of the Conditions for Private Hire and Taxis operating in the Borough of Cheltenham, February 2025 states... “The authority aspires to only licence new private hire vehicles, [replacement applications and renewal applications] from 1st January 2030 where they emit no harmful emissions from the tailpipe.” This date is less than 5 years away and there doesn’t appear to be anywhere in this Draft Policy for a full consultation process to be undertaken of this momentous aspiration. It is therefore vital that the authority implements such a process and uses this time to carefully consider all of the implications of this proposal long-before it is adopted. This process must include full consultation with the trade and other appropriate organisations, such as the motor industry. It should also be revisited on a regular (annual) basis so as to be amended according to the latest developments. Set out below (next page) are some examples of the matters that such a process must consider now if the authority’s aspiration is to become a reality. They are only a selection of the issues, there being many more that a consultation will identify. If they aren’t and the policy is adopted then Cheltenham Borough Council is likely to be bereft of a comprehensive fleet of PHV’s that its residents need. 7 (1) The requirement for a PHV to be capable of travelling several hundred miles in a day without stopping for long periods, which an electric vehicle would need to do to recharge. a. A realistic example of this would be a journey from Cheltenham to central London, for a pick-up (which given the terrain allows no time for stopping), followed by a journey involving several short stops (where charging facilities aren’t available, due to the nature of the stops) & then returning to Cheltenham. b. As well as the sheer distances involved, this journey is highly likely to</p>

Proposal	Support for proposal	Not supporting proposal	No response/ comment	Comments/officer assessment
				<p>involve a significant amount of time sat in heavy traffic in London, which would quickly drain the battery of an electric vehicle. c. This will in turn cause anxiety for the driver and thereby the passenger, who will (via the hotel) explicitly require a vehicle to be booked only if it is capable of performing the journey without incident d. Additional pressure on the PHV's range will occur as passenger numbers in the vehicle rise, along with the associated volume of luggage; both of which will drain the battery of an electric vehicle at an ever increasing rate. e. When the colder months are upon us, the electric vehicle's battery will be further depleted by the weather due to the lower temperatures and the need for it to run ancillary devices, such as heating and window de-misting systems. f. So only when electric vehicles are capable of achieving these requirements can the authority cease to license PHV's that aren't zero emission. (2) There are also macro-economic factors occurring that will affect the ability of a PHV Driver to obtain a zero-emission vehicle by 1st January 2030. These include the following... a. The market for zero-emission/electric vehicles has slowed recently, thereby i. Reducing the ready availability of such vehicles. ii. Potentially restricting the investment manufacturers are prepared to put into such vehicles iii. Which in turn will limit the capability of a PHV Driver to find a vehicle that can perform the sorts of journeys described in Point (1), above. b. The price of electric vehicles tends to be appreciably more than non-electric vehicles, thereby making them less economically viable for a PHV driver, who is attempting to run a business. c. The infrastructure upgrade to the UK's electricity network by 2030 that is required to support electric vehicles is by no means guaranteed, it currently being way behind. (3) With the renewal of PHV Licences from 1st January 2030 requiring them to be zero emission vehicles, anyone applying to licence a new PHV between now and that date will have an ever diminishing</p>

Proposal	Support for proposal	Not supporting proposal	No response/ comment	Comments/officer assessment
				<p>lifespan for the PHV, during which time it can be used to generate an income... a. A PHV licensed from 1st January 2025, will have a 5 year life. One from 1st January 2026 a 4 year life and so on. b. This makes the licensing of a non-zero emission PHV less and less economically viable, to the point that it won't make economic sense to do so long before 1st January 2030. c. Given that the macro-economic factors at play (as set out in Point (2) above), are liable to restrict the availability of zero-emission cars suitable for PHV use for several years, this "renewals policy" is liable to cause the number of PHV's being licensed to fall significantly over the next few years. d. So when all of these matters are taken together, it becomes clear that a Consultation by the authority must be wide-ranging so that the interaction of the various parts of The Draft Policy do not dis-advantage PHV drivers and thereby the inhabitants of Cheltenham. e. One solution could be to allow a phased approach for non-zero emission vehicles licensed from 1st January 2025, allowing them to continue beyond 1st January 2030 for a set number of years.</p> <p>Cllr:</p> <ol style="list-style-type: none"> 1. Fluctuations in vehicle sales makes a mandatory silver colour restrictive - I recommend relaxing this to include all basic colours. Licenced vehicles should also be a mixture of WAV and non-WAV for similar reasons. Finally, given the cost of living and various financial challenges facing society, having a vehicle less than 8 years of age and zero emissions could prove challenging and costly. 2. zero emissions vehicle should be licensed from 2035 and should be mixed fleet of WAVS and Non WAVS, more WAV vehicles should be licensed to PHVs. The non WAVS should be replaced for Non WAVS end of its lifetime or cause of not roadworthy or uneconomical repairs to cost.

Proposal	Support for proposal	Not supporting proposal	No response/comment	Comments/officer assessment
				<p>GCC: We agree to an extent, but the cost to drivers will be considerable/operators will be considerable and this may reduce the number of vehicles licensed, and the charging infrastructure must be in place before any changes are implemented.</p> <p>Public: Financial burden.</p> <p>HoS:</p> <p>Part Two – Vehicles, Hackney Carriage Vehicles</p> <p>On the numerous references to “must emit zero emissions”, please consider whether this will also disqualify, perhaps inadvertently, Hydrogen powered vehicles. These vehicles technically do “emit emissions” but do not emit any greenhouse gases they emit water vapour.</p> <p>Private Hire - Renewal vehicle application</p> <p>Whilst this draft policy sets a maximum licensing age for PH WAVS (16 years), it is not clear whether the policy also proposes a similar maximum licensing age for saloon PHVs.</p> <p><i>Officer assessment:</i> <i>Agree with concerns, however CBC has declared a 2030 aspiration date to be carbon neutral by. LGR will pave the way on County approach. Amend to aspire and commit to keeping under review?</i> <i>Update to include HoS comments.</i> <i>No need to amend upper age limit for PHV's as this will be catered for with carbon neutral aspirations.</i></p> <p><i>Officer assessment (in conjunction with Cabinet member):</i></p>

Proposal	Support for proposal	Not supporting proposal	No response/ comment	Comments/officer assessment
				<i>To not adopt this change for the time being and conduct a separate 4 week consultation on revised wording.</i>
Q.5 Do you agree, or disagree, with the authority's proposal regarding WAVs remaining as WAVs?	HC/PH: 10 Cllr: 3 GCC Public: 3	HC/PH: 1 Cllr: 2	HoS	<p>HC/PH: A driver should be able to de-wav a vehicle if..he no longer can push a wheelchair due to a medical condition or chooses to no longer use the vehicle as a wav (so long as driver has a limited toplight to add to the vehicle).</p> <p>Cllr: Then it would allow to have mix fleet.</p> <p>GCC: We support this.</p> <p><i>Officer assessment:</i></p> <p><i>There is a medical exemption process for any licence holder who is unable to push wheelchairs.</i></p> <p><i>Adopt.</i></p>
Q.6 Do you agree, or disagree, with the authority's clarification on temporary vehicle replacements?	HC/PH: 9 Cllr: 3 GCC Public: 3	HC/PH: 2 Cllr: 2	HoS	<p>HC/PH: sometimes its difficult to get one's.</p> <p>Cllr:</p> <ol style="list-style-type: none"> 1. Similar to above, financial and market challenges could risk drivers being out of work longer than necessary. 2. Temporary replacement is a vital to keeping drivers in work in case of car damage, accident or breakdown. <p><i>Officer assessment:</i></p> <p><i>Insurance companies can provide as part of policy.</i></p>

Proposal	Support for proposal	Not supporting proposal	No response/comment	Comments/officer assessment
				<i>Adopt.</i>
Q.7 Do you agree, or disagree, with the authority's proposal on the frequency of taximeter tests?	HC/PH: 10 Cllr: 3 GCC Public: 3	HC/PH: 1 Cllr: 2	HoS	Cllr: I think it is sufficient doing once a year and it is an appropriate requirement. <i>Officer assessment:</i> <i>Adopt.</i>
Q.8 Do you agree, or disagree, with the authority's proposal that vehicle tests can be no more than 1 month old?	HC/PH: 9 Cllr: 2 GCC Public: 2	HC/PH: 2 Cllr: 3 Public: 1	HoS	HC/PH: <ol style="list-style-type: none"> 1 month is unworkable... Due to the limited number of testing stations and drivers need flexibility around school holidays..(most drivers have a school run and use the school holidays to test vehicles, if a driver has to test during school time, then school kids can't get to/from.school). Drivers and testing stations may not have an available time slot. Confusion between 1 month on pg 22 and 4 weeks on pg 23 Cllr: Vehicle test should be later or not more than 3 years old on a new vehicle. <i>Officer assessment:</i> <i>Due to the amount of mileage/wear and tear that can take place within 1 month, it is in the public safety interest to have a recent test.</i> <i>Have amended the confusion between 4 weeks and 1 month.</i> <i>Adopt.</i>

Proposal	Support for proposal	Not supporting proposal	No response/comment	Comments/officer assessment
Q.9 Do you agree, or disagree, with the authority's proposed roof sign dimensions?	HC/PH: 9 Cllr: 4 GCC Public: 2	HC/PH: 2 Cllr: 1 Public: 1	HoS	<p>HC/PH:</p> <ol style="list-style-type: none"> 1. And enforce it. 2. I think you will find that some drivers have chosen their own size rather than what has been approved. 3. It should be as small as possible. sometime really scared that roof sign will comes off. <p><i>Officer assessment:</i></p> <p><i>Adopt.</i></p>
Q.10 Do you agree, or disagree, with the authority's proposal that meters must be calendar controlled?	HC/PH: 9 Cllr: 4 GCC Public: 3	HC/PH: 2 Cllr: 1	HoS	<p>HC/PH:</p> <p>As the taxi meter update is to be extended and the dates for future race meetings and other high footfall events is only published 1 year in advance, drivers need to keep the ability to set/adjust fares accordingly.</p> <p>It is the WAV drivers association intention to lobby for higher fares for all high footfall events, the same as other local authorities, look cotswold, Gloucester and Stroud do..</p> <p>When local councils are merged in 2026.</p> <p><i>Officer assessment:</i></p> <p><i>This measure will make overcharging less possible.</i></p> <p><i>Adopt.</i></p>
Q.11 Do you agree, or disagree, with the authority's proposal that private hire operators must undertake safeguarding training?	HC/PH: 11 Cllr: 4 GCC Public: 3	Cllr: 1		<p>GCC:</p> <p>Safeguarding is paramount and we fully support this proposal.</p> <p>HoS:</p> <p>"When a renewal application is made evidence must be shown to demonstrate that at least one named individual in a management position or acting as a director for the company has undertaken</p>

Proposal	Support for proposal	Not supporting proposal	No response/ comment	Comments/officer assessment
				<p>safeguarding training approved by the authority and completed refresher training on a cycle of not less than 5 years.”</p> <ul style="list-style-type: none"> Should the draft policy clarify as per the above. Should we impose a requirement that a new person in a management position or acting as a director for the company should be trained if the trained person leaves the company? <p><i>Officer assessment:</i> <i>Agreed with Cllr Atherstone to amend as per LK's comments</i></p>
Q.12 Clarification of the situations where first aid kits and fire extinguishers should be used.				No views are sought as this is clarification.
Q.13 Do you agree, or disagree, with the authority's proposal that card machines in licensed vehicles will be mandatory?	HC/PH: 8 Cllr: 4 GCC Public: 2	HC/PH: 3 Cllr: 1 Public: 1		<p>HC/PH:</p> <ol style="list-style-type: none"> In some area signals are not great. everyone should have but not mandatory. Signals can't be controlled and conflict can be caused. A cashless society is becoming the norm and it can make a Licensed Driver's accounting much more efficient. However, the requirement should include a clause preventing the driver from adding a fee for use of the machine. <p>GCC: This is very positive and customers will appreciate the flexibility of being able to pay with cash or card.</p> <p>Cllr: ALL PHV and HCV must be used card machine reader.</p> <p>Public:</p> <ol style="list-style-type: none"> Customers and drivers choice how they want to get paid. Most preferred way of paying now.

Proposal	Support for proposal	Not supporting proposal	No response/ comment	Comments/officer assessment
				<p>HoS: <i>"The card machine or device must be in working order at all times, and the licensed vehicle cannot be used to carry passengers if this is not the case."</i></p> <p>Have we considered instances where a card machine or device may be affected by supplier or other external issues that means that do not work where this is outside the drivers control? Technical faults, outages etc. happen all the time and if a supplier is affected by this, it may be unfair to take several licensed drivers and cars off the road if the technical issues are beyond their control. I wonder if we need to include some fallback on a case by case basis to allow them to temporarily revert to cash.</p> <p><i>Officer assessment:</i></p> <p><i>Understandable that signals may be an issue, especially in remote areas.</i> <i>See Liverpool's policy. card-payment-guidance.docx</i> <i>Discussed with Councillor Atherstone and have updated wording and included some additional guidance for drivers (page 50/51)</i></p>
Q.14 Do you agree, or disagree, with the authority's amendments to the medical exemption process?	HC/PH: 10 Cllr: 4 GCC Public: 3	HC/PH: 1 Cllr: 1	HoS	<p><i>Officer assessment:</i></p> <p><i>Adopt</i></p>
Q.15 Do you agree, or disagree, with the authority's proposal to remove topographical questions from the private hire knowledge test?	HC/PH: 6 Cllr: 2 GCC Public: 2	HC/PH: 5 Cllr: 3 Public: 1	HoS	<p>HC/PH:</p> <ol style="list-style-type: none"> 1. The knowledge test, should involve all aspects of Cheltenham knowledge..Including history, culture and geography... After all taxi drivers are also tour guides. 2. All drivers should have a minimum standard of local knowledge; regardless of accessibility to a satnav.

Proposal	Support for proposal	Not supporting proposal	No response/comment	Comments/officer assessment
				<p>GCC: Agree to remove the topographical questions, but its imperative the driver is still able to demonstrate they know the area.</p> <p>Public: If you are a local PHV driver then these should still be required or carry this out when undertaking the driver test. If PHV driver is long distance airport or chauffeur then this test is irrelevant.</p> <p><i>Officer assessment:</i></p> <p><i>The DfT recommend that PH drivers do not undertake this test as all journeys are prebooked.</i></p> <p><i>Adopt.</i></p>
Q.16 Do you agree, or disagree, with the authority's proposal that PHO's should notify the LA when a driver/vehicle stops working for them?	HC/PH: 9 Cllr: 4 GCC Public: 2	HC/PH: 2 Cllr: 1 Public: 1	HoS	<p>GCC: This is essential in our opinion, its important to know where approved crew have moved to.</p> <p>Public: Good to track drivers</p> <p><i>Officer assessment:</i></p> <p><i>Adopt.</i></p>
Q.17 Do you agree, or disagree, with the updated CCTV wording and requirement to notify the licensing authority if a system is fitted?	HC/PH: 5 Cllr: 3 GCC Public: 2	HC/PH: 6 Cllr: 2 Public: 1		<p>HC/PH: Privacy data protection maybe at stake here</p> <p>GCC: CCTV is essential in our opinion, and we fully support this proposal and hope all licensed Cheltenham drivers will install CCTV. CCTV is a mandatory requirement on all GCC contracted home to school transport.</p>

Proposal	Support for proposal	Not supporting proposal	No response/ comment	Comments/officer assessment
				<p>Public: Good to have database</p> <p>HoS: Worth noting that Cabinet approved more work on a CCTV policy on the basis that vast majority of respondents agreed that <i>“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.”</i></p> <p>We may need to reflect this on the draft policy – if this is still Cabinet’s position. Need to discuss with Vix. Important to clarify to satisfy the stat guidance’s requirements.</p> <p><i>Officer assessment:</i> <i>Adopt.</i> <i>Commitment to work identified at Cabinet as pointed out by HoS.</i></p>
Q.18 Do you agree, or disagree, with the authority’s amendments to the enforcement and complaints policy?	HC/PH: 8 Cllr: 3 GCC Public: 3	HC/PH: 3 Cllr: 2	HoS	<p><i>Officer assessment:</i> <i>Adopt.</i></p>
Q.19 Do you agree, or disagree, with the authority’s update to lost property being returned or taken to a police station?	HC/PH: 9 Cllr: 4 GCC Public: 3	HC/PH: 2 Cllr: 1	HoS	<p>HC/PH: Drivers should only have to return property to a passengers location if passenger will pay the fare....</p> <p><i>Officer assessment:</i> <i>Adopt.</i></p>
Q.20 Do you agree, or disagree, with the authority’s proposal that operator returns are changed from quarterly to monthly?	HC/PH: 8 Cllr: 4 GCC Public: 1	HC/PH: 4 Cllr: 1 Public: 2	HoS	<p>Public: Operators have enough to do especially if you are a one person operation.</p> <p><i>Officer assessment: Adopt.</i></p>

Proposal	Support for proposal	Not supporting proposal	No response/ comment	Comments/officer assessment
Q.21 Do you agree, or disagree, with the authority's amendments to the strike policy?	HC/PH: 8 Cllr: 2 GCC Public: 3	HC/PH: 3 Cllr: 3	HoS	<i>Officer assessment:</i> <i>Adopt.</i>
Q.22 Do you agree, or disagree, with the authority's proposal that insurance write offs should not be licensed?	HC/PH: 5 Cllr: 3 GCC Public: 2	HC/PH: 6 Cllr: 2 Public: 1	HoS	<p>HC/PH:</p> <ol style="list-style-type: none"> Only vehicles that are deemed unsafe to repair should be excluded. I think that the category of the write should be taken into account. Unfortunately, Insurance providers are too quick to write a vehicle off for minor damage. Vehicles are written off (In some cases) due to not being able to find a garage who can repair within a reasonable time scale. <p><i>Officer assessment:</i></p> <p><i>As you can be unsure as to what extent the vehicle has been damaged, it is imperative for public safety to adopt this measure.</i></p> <p><i>Adopt.</i></p>
Q.23 Do you agree, or disagree, with the authority's proposal that individuals will have to wait 6 months until they are permitted to re-sit the knowledge test if they have already failed the test 3 times?	HC/PH: 9 Cllr: 3 GCC Public: 1	HC/PH: 2 Cllr: 2 Public: 2	HoS	<p>HC/PH:</p> <p>Everyone makes mistakes 1st time.. I think I failed mine by 1 mark.. 6 .months is a long time to wait.. Maybe 3 months</p> <p>Public:</p> <p>The written test is not great and should be a physical test whilst undergoing the driver test. Drivers can circumnavigate this test by going to Tewkesbury and then working in Cheltenham. If you get into any taxi they input the destination into Sat Nav.</p> <p><i>Officer assessment: Adopt.</i></p>

Head of Service further comments: Officer assessment – have updated

Appendix A - Table of Delegations

The table is not technically correct because some of these actions initially or also sits with Head of Public Protection as per constitution – see page 69-70 (<https://democracy.cheltenham.gov.uk/documents/g1960/Public%20reports%20pack%2003rd-Dec-2024%20CONSTITUTION.pdf?T=10&Info=1>). Need to note the delegations and conditions on the table I would recommend. For example, the delegation to suspend does not sit with Licensing Officers. Equally, powers to suspend drivers sits with the head of service in addition to...



Consultation on proposals to amend the
Authority's Licensing Policy, Guidance
and Conditions for Private Hire and Taxis
Operating Within the Borough of
Cheltenham

Consultation Closing Date: 23:59 on 13 April 2025

<https://www.cheltenham.gov.uk/consultations>

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Introduction

Cheltenham Borough Council (the authority) previously adopted the [Licensing Policy, Guidance and Conditions for Private Hire and Taxis Operating within the Borough of Cheltenham](#) in 2021 that supports the Licensing Authority in carrying out its responsibilities in administering, monitoring and carrying out enforcement in respect of the taxi and private hire licensing regimes. These responsibilities primarily come from primary legislation, namely the Local Government (Miscellaneous Provisions) Act 1976 and the Police and Town Clauses Act 1847.

As one will note this legislation is quite dated, however the government has produced statutory guidance to support Licensing Authorities in carrying out their functions. The Statutory Taxi and Private Hire Vehicle Standards was published in July 2020, and the authority has previously taken steps to reflect a number of priorities contained therein.

More recently, the government published an updated version of the Taxi and Private Hire Vehicle Licensing Best Practice Guidance for Licensing Authorities in England in November 2023. The authority has considered this best practice guidance in reviewing its existing Taxi and Private Hire Policy, and this is reflected in some of the amendments proposed.

A consultation was carried out in Summer 2024, but no further developments took place due to a change in the structure of the licensing team. This is a new 6-week consultation period. If you submitted a comment during the 2024 consultation, please ensure that you respond to this survey to ensure that your views are considered.

IF YOU SUBMITTED COMMENTS DURING THE 2024 CONSULTATION, PLEASE ENSURE THAT YOU RESPOND TO THIS CONSULTATION IN ORDER FOR YOUR COMMENTS TO BE TAKEN INTO CONSIDERATION.

How you can respond

This consultation **closes at 23:59 on 13 April (6 weeks)**. There are several ways to respond to this consultation:

- Online using the [electronic consultation form](#)
- By completing and returning this form to licensing@cheltenham.gov.uk or by post to:

Cheltenham Borough Council
Licensing Section
Municipal Offices
Promenade
Cheltenham
GL50 9SA

Privacy and Data Protection

The Licensing Consultations Privacy Statement can be found on the authority's website at https://www.cheltenham.gov.uk/info/81/how_we_use_your_data/1375/licensing_privacy_data.

Policy Proposals

This section of the consultation document **outlines the proposed policy changes and amendments that the authority is specifically seeking feedback on** as part of the consultation process.

About You

Name (optional): _Full licensing committee

ANY BLANK SECTIONS ARE ITEMS COMMITTEE GENERALLY AGREE WITH

email address:

Which best describes the capacity in which you are responding to this consultation **(required)**:

- ☐ A councillor/committee member
- ☐ A Member of Parliament
- ☐ A licence holder
- ☐ A customer of the taxi/private hire trade
- ☐ A statutory body (police etc.)
- ☐ A body (for example disability awareness group)
- ☐ Other not specified (please specify): _____

The following proposals were within the consultation that was carried out in summer 2024:

1. Confirmation of the existing requirement to display information to make a complaint in licensed vehicles.

Question: Do you agree, or disagree, with the authority's proposal to display information on how to make a complaint in licensed vehicles? (required)

- ☐ Agree
- ☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

DW also believe option to make positive comments should be presented

HP can we make sure this is in plain English for tourists

2. Clarification around DBS checks for new applicants for a driver licence and existing licence holders, namely that only an enhanced level check for 'other workforce' will be accepted and that all drivers must subscribe to the update service through the DBS. Furthermore, that the authority will carry out a check for any changes to such subscriptions on a 6 monthly frequency. **NB This is a requirement under the Department for Transport (DfT) Statutory Standards and Home Office Guidance regarding DBS checks so no views will be sought.**
3. Medical assessment frequency brought into line with DVLA guidelines for bus and lorry drivers and the frequency reduced – see Annex 1 for details.

Question: Do you agree, or disagree, with the authority's proposal regarding medical assessment frequency? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

DW probably inclined to agree – moves on to state we probably agree with everything as its our own policy

4. Vehicles – confirmation of the aspiration for a mixed hackney carriage fleet of WAVs and non – WAVs; confirmation that from 2030 only zero emissions vehicles will be licensed as hackney carriages and confirmation that this is the authority's *aspiration* for the PHV fleet; WAV requirements to be relaxed in the hope of seeing more WAV vehicles licensed as hackneys and PHVs; vehicle emissions standards clarified for existing and new proprietors for hackney carriages and PHVs – the standard being Euro 6 or better and phasing out higher emission emitting vehicles.

Question: Do you agree, or disagree, with the authority's proposal regarding WAVs and emissions? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

DW - Concerns around the same situation as WAV policy – rather than having a hard cut off date – allow drivers to age gracefully off of the fleet

HP – scrapping a perfectly good car does not make sense due to energy consumed in making a new one

Other LA's are not reviewing policies due to the LGR

AB – language proficiency

RP – Euro 6 or better – better is not specified – zero emission capability (hybrid) should be mentioned – diesel is not a preferred option – air quality team should comment and help

5. Confirmation that WAV hackney carriages licensed as such, since first licence, must remain as a WAV.

Question: Do you agree, or disagree, with the authority's proposal regarding WAVs remaining as WAVs? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

Agree

6. Clarification on what vehicles must be provided for a temporary replacement.

Question: Do you agree, or disagree, with the authority's clarification on temporary vehicle replacements? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

Agree

7. Lessening the burden on vehicle proprietors for hackney carriage taximeter tests by reducing the frequency of these tests.

Question: Do you agree, or disagree, with the authority's proposal on the frequency of taximeter tests? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

Agree

8. Lessening the maximum period of time a vehicle test may be carried out before the start date of a new vehicle licence to 1 month.

Question: Do you agree, or disagree, with the authority's proposal that vehicle tests can be no more than 1 month old? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

Agree in line with MOT

9. Clarification on roof sign dimensions.

Question: Do you agree, or disagree, with the authority's proposed roof sign dimensions? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

Agree

10. Confirmation that all taximeters in hackney carriages will be required to calendar controlled.

Question: Do you agree, or disagree, with the authority's proposal that meters must be calendar controlled? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

Agree

11. Implementation of requirements for a director or person with management responsibility for each PHV operator to have carried out safeguarding training.

Question: Do you agree, or disagree, with the authority's proposal that private hire operators must undertake safeguarding training? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

Important – anyone involved should do so

12. Clarification of the situations where first aid kits and fire extinguishers should be used.

No views are sought as this is clarification.

13. Implementation of requirement for hackney and PHV proprietors to fit and ensure a card machine or device is available to take card payments, and sanctions for non-compliance without good cause or in certain situations, such as loss of mobile data signal.

Question: Do you agree, or disagree, with the authority's proposal that card machines in licensed vehicles will be mandatory? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

Yes- one of the biggest bugbears people contact us about. DW suggests council should look into being card provider but not sure if allowed. Make it clear that we require only Visa and Mastercard due to high merchant fees with Amex and not fair on the trade to pay excessive merchant fees. Something offices to look into to check that's still the case

RP – where are fees set for Hackney cards. DW – fare card just been revised, set with cabinet. 4 current fares and additional fares for luggage, extra passengers and soiling etc.

14. Changes proposed to make the medical exemption process less burdensome, whilst ensuring the system remains robust and is not open to abuse.

Question: Do you agree, or disagree, with the authority's amendments to the medical exemption process? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

DW suspect we agree with this

In addition to the proposals above, further proposals since the 2024 consultation are:

15. To remove topographical questions from the knowledge test for private hire drivers.

Question: Do you agree, or disagree, with the authority's proposal to remove topographical questions from the private hire knowledge test? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

SH - asked by a driver if he had postcode of a location. He expects drivers to know where things are

DW – for PH not Hackney, pre-booked only and can look at journey before taking it

16. For private hire operators to notify the licensing team when a driver or vehicle commences/ceases working for them.

Question: Do you agree, or disagree, with the authority's proposal? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

Agree

17. CCTV wording updated and the requirement for any vehicle proprietors to notify the licensing team if they have CCTV installed.

Question: Do you agree, or disagree, with the updated CCTV wording and requirement to notify the licensing authority if a system is fitted? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

DW required to keep CCTV for a reasonable amount of time – probably already in conditions.
Frustration that drivers don't have CCTV when there is an alleged incident

MB – wording updated to ensure anyone makes sure that IOC Data Protection is met. Also drivers with CCTV must make LA aware.

(Aside) DW – make sure we don't sleepwalk into vehicles being scrapped in 2030

RP – why are fares set at the level they are set at. Not in policy or survey. Can we take that to county group to determine where fares come from.

MB – legislative process we must go through unique to Cheltenham. Consultation on fare. We propose fares based on inflation. Prior to proposal we had meeting with trade to discuss fares. Proposal made on back of meeting – proposal submitted for consultation.

RP – proposes line to explain how process about fares are determined. How much it costs and why.

18. Update to the enforcement and complaints policy to include strikes.

Question: Do you agree, or disagree, with the authority's amendments to the enforcement and complaints policy? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

Agree

19. Lost property to be returned to the owner or taken to a police station within 48 hours.

Question: Do you agree, or disagree, with the authority's update to lost property being returned or taken to a police station? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

Agree

20. Private hire operator returns to be submitted monthly (currently quarterly).

Question: Do you agree, or disagree, with the authority's proposal that operator returns are changed from quarterly to monthly? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

SS – what is rationale for this.

MB – Monthly operator returns done quarterly – proposal is to allow council to better track where vehicles and rivers working.

21. Updates to the strike policy.

Question: Do you agree, or disagree, with the authority's amendments to the strike policy? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

22. Update to specify that insurance write-offs (vehicles that have been involved in accidents and subsequently written off) will not be licensed.

Question: Do you agree, or disagree, with the authority's proposal that insurance write offs should not be licensed? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

23. Amendment to state that individuals who fail the knowledge test will need to wait a period of 6 months until they are permitted to re-sit the test?

Question: Do you agree, or disagree, with the authority's proposal that individuals will have to wait 6 months until they are permitted to re-sit the knowledge test if they have already failed the test 3 times? (required)

- ☐ Agree
☐ Disagree

Please provide any further comments you wish to make in relation to your answer. **(optional)**

Consultation

The authority believes that the proposals outlined in this consultation document will provide balanced and comprehensive improvement to the way it regulates the taxi and private hire industries.

However, the authority is keen to hear your views on these proposals, and is consulting with the trades it regulates, relevant stakeholders and the wider public.

We will also use the authority website to publicise the consultation taking place and our proposals. An online survey tool to respond to the consultation will be available on our website and in paper form available from the authority reception area at the Municipal Offices.

We will also consult directly with the following groups, organisations or individuals.

- The Cheltenham Borough Authority – Licensing Committee
- The local MP
- Gloucestershire Constabulary
- Gloucestershire School Transport
- Cheltenham Borough Council elected members
- Cheltenham Business and Improvement District (BID)
- Cheltenham Safe
- Disability groups
- Taximeter calibrators

If you have any questions about this consultation, please contact licensing@cheltenham.gov.uk. before making the final decision in respect of these proposals.

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Equality Impact Assessment

Introduction

An Equality Impact Assessment (EqIA) is a method for assessing the effects or impacts of a council policy or function on removing barriers to equality.

The Equality Act 2010 includes a public sector equality duty which requires public authorities to try and eliminate discrimination; advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it and promote equality and good relations across a range of protected characteristics.

The protected characteristics are:

Age	Disability	Gender Reassignment
Marriage and civil partnership	Pregnancy and maternity	Race
Religion or belief (including lack of belief)	Sex	Sexual orientation

An EqIA should be completed with the full range of protected characteristics considered during the initial stages of developing new strategies, policies, functions or services, prior to starting a procurement exercise and before decisions are made.

Examples of when an EqIA should be completed are:

- | | |
|--|--|
| <ul style="list-style-type: none"> Any proposals to introduce or add to a service | <ul style="list-style-type: none"> Any proposals to adopt policy priorities, strategies and plans |
| <ul style="list-style-type: none"> Any proposals to remove, reduce or alter a service | <ul style="list-style-type: none"> Changes to staffing structure where groups of employees are likely to be negatively affected |
| <ul style="list-style-type: none"> Any new policies or changes to policies | <ul style="list-style-type: none"> Any proposals in relation to procured or commissioned services |

Stage 1 - Equality Screening

Whenever a policy/service or function is reviewed, changed, developed or removed an initial equality impact assessment stage 1 will need to be undertaken. This is a screening template and will help establish whether a full assessment is needed. This should be done at an early stage of the process so that it is part of policy development.

Stage 2 – Equality Impact Assessment

This is the full EqIA and seeks to identify the equality considerations that have been taken into account including any mitigating actions proposed and ensures decisions are based on evidence. The EqIA will need to be agreed with the appropriate Head of Service or Director and should be included on the decision making report, along with commentary on the assessment in the main body of the report.

STAGE 1 – Equality Screening**1. Identify the policy, project, function or service change****a. Person responsible for this EqIA**

Officer responsible: Michelle Bignell

Service Area: Public Protection

Title: Licensing and Public Protection Manager

Date of assessment: July 2025

Signature:

b. Is this a policy, function, strategy, service change or project?

Policy

If other, please specify:

c. Name of the policy, function, strategy, service change or project

Is this new or existing?

**Already exists and is
being reviewed****Please specify reason for change or development of policy, function, strategy, service change or project**

Policy review

d. What are the aims, objectives and intended outcomes and who is likely to benefit from it?

Aims:

Regulation of taxi and private hire licensing in accordance with statutory requirements and government best practice.

Objectives:

Outcomes:

Benefits:

e. What are the expected impacts?

Are there any aspects, including how it is delivered or accessed, that could have an impact on the lives of people, including employees and customers.

Yes

Do you expect the impacts to be positive or negative?

Both positive and negative

Please provide an explanation for your answer:

It is proposed to amend the current vehicle policy to permit like-for-like replacement vehicles. For example, a saloon can be replaced with a saloon, but a wheelchair accessible vehicle (WAV) must be replaced with a WAV. All new vehicles must be a WAV. Whereas the current policy would result in a fully WAV fleet, this will deliver a mixed fleet which will affect the number of WAV's available.

It is proposed to mandate card payment machines which will impose a cost on the licence holder, however benefit the customer.

If your answer to question e identified potential positive or negative impacts, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

f. Identify next steps as appropriate

Stage Two required

Yes

Owner of Stage Two assessment

Completion date for Stage Two assessment

STAGE 2 – Full Equality Impact Assessment

2. Engagement and consultation

The best approach to find out if a policy etc, is likely to impact positively or negatively on equality groups is to look at existing research, previous consultation recommendations, studies or consult with representatives of those equality groups.

a. Research and evidence

List below any data, consultations (previous, relevant, or future planned), or any relevant research, studies or analysis that you have considered to assess the policy, function, strategy, service change or project for its relevance to equality.

2022 Survey of disabled people's experiences of using licensed taxis in Cheltenham"

Survey

The survey was undertaken on the authority's 'Citizen Space' portal between 11/07/2022 and 12/08/2022. A 109 survey responses were received. The numbers inside brackets indicate the number of respondents received.

Types of Disabilities

The majority of respondents (72) indicated that they had a physical disability, including congenital conditions, long-term injuries caused by accidents, or progressive neuromuscular diseases.

Use of a Wheelchair

The majority of respondents (69) did not use wheelchairs. Of those who indicated they do, 13 respondents indicated that they use a "custom powered wheelchair" and 12 said they use a "Standard manual (reference) wheelchair". Nine said they use a "Standard powered chair".

Reason(s) for using a Licensed Vehicle

The survey indicated that people with disabilities most often rely on licensed vehicles to drive them to pre-arranged appointments (84), for leisure purposes (76) and shopping (50).

Taxi vs. Private Hire Vehicles

The survey indicated that people with disabilities use licensed private hire vehicles more than licensed taxis.

65 respondents said they exclusively or occasionally use private hire vehicles compared to 40 for the same question but for licensed taxis. Conversely, 69 respondents indicated that they rarely or never use a licensed taxi compared to 44 for the same question but relating to private hire vehicles.

The majority of respondents indicated that they would use licensed taxis and private hire vehicles more if they "were more available or easier to hire". 71 respondents said yes in relation to private hire vehicles and 68 for taxis.

Type of Licensed Vehicle(s)

Whilst the majority of respondents (72) said they preferred a “standard saloon car”, this must be interpreted in context.

69 respondents said that they did not use a wheelchair. It is reasonable therefore to assume that these respondents would not have chosen one of the two “wheelchair accessible vehicle” options. The correlation between the responses relating to the “Types of Disabilities” and the “Type of Licensed Vehicle(s)” further suggests that the assumption can reasonably be assumed as correct.

The split between those preferring a Wheelchair accessible vehicle capable of carrying a standard manual (reference) wheelchair and one capable of carrying a powered wheelchair was minimal, 29 & 27 respectively.

Issues experienced using licensed vehicles in Cheltenham

Respondents reported that the biggest issues they experienced when using licensed vehicles in Cheltenham are Lack of understanding by drivers/operators of my individual needs (48), Lack of availability of suitably accessible vehicles (45), Unreliable service from drivers/operators (40) & Lack of accessible taxis on taxi ranks (40).

The two issues that scored lowest were Types of licensed vehicles are not suitable for my individual needs (22) and Difficulties with drivers/operators taking assistance dogs (10).

The [Department for Transport \(DfT\) best practice guidance](#) (section 8.9) recommends that the local authority understands the demand for mixed fleets as some designs of wheelchair accessible vehicles may not be suitable for some ambulant disabled passengers.

It is recommended that a demand survey is carried out every 5 years. We will commit to working with accessibility groups to deliver this.

In our case, the survey points to a local demand for a mixed fleet.

Also need to reference Equality Act requirements on the authority

Some more stat guidance we can reference:

- Statutory guidance “**Access to taxis and private hire vehicles for disabled users**”

Published 20 June 2022 (<https://www.gov.uk/government/publications/access-to-taxis-and-private-hire-vehicles-for-disabled-users/access-to-taxis-and-private-hire-vehicles-for-disabled-users--2>)

- DfT Best Practice 8.10

- Guidance “**DPTAC position on taxis and PHVs**” Published 8 August 2020 (<https://www.gov.uk/government/publications/dptac-position-on-taxis-and-private-hire-vehicles/dptac-position-on-taxis-and-phvs>)

b. Consultation

Has any consultation be conducted?

Yes

As set out in 6.1 of report.

3. Assessment

a. Assessment of impacts

For each characteristic, please indicate the type of impact (positive – contributes to promoting equality or improving relations within an equality group, neutral – no impact, negative – could disadvantage them).

Please use the description of impact box to explain how you justify the impact and include any data and evidence that you have collected from surveys, performance data or complaints to support your proposed changes

Protected Characteristic	Specific Characteristic	Impact	Description of impact	Mitigating Action
AGE	Older people (60+)	Positive	<p>The majority of survey respondents (72) said they preferred a “standard saloon car” which would have captured the view of older people. We know from engagement and complaints that older people can find it more difficult to use WAV vehicles because the step in and out is higher than saloon vehicles.</p> <p>This view is supported by The Disabled Persons Transport Advisory Committee (DPTAC) in its guidance.</p> <p>A mixed fleet will offer older people the choice of which type of licensed vehicle to use.</p>	None identified
	Younger People (16-25)	Neutral	None identified	None identified
	Children (0-16)	Neutral	None identified	None identified
DISABILITY A definition of disability under the Equality Act 2010 is available here . <i>See also carer responsibilities under other considerations.</i>	Physical disability	Positive	<p>A truly accessible fleet is a fleet that licenses both WAVs and saloons.</p> <p>Saloon cars are accessible to the vast majority of the population, including many disabled people. This includes wheelchair users who can transfer into the seat of the vehicle, with the driver folding the wheelchair and placing it in their boot. However, they cannot carry anyone who has to travel seated in their wheelchair who needs a WAV.</p>	To continue to commit to working with disability groups to ensure that we are regularly assessing the demand for WAV's

			WAVs can also be used by non-disabled people and many disabled people.	
	Sensory Impairment (sight, hearing)	Positive and negative	Saloon cars are accessible to the vast majority of the population, including many disabled people including those with sight and/or hearing impairment. There is no known evidence about the specific impact of WAV v saloons on people with sight and/or hearing impairment.	To continue to commit to working with disability groups to ensure that we are regularly assessing the demand for WAV's
	Mental health	Neutral	There is no known evidence about the specific impact of WAV v saloons on people with mental health issues.	None identified
	Learning Disability	Neutral	There is no known evidence about the specific impact of WAV v saloons on people with learning disabilities unless this also affects their mobility.	None identified
GENDER REASSIGNMENT		Neutral	None identified	None identified
MARRIAGE & CIVIL PARTNERSHIP	Women	Neutral	None identified	None identified
	Men	Neutral	None identified	None identified
	Lesbians	Neutral	None identified	None identified
	Gay Men	Neutral	None identified	None identified
PREGNANCY & MATERNITY	Women	Neutral	Pregnancy may restrict or limit movement and mobility.	None identified
			A mixed fleet will offer the choice of which type of licensed vehicle to use.	

RACE* Further information on the breakdown below each of these headings, is available here . For example Asian, includes Chinese, Pakistani and Indian etc	White	Neutral	None identified	None identified
	Mixed or multiple ethnic groups	Neutral	None identified	None identified
	Asian	Neutral	None identified	None identified
	African	Neutral	None identified	None identified
	Caribbean or Black	Neutral	None identified	None identified
		Neutral	None identified	None identified
RELIGION & BELIEF** A list of religions used in the census is available here	See note	Neutral	None identified	None identified
SEX (GENDER)	Men	Neutral	None identified	None identified
	Women	Neutral	None identified	None identified
	Trans Men	Neutral	None identified	None identified
	Trans Women	Neutral	None identified	None identified
SEXUAL ORIENTATION	Heterosexual	Neutral	None identified	None identified
	Lesbian	Neutral	None identified	None identified
	Gay	Neutral	None identified	None identified
	Bisexual/Pansexual	Neutral	None identified	None identified
Other considerations				
Socio-economic factors		Neutral	None identified	None identified

(income, education, employment, community safety & social support)				
Rurality i.e. access to services; transport; education; employment; broadband		Neutral	None identified	None identified
Other (e.g. caring responsibilities)		Neutral	None identified	None identified

* To keep the form concise, race has not been included as an exhaustive list, please augment the list above where appropriate to reflect the complexity of other racial identities.

** There are too many faith groups to provide a list, therefore, please input the faith group e.g. Muslims, Buddhists, Jews, Christians, Hindus, etc. Consider the different faith groups individually when considering positive or negative impacts. A list of religions in the census is available [here](#)

4. Outcomes, Action and Public Reporting

a. Please list the actions identified through the evidence and the mitigating action to be taken.

Action	Target completion date	Lead Officer
To liaise with disability awareness groups on how to assess demand for WAV's	December 2025	Michelle Bignell
To assess section 4 of the DfT's guidance and keep under review to ensure that we are delivering an accessible taxi and private hire fleet.	Initial review by December 2025	Michelle Bignell

b. Public reporting

All completed EqlA's are required to be publicly available on the Council's website once they have been signed off. EqlA's are also published with the papers for committee and full council decisions.

Please send completed EqlA's to [email address]

5. Monitoring outcomes, evaluation and review

The Equalities Impact Assessment is not an end in itself but the start of a continuous monitoring and review process. The relevant Service or Lead Officer responsible for the delivery of the policy, function or service change is also responsible for monitoring and reviewing the EqlA and any actions that may be taken to mitigate impacts.

Individual services are responsible for conducting the impact assessment for their area, staff from Corporate Policy and Governance will be available to provide support and guidance, please email xxxx if you have any questions.

6. Change log

Name	Date	Version	Change

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Cheltenham Borough Council

Cabinet – 15 July 2025

Recommended allocations of neighbourhood CIL funds

Accountable member:

Councillor Mike Collins, Cabinet Member for Planning and Building Control

Accountable officer:

Tracey Birkinshaw, Director of Communities & Economic Development

Ward(s) affected:

Non-parished areas

Key Decision: No

Executive summary:

In December 2022, Cabinet agreed to establish a Cheltenham Community Infrastructure Levy (CIL) – Neighbourhood Panel which would provide a process for the allocation of neighbourhood CIL funds held on behalf of the non-parished areas (areas without a parish council) of Cheltenham.

The first funding round took place in 2023 and £128,355 was allocated to 16 projects.

Neighbourhood CIL receipts for the non-parished areas have now built up to create a new pot for 2025, which at the time of the assessment by the Neighbourhood Panel was £119,839.02.

In March 2025, the council went live with a new bidding round. Not-for-profit organisations with a formal constitution including voluntary and community sector groups, social enterprises, councils and other public sector organisations and schools across non-parished areas were invited to apply for neighbourhood CIL funding for projects with an economic, social or environmental objective which deliver publicly accessible physical improvements and address the demands that development places on the local area, including contributing to carbon net zero.

The bidding round closed on 19 May 2025 and a total of 28 applications were received, requesting a total of £257,361 in funding.

The members of the CIL Neighbourhood Panel met informally to assess the applications and to make preliminary recommendations which were then endorsed at a meeting of the CIL Neighbourhood Panel on 18 June 2025, totalling £119,938. The endorsed recommendations are brought to Cabinet for agreement and are set out in Appendix 3 and shown spatially to illustrate the distribution of the bids received on the map provided at Appendix 4.

As of the latest update on the value of the CIL fund, the total value of un-parished CIL monies stands at £148,583. Following consideration by the Neighbourhood Panel, £119,938 has been recommended for allocation by Cabinet. This report recommends supporting the recommendations made, leaving a balance of £28,645 in unallocated funds. Considering this additional funding that is available, and following engagement with the Leader of the Council, this report recommends further allocations as detailed in Section 3 of this report. The remaining unallocated CIL monies to be held over and considered in the next bidding round.

Recommendations: That Cabinet:

- 1. Agrees the endorsed recommendations as set out in appendix 3 as the list of neighbourhood projects for investment.**
 - 2. In addition to those projects recommended by the Neighbourhood CIL Panel allocates the following funding from the unallocated Neighbourhood CIL to:**
 - Scheme 19 – Murals by Paint Festival on Honeybourne Line £7,500**
 - Scheme 22 – Playhouse Theatre. Contribution to feasibility work for capital works £9,500**
- With the remaining £11,645 unspent CIL monies to form part of the allocation for a future bidding round.**
- 3. Enters into project agreements with the agreed projects.**
 - 4. Supports the intention to launch future funding rounds as and when the Neighbourhood Community Infrastructure fund has built up to a sufficient level. The timing of this will be informed by regular monitoring of the fund.**
 - 5. Reviews the process used this year and build any best practice into future bidding rounds.**

1. Implications

1.1 Financial, Property and Asset implications

Contributions from developers are and will be held in a holding account and used to fund neighbourhood infrastructure when required. As of 22 May 2025, £119,839.02 was available for unparished areas. At the time of signing off this report the funds available are £148,583.

Signed off by: Gemma Bell, Director of Finance and Assets (Deputy Section 151 Officer), gemma.bell@cheltenham.gov.uk

1.2 Legal implications

Regulation 59F of the Community Infrastructure Levy Regulations 2010 provides that where all or part of a chargeable development is in an area which is unparished, those CIL receipts that would have been otherwise passed to a Parish Council may be used by a charging authority to support the development of that part of the charging authority's area that is not within the area of a local council.

The law does not prescribe a specific process for agreeing how the neighbourhood portion should be spent, but the national Planning Practice Guide states that in cases where the charging authority will retain the neighbourhood portion, the charging authority should engage with the communities where development has taken place using existing community consultation and engagement processes and agree with them how best to spend the neighbourhood funding.

Further that, charging authorities should set out clearly and transparently their approach to engaging with neighbourhood, with consultation at the neighbourhood level proportionate to the level of levy receipts and scale of the proposed development to which the neighbourhood funding relates.

Signed off by: One Legal, legalservices@onelegal.org.uk

1.3 Environmental and climate change implications

As part of the application process, all applicants were required to detail how their project will help to mitigate or adapt to the impacts of climate change and one of the 5 scored criteria was how well the project contributes to Cheltenham net zero. 5 of the 15 projects recommended for funding scored particularly highly on their climate impact, including solar panels at Holy Apostles; the 10th Cheltenham Scouts at Pittville Park and the Sea Cadets, plus Vision 21's Ecohub and a bike repair and recycling project at the Rock. The 6 projects applying for £10,000 or more were also required to submit a climate change impact assessment. These all showed an overall positive impact on climate change.

Signed off by: Maizy McCann, Climate Officer, Maizy.mccann@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
- Ensuring residents, communities and businesses benefit from Cheltenham's future growth and prosperity

The recommendations regarding the Cheltenham Neighbourhood Panel will also support the council deliver its statutory function as Local Planning Authority.

1.5 Equality, Diversity and Inclusion Implications

The recommendations as set out in appendix 3, if agreed by Cabinet, will see funding awarded to a number of organisations. Each of the grant recipients will manage the funding in line with their own equality and diversity policies.

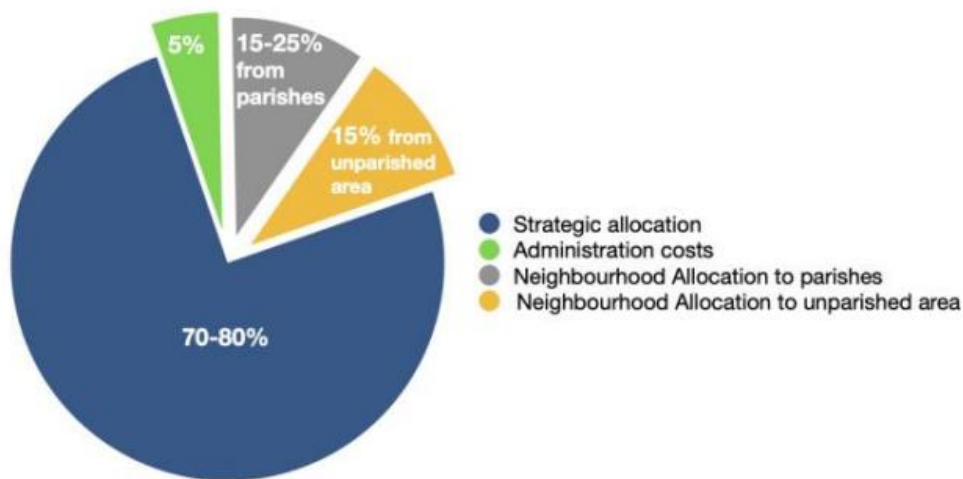
The panel have been mindful to ensure that there is a fair distribution of funding across the non-parished area and a map of the recommendations is attached as appendix 4.

1.6 Performance management – monitoring and review

The activities of the Cheltenham CIL Neighbourhood Panel will be reviewed by Cabinet and Overview and Scrutiny Committee.

2. Background

- 2.1** The Community Infrastructure Levy (CIL) is a charge which local authorities can place on developers to help fund infrastructure needed to support new development in their areas. CIL is governed by the CIL Regulations 2010 (as amended). Under these Regulations, Cheltenham Borough Council is a CIL charging authority and approved the introduction of CIL October 2018 with the commencement of charging on planning applications granted permission on or after 1st January 2019.
- 2.2** Since 2019, the CIL pot has been slowly growing and values received reported annually via the councils statutory Infrastructure Funding Statement, submitted to government at the end of each year.
- 2.3** In line with CIL regulations, CIL is allocated along the following split.



2.4 This report relates to the Neighbourhood Allocation to ***non-parished areas*** as highlighted in the orange segment in the diagram above. Where funding relates to parish councils, the council transfers this direct to the relevant body. However, where there is no parish council then the council retains this element to be spent on relevant neighbourhood projects.

2.5 The council allocated £128,355 in neighbourhood CIL funding in 2023, and this report relates to the allocation of the second round of funding in 2025.

3. Governance Arrangements – The Neighbourhood Allocation

3.1 One of the purposes of CIL is to encourage communities to support development and recognise that development can bring clear and identifiable benefits to an area. The CIL Regulations provide that a proportion of CIL collected from areas may be spent to address “the demands that development places” on a local area. In respect of the non-parished element of the Neighbourhood Allocation, the council should seek to address the demands that development approved places on that area.

3.2 This does not preclude investment from this neighbourhood allocation within a parished area, but it must be on an exception basis and clearly bring demonstrable benefit to the non-parished areas.

3.3 There is some flexibility on the use of the Neighbourhood Allocation, provided it supports:

- The provision, improvement, replacement, operation or maintenance of infrastructure; or
- Anything else that is concerned with addressing the demands that development places on an area

3.4 In December 2022, Cabinet agreed to establish the Cheltenham CIL – Neighbourhood Panel which would provide a process for the allocation of CIL funds to community-based projects.

- 3.5** The first funding round took place in 2023 and £128,355 was allocated to 16 projects.
- 3.6** In March 2025, the current round of funding was launched. Not-for-profit organisations with a formal constitution including voluntary and community sector groups, social enterprises, councils and other public sector organisations and schools across non-parished areas were invited to apply for neighbourhood CIL funding for projects with an economic, social or environmental objective which deliver publicly accessible physical improvements and address the demands that development places on the local area, including contributing to carbon net zero.
- 3.7** Information was provided on the council's website, with a link to apply online via Microsoft Forms. An information session for applicants was also held on 9th April 2025 and a presentation on the fund made to the VCS Forum.
- 3.8** The bidding round closed on 19th May 2025 and a total of 28 applications were received, requesting a total of £257,361 in funding.
- 3.9** The CIL Neighbourhood Panel met informally to assess the applications, scoring them against the criteria in the application guidelines. Their preliminary recommendations (set out in Appendix 3) were then endorsed at a meeting of the panel on 18 June 2025. The Neighbourhood Panel recommended funding totalling £119,938. This report supports the recommendations made.
- 3.10** As of the latest update on the CIL fund, the total value of un-parished CIL monies stands at £148,583 due to additional payments being made since the Neighbourhood CIL Panel assessed the projects submitted. Following the recommendations made by the Neighbourhood Panel, £119,938 has been allocated, leaving a balance of £28,645 in unallocated funds. In light of this additional funding, and following engagement with the Leader of the Council, this report recommends further allocations to:
- Scheme 19 – Murals by Paint Festival on Honeyborne Line £7,500
 - Scheme 22 – Playhouse Theatre. Contribution to feasibility work for capital works £9,500
- 3.11** The remaining unallocated CIL monies, which following the additional allocations will stand at £11,645 will be held over and considered in the next bidding round.
- 3.12** The application and assessment process for 2025 will be reviewed to inform future bidding rounds.
- 4. Next steps**
- 4.1** Subject to agreement by Cabinet, a grant agreement will be entered into with each party, which will include relevant monitoring arrangements.

5. Key risks

5.1 There are two key risks identified in the risk assessment in Appendix 1:

- Potential misuse of the grant
- If a grant recipient becomes insolvent or winds up before the grant is used

Report author:

Helen Down, Participation and Engagement Lead
helen.down@cheltenham.gov.uk

Appendices:

1. Risk Assessment
2. Equality Impact Assessment
3. Recommended allocations for neighbourhood CIL
4. Map of recommended allocations

Background information:

[Cabinet – 20th December 2022: Cheltenham Community Infrastructure Levy – Neighbourhood Panel](#)

[Cheltenham Neighbourhood CIL call for projects](#)

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
	Potential misuse of the grant	Helen Down	3	2	6	Reduce	Ensure due diligence has been undertaken with each provider.	Helen Down	31.3.24
	If a grant recipient becomes insolvent or winds up before the grant is used	Helen Down	3	2	6	Reduce	<p>Endeavour to pay out funds in arrears to minimise financial risk to the council.</p> <p>Ensure due diligence has been undertaken with each provider.</p>	Helen Down	31.3.24

Appendix 2: Equality Impact Assessment (Screening – to be included in all Cabinet and Council reports)

1. Identify the policy, project, function or service change

a. Person responsible for this Equality Impact Assessment

Officer responsible: Helen Down

Service Area: Communities, Wellbeing & Partnerships

Title: Participation and Engagement Team Leader

Date of assessment: 22.5.25

Signature: H Down

b. Is this a policy, function, strategy, service change or project?

Choose an item.

If other, please specify: Allocation of grant funding

c. Name of the policy, function, strategy, service change or project

Allocation of Neighbourhood Community Infrastructure Levy funding

Is this new or existing?

Already exists and is being reviewed

Please specify reason for change or development of policy, function, strategy, service change or project

This is the second round of Neighbourhood CIL funding and this is the allocation of this year's funding.

d. What are the aims, objectives and intended outcomes and who is likely to benefit from it?

Aims:

To support community projects in non parished areas of Cheltenham which deliver publicly accessible physical improvements and address the demands that development places on an area.

Objectives:	To allocate Neighbourhood CIL " " appropriately and fairly.
Outcomes:	Community based projects are able to take place that make physical improvements in non parished areas.
Benefits:	Residents in non parished areas will benefit from publicly accessible physical improvements within their neighbourhoods that have a social, environmental or economic objective.

e. What are the expected impacts?

Are there any aspects, including how it is delivered or accessed, that could have an impact on the lives of people, including employees and customers.

No

Do you expect the impacts to be positive or negative?

No impact expected

Please provide an explanation for your answer:

The projects being funded have demonstrated that there is community support for them to take place and will be beneficial but will not impact on the lives of people.

If your answer to question e identified potential positive or negative impacts, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

f. Identify next steps as appropriate

Stage Two required	No
Owner of Stage Two assessment	
Completion date for Stage Two assessment	

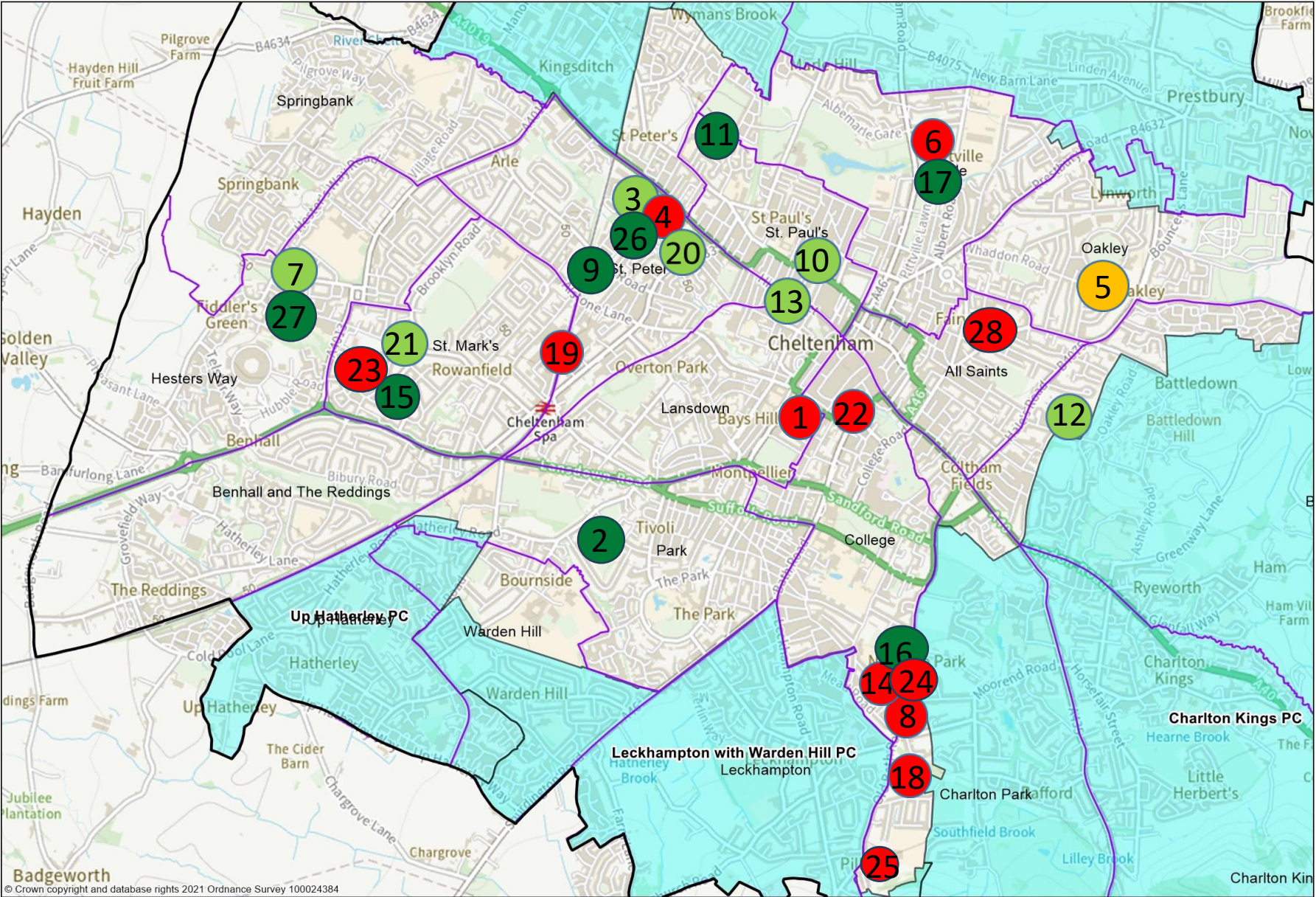
Please move on to Stage 2 if required ([intranet link](#)).

ref	Org name	Project name	Funding being sought	Is the organisation eligible to apply (Y/N)	Does the project have an economic, social or environmental objective (Y/N)	Does the project deliver a physical improvement in one of more of the neighbourhoods eligible to apply? (Y/N)	Which neighbourhood?	Does the project have support of at least one ward councillor? (Y/N)	Does the project have support from the local community? Y/N	Climate impact assessment submitted? Y/N/ NA	comments	Put forward for assessment? Y/N	Publicly accessible improvements to mitigate development, with measurable success? (out of 25)	Project needed by the community? (out of 25)	Deliverable in 12-18 months? (out of 25)	Contribution to net zero (out of 25)	Value for money and sustainable benefits (out of 25)	Total (out of 125)	panel comments	R-A-G assessment	Recommended funding
1	Friends of Imperial Square Heritage and Conservation (FISHAC)	Reinstatement of historic railings and entrances around Imperial Gardens	£5,500	Yes	Yes	Yes	Lansdown Park	Yes	Y	NA		Y	10	10	23	2	8	53	Did not score well, panel members not certain that the project fully meets the criteria		0
2	Friends of Hatherley Park	Replacement slide	£1,500	Yes	Yes	Yes	Lansdown Park	Yes	Y	NA		Y	19	20	25	1	21	86	Recommend funding in full		1500
3	The Petersfield Partnership	St Peters & The Moors Community Sports Hub	£14,460.00	Yes	Yes	Yes	St Peters	Yes	Y	Y		Y	19	22	18	12	19	90	Good application - but suggest partfunding; pathway at £9.5k and lighting at £900 = 10.4k.		10,400
4	Cheltenham Saracens FC	Improve access to Petersfield Park & Community Hub	£9,660.00	Yes	Yes	Yes	St Peters	Yes	Y	NA		Y	20	21	22	4	17	84	This application felt like a duplicate of the application from Petersfield Partnership which has been supported		0
5	Jon Sneath	Evenlode	?	Maybe	Yes	Yes	Oakley	Yes	Maybe	NA	No constitution provided - is the group constituted?	Maybe	13	17	15	14	8	67	Need to go back and ask for figures, plus some uncertainties about the nature of the group		
6	Friends of Pittville	Pump Room interpretation board	£1,500	Yes	Yes	Yes	Pittville	Yes	Y	NA		Y	17	14	23	2	15	71	Did not score well, panel members not certain that the project fully meets the criteria		0
7	West Cheltenham Parochial Church Council	Development of St Aidan's Garden	£27,123	Yes	Yes	Yes	Hesters Way	Yes	Y	Y		Y	18	20	17	13	16	84	The project is dependent on other funding - suggest part-funding the community veg garden project earthworks and hard landscaping		12,388
8	Friends Of Naunton Park	Asquith Road Car Park Path Addition	£6,200	Yes	Yes	Yes	College	Yes	Y	NA		Y	17	17	20	9	16	79	Reviewed against the other projects presented in Naunton Park. The Panel prioritised across the projects presented.		0
9	Cheltenham Sea Cadets	Solar Panels Project	£8,000	Yes	Yes	Yes	St Peters	Yes	Y	NA		Y	15	19	24	24	22	104	good application, have brought in some add funding, fund in full		8000
10	Vision 21 Gloucestershire	EcoHub	£18,921	Yes	Yes	Yes	St Pauls	Yes	Y	Y	2023 CIL grant not yet claimed	Y	20	20	14	23	21	98	There was a query over deliverability within timescale, but the panel recognised that V21 good at project management at fundraising - recommend part funding the PV panels		12,171
11	Friends of Elmfield	Elmfield Paths and SuDS	5000	Yes	Yes	Yes	St Pauls	Yes	Y	NA	Cllr Flo Clucas from neighbouring Swindon Village ward has supported the application, not the ward cllrs.	Y	19	22	20	11	19	91	Recommend funding in full		5,000
12	Holy Apostles' C of E Primary School	HAPS Solar Panels	£4,000.00	Yes	Yes	Yes	Battledown	Yes	Y	NA		Y	16	18	17	23	19	93	Good project, recommend part-funding with the potential for the diocese to make a contribution to the project		3,000
13	The Gloucestershire Everyman Theatre Company Limited	Everyman Theatre Education Centre @ Grove Street - creative arts for all communities	£16,587.36	Yes	Yes	Yes	Lansdown	Yes	Y	Y		Y	20	20	20	10	18	88	Good project, recommend part funding the works but not the VAT nor contingency		11,519
14	Naunton Park Preschool Playgroup	Naunton Park Preschool Outdoor Play Area Redesign	£9,500	Yes	Yes	Yes	College	Yes	Y	NA		Y	19	19	13	9	13	73	Did not score well, panel members not certain that the project fully meets the criteria		0
15	MONKSCROFT COMMUNITY ACTION GROUP	REIMAGINING SPACES - MONKSCROFT	£9,000	Yes	Yes	Yes	St Marks	Yes	Y	NA		Y	20	23	19	10	19	91	Good project that is community-led, recommend funding in full		9,000
16	Naunton Area Residents' Association	The Triangle Community Garden Improvement	£2,060	Yes	Yes	Yes	College	Yes	Y	NA		Y	15	18	21	15	20	89	Good application, recognised that the garden is very well liked by the community, recommend funding in full		2,060
17	10th Cheltenham (All Saints) Scoup Group	Solar Panel Installation	£9,000	Yes	Yes	Yes	Pittville	Yes	Question not answered	NA		Y	15	10	21	23	21	90	Recommend funding in full		9000

18	Daisybank Community Interest Company	Daisybank College & Charlton Park engagement project	£750	Yes	Yes	Maybe	Charlton Park / College	Yes	Y	NA	Daisybank itself is in the parish area but the project is to engage with the adjacent non parish areas	Y	15	15	21	11	15	77	The panel wondered whether LwWHPC could fund this project as parish councils can fund projects even if the project is just over their border if there is a clear benefit to its area.		0
19	Cheltenham Paint Festival	Honeybourne Line street art murals to improve public realm	£7,500	Maybe	Yes	Yes	Border between Lansdown & St Peters	Yes	Maybe	NA	Organisation is a company ltd by guarantee. Bank statement supplied as evidence of the organisation, no constitution	Maybe	17	20	22	7	17	83	The panel noted that other funds may be available for CPF and understand officers are currently reviewing active projects related to the Honeybourne Line.		0
20	The Rock	Spokes and Hope	£15,000	Yes	Yes	Yes	St Peters	Yes	Y	Y		Y	20	21	21	18	17	97	The panel recommend part-funding the cycle shed = £5k		5,000
21	Alliance for Equality	Common Ground Cheltenham- multiuse community and young people space	23000	Yes	Yes	Yes	St Marks	Yes	Y	Y		Y	21	19	20	17	20	97	Part-fund - £8k for first phase electrics, plus contribution to materials and equipment @ £5000, but not floor - need to make sure that the project has robust fundraising to attract further investment to deliver first phase of the renovation works. Plus opps to reach out to local companies for social value opps		13,000
22	The Playhouse Theatre Cheltenham	Playhouse Capital Investment Scheme	£9,500	Yes	Yes	Yes	College	Yes	Y	NA		Y	18	20	18	11	17	84	Recommend not funding this project. The Council has recently provided a £25k grant to the Playhouse		0
23	Monkscroft Pastoral Care Project	MPCP Family Wellbeing Hub Haven	£20,000	Yes	Yes	Yes	St Marks	Yes	Y		Councillorssupporting bid are Hesters Way and Springbank, from neighbouring wards	Y	18	21	18	12	16	85	Although the panel did like the project, they suggested exploring links with the other Monkscroft project - maybe resubmit next year?		0
24	Friends Of Naunton Park	Revamp Naunton Park Cafe's Outsidel	£2,200	Yes	Yes	Yes	College	Yes	Y	NA		Y	12	9	17	3	12	53	Did not score well, panel members not certain that the project fully meets the criteria		0
25	The Pilley Footbridge Action Group	Reopening of footpath ZCKS1 Right of Way (Old Patesians Footbridge)	£10,000	Maybe	Yes	Yes	Charlton Park	Yes	Y		Cllr Iain Dobie from College ward supported. Project is in Charlton Park, on the border with CKPC boundary. No constitution agreed currently.	Y	19	16	18	11	15	79	The project is on the border of CK and Leck parish councils, the panel wondered whether the parishes could fund this project as parish councils can fund projects even if the project is just over their border if they benefit their area.		0
26	Cheltenham Borough Council	St Peters Square playground improvements	£8,700	Yes	Yes	Yes	St Peters	Yes	Y	NA		Y	19	20	21	11	20	91	Important project in a priority community, fund in full		8,700
27	Cheltenham Borough Council Green space department	Fiddlers Green playground improvements	£9,200	Yes	Yes	Yes	Hesters Way	Yes	Y	NA	Funded £12k for this play area from 2023 CIL Fund	Y	19	20	21	12	20	92	Recommend funding in full		9,200
28	Fairview Community Association (FCA)	The Future of Fairview - building a more connected community	£3,500.00	Yes	Yes	Maybe	All Saints	Yes	Y	NA	Project doesn't deliver a physical improvement	maybe	15	16	20	9	15	75	Project does not deliver a physical improvement		0

119938

Neighbourhood CIL – project locations June 2025



	Parished areas
	Support in full
	Support in part
	More information requested
	Do not support

	Project
1	Imperial Gardens historic railings
2	Hatherley Park replacement slide
3	Petersfield Sports Hub (St Peters and the Moors)
4	Cheltenham Saracens FC improved access to Petersfield Park and Community Hub
5	Evenlode
6	Pittville Pump Room Interpretation Board
7	St Aidan's Church Garden
8	Asquith Road car park path
9	Cheltenham Sea Cadets solar panels
10	Vision 21 EcoHub
11	Elmfield Paths and sustainable urban drainage
12	Holy Apostles School solar panels
13	Everyman Theatre Education Centre
14	Naunton Park pre school outdoor play area
15	Monkscroft reimagining spaces
16	Naunton Area Triangle Community Garden
17	10 th Cheltenham Scouts solar panels
18	Daisybank, College & Charlton Park engagement
19	Honeybourne Line street art murals
20	The Rock Spokes and Hope project
21	Multi use community and young people's space
22	Playhouse capital investment
23	Monkscroft Family Wellbeing Hub Haven
24	Revamp Naunton Park Café exterior
25	Pilley Footbridge reopening
26	St Peters Square playground improvements
27	Fiddlers Green playground improvements
28	The Future of Fairview – connected community

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Cheltenham Borough Council

Cabinet - 15 July 2025

Food Safety Service Plan

Accountable member:

Cabinet Member for Safety and Communities, Councillor Victoria Atherstone

Accountable officer:

Louis Krog

Ward(s) affected:

All

Key Decision: No**Executive summary:**

This Authority is required to produce a food safety service plan outlining the activities and resources needed to enable the delivery of a service in accordance with the requirements laid down in the Official Control Regulations (OCR) and the Food Law Code of Practice (FLCOP). The Framework Agreement on Official Feed and Food Control by Local Authorities sets out a standard approach to service planning which the Food Standards Agency (FSA) uses for audit and monitoring purposes. The FSA plays a key role in overseeing official food control activities undertaken by this authority. This service plan is key to ensuring that national priorities are addressed and delivered locally and provides an essential link between corporate and financial planning. The authority is bound by the Regulator's Code which provides a principles-based framework for engaging with those we regulate.

Recommendation:

1. that Cabinet approves the appended Food Safety Service Plan 2025-26
-

1. Implications

1.1 Financial, Property and Asset implications

No direct finance or property implications of the recommendations

Signed off by: Gemma Bell, Director of Finance and Assets (Deputy Section 151 Officer) gemma.bell@cheltenham.gov.uk

1.2 Legal implications

Not only is compliance with the Food Law Code of Practice a statutory requirement and the Authority would be at risk from failure to uphold the requirements, the Food Safety Service Plan is essential for protecting the health of citizens and visitors to Cheltenham.

Signed off by: Rachael Baldwin, Lawyer, legal.services@onelegal.org.uk

1.3 Environmental and climate change implications

As this report relates to statutory requirements/national policy, there are no environmental implications for the Local Authority to consider. This is also an update to the previous report and therefore does not need a climate impact assessment completed.

Signed off by: Maizy.McCann@cheltenham.gov.uk

1.4 Corporate Plan Priorities

This report 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
- Increasing the number of affordable homes through our £180m housing investment plan
- Ensuring residents, communities and businesses benefit from Cheltenham's future growth and prosperity
- Being a more modern, efficient and financially sustainable council

1.5 Equality, Diversity and Inclusion Implications

See *Appendix 2*.

1.6 Performance management – monitoring and review

The FSA have statutory powers to monitor and audit this authority. Based on these powers, established audit schemes are in place to assess performance against

specified standards within the FLCOP and the Framework Agreement. If we failed to discharge our statutory functions adequately then the FSA may consider using their powers of direction contained within the Food Standards Act 1999. Two periodic data returns will be submitted to the FSA during 2025/26 via a survey monkey. Previously the Local Authority Enforcement Monitoring System (LAEMS) was used to collect performance data. This system has now been switched off and a new method is being developed. The FSA are currently undertaking an options appraisal on the potential mechanisms for capturing local authority data. Internally our performance indicators have been reviewed to include key FSA requirements. We will periodically review this plan to take account of any updated requirements from the FSA.

2 Background

The function of this Authority's food safety service is to ensure that the food and food sources handled in the course of a food business are safe and fit for human consumption. The term 'food business' is defined in law and has a wider meaning of any stage of food production, processing and distribution of food whether for profit or not and whether by public or private bodies. By way of regulation, codes of practice and framework agreements, we have a statutory duty to monitor, verify and enforce the requirements of food law and ensure that we have sufficient resources to do so. We have a duty to discharge our functions as effectively as possible with suitably trained authorised officers. To support our work we set up, maintain, and carry out official food controls and other activities in accordance with documented policies, procedures, plans and strategies. We must develop and approve a service plan detailing how we intend to deliver and resource official controls and other official activities and address any variance.

3 Reasons for recommendations

3.1 This will fulfil our statutory responsibilities.

4 Alternative options considered

None. This is a statutory requirement.

5 Consultation and feedback

A copy of this plan will be made available on the Authority's website.

6 Key risks

6.1 If official food controls are not carried out in accordance with statutory requirements, then the FSA may make a direction under powers conferred in the Food Standards Act 1999 requiring improvements. This poses a reputational risk

on the Council. This can be avoided by ensuring a suitable number of appropriately trained and authorised officers are available.

6.2 If official controls are not carried out in accordance with statutory requirements, then this poses a risk to the health of consumers. This can be avoided by ensuring a suitable number of appropriately trained and authorised officers are available.

6.3 The Authority has entered into an agreement with the FSA to operate the food hygiene rating scheme in line with the 'brand standard.' If we do not carry out official controls then the public confidence in the scheme is at risk and thus the reputation of the council. This can be avoided by ensuring a suitable number of appropriately trained and authorised officers are available.

6.4 A cyber security incident would lock down access to our entire food safety database. This would hinder delivery of the official control programme and statutory returns. This can be avoided through staff training and awareness on current information technology security and associated procedures.

Report author:

Bernadette Reed, Public and Environmental Health Manager
bernadette.reed@cheltenham.gov.uk

Appendices:

- 1 Risk Assessment
- 2 Equality Impact Assessment – Screening
- 3 Food Safety Service Plan 2024-25

Background information:

1. [The Framework Agreement on Official Feed and Food Controls by Local Authorities](#)
2. [The Food Law Code of Practice and Practice Guidance \(England\)](#)
3. [The Regulators Code](#)
4. [Corporate Enforcement Policy](#)

Appendix 1: Risk Assessment

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
1	<p>If the Authority is unable to carry out Official Food controls in line with the minimum requirements of the food law code of practice, it is not fulfilling its statutory duties. FSA may make a direction under powers contained in the Food Standards Act 1999.</p> <p>It also poses a public health risk to consumers as official controls are not being carried out to monitoring compliance with legal requirements.</p>	Head of Public Protection	2	3	6	Avoid the risk	Ensure a suitable number of qualified staff are employed to carry out official food control activities	Cabinet	Biannual data submission to FSA with early warning notification of variance. Build competency of other team members for resilience in times of emergency, redeployment and or long-term staff absence.
2	The Council have signed an agreement with the FSA for the operation of the Food Hygiene Rating Scheme in line with the 'Brand Standard. Any deviation from the code reduces the public confidence in the scheme and thus poses a reputational risk to the	Head of Public Protection	5	2	10	Avoid the risk	As above	Cabinet	As above

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
	Council								
3	Cyber security incident which locks down access to all food database	Head Of IT Publica	5	2	10	Avoid the risk	All staff have completed the data security training module. All concerns to be reported to IT. Adherence to the IT user policy	Head of Public Protection	ongoing

Appendix 2: Equality Impact Assessment (Screening)

1. Identify the policy, project, function or service change

a. Person responsible for this Equality Impact Assessment

Officer responsible: Bernadette Reed

Service Area: Public Protection

Title: Food Safety Service Plan

Date of assessment: 19/05/2025

Signature:



b. Is this a policy, function, strategy, service change or project?

Function

If other, please specify:

c. Name of the policy, function, strategy, service change or project

Food Safety Service Plan

Is this new or existing?

**Already exists
and is being
reviewed**

Please specify reason for change or development of policy, function, strategy, service change or project

An annual review is required under the Food Law Code of Practice

d. What are the aims, objectives and intended outcomes and who is likely to benefit from it?

Aims:

That food sold, offered or stored for sale within Cheltenham is safe and fit for human consumption.

Objectives:

Service plans ensure that national priorities and standards are addressed and delivered locally. Service plans will also help this Authority to:

Follow the principles of good regulation.

Focus on key delivery issues and outcomes.

	<p>Provide an essential link with corporate and financial planning.</p> <p>Set objectives for the future.</p> <p>Identify major issues that cross service boundaries.</p> <p>Provide a means of managing performance and making performance comparisons.</p> <p>Provide information on our service delivery to stakeholders.</p>
Outcomes:	Ensuring food businesses have effective food safety controls in place and that our responsibilities as a food Competent Authority (CA) are fulfilled and compliant with agri food chain legislation.
Benefits:	Reduction of incidents of ill health related to food borne illness and food poisonings and allergic reaction and hypersensitivity. Reduction in the wider impacts of ill health.

e. What are the expected impacts?	
Are there any aspects, including how it is delivered or accessed, that could have an impact on the lives of people, including employees and customers.	Yes
Do you expect the impacts to be positive or negative?	No impact expected
Please provide an explanation for your answer:	
<p>Having an effective food safety control system in place will reduce the health and social impact burden of the effects of food poisoning foodborne illness and allergic and incidents involving food allergens and hypersensitivity. This is an annual service plan for an ongoing service and so there will be no additional impacts from the approval of this revised service plan</p>	

If your answer to question e identified potential positive or negative impacts, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

f. Identify next steps as appropriate	
Stage Two required	No
Owner of Stage Two assessment	NA
Completion date for Stage Two assessment	NA

Please move on to Stage 2 if required ([intranet link](#)).

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FOOD SAFETY SERVICE PLAN 2025-2026

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1. Service Aims and Objectives:

1.1 Aims and Objectives:

The Official Control Assimilated Law: Regulation (EC) No. 2017/625 came into force in December 2019. They provide for the execution and enforcement of the food elements on Official Controls and other Official Activities which must be performed to ensure the application of food law. They set out a framework of requirements for competent food authorities which have responsibilities for organising and performing Official Controls and activities to verify compliance with agri-food chain legislation.

The Food Law Code of Practice (England) (FLCoP), 'The Code,' outlines how the requirements of Assimilated Law: Regulation (EC) No. 2017/625 apply Local Authorities.

This Authority has a statutory duty to enforce the requirements of food law and have due regard to 'The Code'.

The key food safety function of Cheltenham Borough Council is to comply with the above and ensure that the food sold, offered or stored for sale is safe and fit for human consumption. Everyone has a right to expect that the food they eat will not cause adverse health effects.

Service plans ensure that national priorities and standards are addressed and delivered locally. Service plans will also help this Authority to:

- Follow the principles of good regulation.
- Focus on key delivery issues and outcomes.
- Provide an essential link with corporate and financial planning.
- Set objectives for the future.
- Identify major issues that cross service boundaries.
- Provide a means of managing performance and making performance comparisons.
- Provide information on our service delivery to stakeholders.

This plan follows the prescribed format provided with the Food Standards Agency's (FSA's) [Framework Agreement](#) 'on official food and feed controls by Local Authorities' Amendment number 5 2010 and requirements within section 2.6.1 of the FSA's Food Law Practice Guidance, in terms of the information provided.

1.2 Priority Aims and Objectives:

- Ensuring food businesses have effective food safety controls in place and that our responsibilities as a food Competent Authority (CA) are fulfilled and compliant with agri-food chain legislation.
- Investigating and managing complaints of non-compliance with appropriate enforcement actions.
- Managing food incidents and hazards, including outbreaks of food poisoning and foodborne illnesses.
- Conducting reactive and proactive sampling or where sampling is necessary to determine business compliance with legal requirements.

- Conducting proactive surveillance to obtain an accurate picture of the local business landscape to include new or recently closed businesses and businesses where the overall risk has increased.
- Maintaining the credibility of the Food Hygiene Rating Scheme (FHRS), in particular responding to requests for revisits in line with our documented process.
- Conducting sector specific controls to support trade and enable food export.
- Ensuring all Officers delivering Official Controls meet and maintain the competency requirements within the Food Law Code of Practice (FLCoP).

We aim to maintain a level playing field for honest and diligent businesses, whilst reducing the burden on businesses with an intelligence led approach. Service capacity is prioritised for high-risk food activities and the poorest performing food businesses, with the aim of improving standards across Cheltenham, whilst supporting business growth.

1.3 Corporate Objectives:

Our Food Safety Service Aims align with our corporate strategy, namely:

- To work together with our partners to ensure businesses thrive.
- To be commercially minded, ensure financial viability and value for money.
- To use data and research to drive improvement.

1.4 Operational Performance Measures and Key Milestones 2025/26:

Operational Performance Measures:

Measure	Reporting Frequency	Target	Q1	Q2	Q3	Q4
% of high-risk premises (Category A, B and C) inspected within 28 days of the due date	Quarterly	100%	100%	100%	100%	100%
Broadly Compliant premises (Rated 3 and above on the FHRS scheme)	Quarterly	95%	97%	97%	99%	99%
% of new businesses inspected within 28 days of registration (or opening date)	Quarterly	95%	100%	98%	99%	89%

Key Milestones in 2024/2025:

- Maintained a fully resourced team with continued professional development in line with The Code and with the Chartered Institute of Environmental Health (CIEH) Regulations.
- Bi-annual statutory reports to FSA on Official Control activity.
- Statutory data return to HMRC within required time frame and data set.
- Internal monitoring in line with current operational performance indicators.
- Corporately funded project of provision of mobile technology (tablets) to Officers 'in the field', streamline site inspections reports, capturing information at source, linking with current data management systems and providing an immediate report to business operators.
- Testing a basic and enhanced resource modelling tool on behalf of the FSA and providing constructive feedback to inform the next phase.

2. Background.

2.1 Profile of the Local Authority:

Cheltenham is a large spa town in Gloucestershire, England, located on the edge of the Cotswolds. It is one of 6 districts that make up the County of Gloucestershire. The Borough is close to main urban areas such as Gloucester and Bristol with access to the M5 motorway network. Cheltenham has a strong local economy made up of mainly of small and medium enterprises (SME's) of light industry, food processing and tourism and is renowned for its sporting and cultural events. We are at the forefront of the UK's expanding cyber industry with our Golden Valley Development, a pioneering world class development with the cyber innovation centre at its heart, integrating hi-tech businesses, residential and community uses. ONS statistics from 2021 census show the Borough had a population of 118,836. This is a 2.7% increase since 2011.

[Cheltenham Borough Profile Infographic.pdf](#)
[Cheltenham Census 2021](#)

We have no importers but, as an Inland Authority, all Officers have specific training and authorisation to deal with illegal imports. Approximately 1.5% of businesses are manufacturers; with the majority 41% being restaurant and cafes.

2.2 Organisational Structure and Staffing:

Cheltenham Borough Council operates a Leader and Cabinet structure. The Cabinet Member for Safety and Communities is Councillor Victoria Atherstone. The Chief Executive is Gareth Edmundson and he is responsible for ensuring service aims are translated into effective delivery. The [Senior Management Structure Chart](#) is here.

The Leadership team is made up of The Chief/Deputy Chief Executive, Director of Governance Housing and Communities, Head of Corporate Services, Director of Finance and Assets, Director of Major Developments and Regeneration, Director of Planning, Housing Transformation Director, Governance Risk and Assurance Manager, Director of Housing, Communities and Customer Services.

The Public Protection Team is headed by Paul Jones Deputy Chief Executive and Executive Director for Finance and Assets. The Head of Public Protection is Louis Krog who; manages the Public Protection teams and its separate service areas, including: food safety, infectious diseases, health and safety, animal licensing, environmental protection, private sector housing, licensing and Solace (anti-social behaviour partnership). He also fulfils the role of the Council's District Emergency Planning Liaison Officer (DEPLO) for the purpose of emergency planning duties under the Civil Contingencies Act 2004.

The Public Protection structure at in Appendix 1 shows where the food safety function sits within the Authority.

The Public and Environmental Health teams (PEH) are overseen day-to-day by the Public and Environmental Health Manager.

This Service Plan covers only the food and infectious diseases function.

The current operational Food Safety and Infectious Disease Team is shown below:

Full Time Equivalent (FTE) on Food Safety and Infectious Diseases	Role	Years Experience Post Qualification
0.2	Public and Environmental Health Manager/(FCCO)	34
1	Senior Environmental Health Officer (SEHO)/(Lead Officer)	5.5
0.8	Environmental Health Officer (EHO)	36
1	Environmental Health Officer (EHO)/Animal Licensing Officer	2
3.0	Total	

2.3 Provision of Professional Services:

Food analysis is provided by the Public Analyst Scientific Services (PASS) i54 Business Park, Valiant Way, Wolverhampton, WV9 5GB, 01902 627200.

Food examination is provided via a service level agreement with UK Health Security Agency (UKHSA) Porton Down, Wiltshire, 01980 616775.

2.4 Scope of Responsibilities:

Overall responsibility for food law is held centrally but the day-to-day responsibility is split between central and local government. At local level, monitoring and enforcement is carried out by 'competent authorities' including Cheltenham Borough Council as a Local Authority. We are responsible for carrying out 'Official Food Controls' and enforcement of the main body of food law.

This Authority is not a Unitary Authority and therefore shares its duties with the Trading Standards Department of Gloucestershire County Council. Cheltenham Borough Council is responsible for food hygiene and Gloucestershire County Council

Trading Standards are responsible for food standards. Where there are areas of overlap, appropriate 'Memoranda of Understanding' are in place.

We are not an emergency service and therefore do not have an out of hours food service available which addresses the emergency closure of premises, food product withdrawal and outbreaks of food associated disease. It is expected that any emergency would form part of the emergency planning arrangements, through which the Duty Emergency Planning Officer would be contacted. This service has not been used during 2024/25.

2.5 Demands on the Food Team:

Food Related	Non-Food Related
Food inspections and interventions for all registered food businesses in line with the FLCoP and associated enforcement.	Supporting the planned priority proactive health and safety regulatory work when it is related to food businesses; identifying matters of evident concern e.g. gas safety.
Investigation of complaints relating to food and/or premises.	Providing resilience within other environmental health disciplines for duty Officer cover, when necessary e.g. health and safety and skin piercing activities.
Food sampling – reactive and proactive.	One Food Officer is the Authorised Officer for Animal Licensing activities. Plans are in place to transfer this function to the Licensing Team.
Investigation of allegations and confirmed cases of food poisoning and foodborne diseases (single cases and outbreaks).	They are part of the planning and monitoring response for large scale events including the Cheltenham Gold Cup. They would also act in a specialist role as part of the Local Authority emergency planning response under the Civil Contingencies Act 2004. In 2024/25 we received 288 temporary events notice applications and held 12 Safety advisory Groups (SAGs), many of which require advice on food safety and are part of our intelligence gathering.
Responding to Food Alerts.	They also monitor planning and licensing consultations as a means of identifying and engaging with new or developing food businesses. In 2024/25 210 planning consultations and 28 street trading applications were received into the Environmental Protection Team as statutory consultees; some of which would be for food businesses.
Application of the Home Authority, Originating Authority and Primary Authority principles.	
Approval of product specific premises.	
Operation of the Food Hygiene rating scheme.	
Management of the Food Safety Database.	
Provision of technical food safety advice at events through the Events Consultative Group and Safety Advisory Group (SAG).	
Health export certification and letters of attestation.	
Policy and procedure formulation and review.	

As of 1st April 2025 we regulated 1102 registered food businesses. We carried out 545 business interventions in 2024/25. The breakdown of businesses by risk ratings as of 1st April 2025 is shown below.

Breakdown of food premises by risk ratings:

Risk Rating	No. of Food Businesses in Rating April 2024	No. of Food Businesses in Rating April 2025
A inspection every 6 months	0	0
B inspection every year	19	13
C Inspection every 18 months	204	200
D inspection every 2 years (can alternate with another intervention in some cases)	529	540
E Alternate Enforcement Strategy	350	312
Unrated	29	37
Total	1131	1102

The majority of food business lie with the risk category of C, D and E but food businesses may move between categories.

Breakdown of Food Premises by 'Main Use':

Business Type	No.
Restaurant/ Café/ Canteen	328
Small Retailer	118
Restaurant and Caterers-other	117
Takeaways	102
Pubs/ Clubs	93
Caring Premises	85
Schools/ Colleges	65
Mobile Food Units	52
Other Retail	42
Supermarket/ Hypermarket	36
Manufacturers/ Packers	24
Hotel/ Guest House	24
Distributors/ Transporters	12
Importers/ Exporters	2
Primary Producer	2
Total	1102

2.6 Enforcement Policy:

The Food Law Code of Practice (England) (FLCoP), 'The Code,' outlines how the requirements of Assimilated Law: Regulation (EC) No. 2017/625 apply to Local Authorities.

We have a statutory duty to enforce the requirements of food law and to have due regard to 'The Code'.

Our [Corporate Enforcement Policy](#) sets out the guiding principles, by which legislation will be enforced in accordance with:

- The Central and Local Government Concordat on Good Enforcement.
- The Legislative and Regulatory Reform Act 2006.
- The Regulators Compliance Code.
- The Crime and Disorder Act 1998.
- The Regulatory Enforcement and Sanctions Act 2008.

In developing this Service Plan, we have given due regard to the requirements of the Regulators Code to guide our regulatory activities, namely to:

- Carry out our activities in a way that supports those we regulate to comply and grow.
- Provide simple and straightforward ways to engage with those we regulate.
- Base our regulatory activities on risk.
- Share information about compliance and risk.
- Ensure clear information, guidance and advice is available to help those we regulate meet their responsibilities to comply.
- Ensure our approach to regulatory activities is transparent.

Business compliance within the Borough is high with 99% of registered businesses classed as 'broadly compliant' (currently rated 3 (satisfactory) or above on the Food Hygiene Rating Scheme (FHRS)).

In 2024/25 we issued 433 warning letter (detailing minor and major contraventions) 5 Hygiene Improvement Notices and 1 Voluntary Closure.

A revisit to secure compliance will always be carried out when a business is non-compliant.

3. Service Delivery:

3.1 Business Registrations and Approvals:

All new businesses involved in food handling must register at least 28 days before they intend to operate. This includes existing food businesses which have changed Food Business Operators. There is no charge for registration, and it cannot be refused. In line with the FLCoP we are required to carry out a full inspection within 28 days of receipt of a valid registration. 166 new food business registrations were received between 1st April 2024 and 31st March 2025.

We have 1 premises approved for meat products, Soho Coffee Shops Ltd, Approval Number: United Kingdom CT007, approved under Assimilated Law: Regulation (EC) No. 853/2004. The Approval Regime is a 'permission' system for premises handling products of animal origin on a business-to-business basis. The business is a small manufacturer and packer supplying to its own-brand local shops. All Officers have received general training on approvals for food businesses and the PEH Manager has received specialist training on milk and dairy approvals. We have no specialist or complex processes currently. Additional training may be needed depending on the nature of any future specialist approval applications or registrations.

3.2 Interventions:

On 1st April 2024 we were responsible for regulating 1102 registered food businesses and 1 approved premises. 396 programmed interventions were due between 1st April 2024 and 31st March, as shown below:

Rating	No. of Programmed Interventions Due
A	9
B	12
C	165
D	134
E	76
Total	396

'The Code' allows for a variety of different interventions, some classed as 'Official Controls' (inspections, audits, verification, surveillance and sampling visits) and other classed as 'other interventions' (advisory and educational visits, information and intelligence gathering visits). The choice of intervention depends on a number of factors e.g. whether it is a new business, the current risk rating and the Officer's professional opinion. Officers are encouraged to use the full range of interventions available to them. Fig 1 shows the choice on intervention based on risk.

Figure 1: Intervention Option Based on Risk:



Following an inspection, partial inspection or audit each business is given a risk rating in accordance with the (FLCoP). The risk rating is graded A-E. This is based on set criteria, which determine potential risk, both inherent risks, which the business operator cannot control, and risks over which the Food Business Operator has full control. It is this rating which determines the frequency of inspection.

The majority of businesses within Cheltenham are currently D rated, requiring an intervention every 2 years. However, it is common for some businesses not to have sustained compliance or have allowed compliance to fall and thus will move between ratings.

Interventions carried out 2024/2025:

Type of Intervention	No.
Inspection/ Audit	437
Verification/ surveillance	63
Sampling	6
Advice/ Education	1
Information/ Intelligence Gathering	38
Total interventions	545

3.3 Alternative Enforcement Strategy (AES):

The FLCoP allows low risk businesses (rated E) to be subject to alternative enforcement, in line with our documented Alternative Enforcement Strategy. We must ensure that these businesses continue to be subjected to some form of Official Control to monitor any increased risk whilst recognising the low risk associated with them.

3.4 Food Alerts for Action (FAFA):

Significant food incidents are notified to us directly from the FSA via a secure dedicated 'Link' platform. Incidents are also notified to us via other partner organisations. The Duty Officer will check for notifications on a daily basis and will initiate the response. Where the Authority becomes aware of a serious localised incident or a wider food safety problem, it will notify the FSA in accordance with the FLCoP. In 2024/25 we received 2 FAFA, one of which required approximately 1.5 weeks' worth of FTE resource.

3.5 Complaints/ Service Requests:

We look at all complaints and prioritise them according to the risk to public health using a complaints filter. In 2024/25 we actioned 57 complaints about food safety concerns and food premises; mainly regarding the hygiene of a premises. We also responded to 35 allegations of food poisoning.

3.6 Primary Authority/ Home Authority Scheme (PA/HA):

This is a statutory scheme administered by the Office for Product Safety and Standards (OPSS) on behalf of the Secretary of State for the Department for Business Energy and Industrial Strategy (BEISS). The scheme ensures that a business with multiple outlets can have the benefit of a single point of contact for advice that supports consistent enforcement across all of its premises. We had a signed Primary Authority Partnership (PAP) with a school contract caterer in 2016 and therefore have experience in managing this scheme should an application be made, and if resources allow. We do not currently have a PAP and have not been approached by a business wishing to enter a PAP during 2024/25. However, we remain on the list of Councils willing to consider any requests from businesses. We use the information contained within the PA Register to inform the way we regulate those businesses who are part of the scheme.

The Home Authority principle operates in situations where no PA arrangement is in place. It maintains and supports the essential elements of the regulatory landscape

by regulating at source. We work in accordance with the provisions of the Home Authority Principles as laid down in the [Joint Statement of Commitment](#).

We act as HA for all businesses who have their decision-making base located within the Cheltenham Borough or where food is produced and will act on any referrals or requests from Local Authorities.

3.7 Food Sampling:

Our Sampling Policy sets out our approach to general and specific sampling and a coordinated approach is taken at the Gloucestershire Food Safety Liaison Group (GFSLG).

All samples sent for analysis are taken under Section 29 of the Food Safety Act 1990 in accordance with the Food Safety (Sampling and Qualifications) (England) Regulations 2013 (under revision) and within the requirements of the FLCoP, are submitted to our appointed Public Analyst, Public Analyst Scientific Services, (PASS) Wolverhampton.

All samples sent for examination, taken in accordance with regulation 14 of the Food Safety and Hygiene (England) Regulations 2013 and the requirements of the FLCoP, are submitted to the Food Examiner at the UKHSA Food, Water and Environmental Microbiology laboratory Porton, Wiltshire; with whom we have a Service Level Agreement in place.

In 2024/25 we carried out 8 sampling visits and submitted 11 samples for examination. Our proactive food sampling activity was limited due to resourcing and other competing demands. However, our sampling allocated credits were used for an in-depth project on hygiene standards within tattooing and piercing premises; carried out by Officers within the Health and Safety Team. It is our intention to sample in accordance with our 2025/26 Food Sampling Plan as indicated in Appendix 2. Proactive sampling is programmed for the first Tuesday of each month. The frequency and topics are subject to change depending on local or national intelligence and resourcing. Currently, all Officers are authorised as competent for the purpose of sampling under the Food Safety (Sampling and Qualification) (England) Regulations 2013.

We aim to use our entire sampling quota each year. The current allocation remains the same as last year at £4,948. This equates to approximately 100 basic sample analysis (2-6 enumeration and 1 pathogen detection = 25 credits 1 credit = £1.83) Tests include: Aerobic colony count, E. coli, Listeria species, Enterobacteriaceae, Coagulase-positive Staphylococci, Salmonella species and Legionella in water supplies.

We sample for a number of reasons, as outlined in our Food Sampling Policy including:

- Investigation of food contamination, food poisoning and complaints.
- Imported food responsibilities.
- Originating and Home Authority responsibilities.
- Food sampling defined by statute.
- Use of sampling as part of an Official Control.
- Participation in nationally co-ordinated sampling programmes.
- Participation in regional sampling programmes.

- Sampling related to local products/events/initiatives relevant to Cheltenham Borough Council.
- Surveillance/ intelligence sampling to identify foods that could pose a hazard.
- Sampling on request of a food business e.g. new product and/ or process.
- Informal sampling to assist with giving advice to businesses.
- Resampling from previously unsatisfactory results.

Sampling studies are selected based on a number of factors:

We submitted our preferences from the UK Health Security Agency (UKHSA) lab suggestions based on what is relevant to us locally. We consider intelligence from our liaison group members and align sampling where possible. We liaise with our trading standards colleagues for sampling they are doing locally, and we also look at what the FSA are providing funding for on imported food commodities. We also consider foods which may be less than thoroughly cooked or may pose additional food safety risks.

Unsatisfactory sample results are always followed up with the business concerned to ensure any risk to public health is removed.

3.8 Infectious Disease Notifications and Outbreaks:

The aim of our infectious disease service is to:

- Administer and implement our statutory responsibilities relating to the control of infectious disease.
- Investigate all notifications of food poisoning cases and likely sources of infection at the earliest opportunity in accordance with standard procedures developed by THE UKHSA.
- Where a source is identified take appropriate action to ensure risk of spreading is controlled.
- Protect the wellbeing of individuals at risk by taking action to contain the spread of infection and provide advice and information regarding personal hygiene, food handling and control of infection.
- Exclude food handlers and people working with high-risk groups in consultation with the Consultant for Communicable Disease Control (CCDC).

In accordance with the provisions of The Health Protection (Notification) Regulations 2010, the UKHSA Southwest receive notifications of suspected diseases/ infections in patients by registered medical practitioners or of causative agents found in human samples at microbiology laboratories. Food Officers within Cheltenham Council work closely with UKHSA to initiate the appropriate public health actions. 176 notifications were received in 2024/25. Those relating to food are shown below.

Notifications of food poisoning/ foodborne diseases 2024/25:

Causative Organism	No.
Campylobacter	124
Giardia	17
Cryptosporidium	14
Salmonella (generic)	13
Paratyphoid	1
Total	169

It is understood that there is severe under reporting of foodborne illness and the burden on society from the 13 main organisms is immense. [The Burden of Foodborne Disease in the UK 2018](#). Our response to these notifications is in accordance with the 'Standard Operating Procedures for Single Cases of Infectious Disease' issued by the UKHSA Southwest and in accordance with any request from them for enhanced surveillance.

We also received 41 allegations of food poisoning in the absence of a laboratory confirmation. The response to these is intelligence led and varies on a case-by-case basis.

Under section 6 of the Health and Social Care Act 2012, our Director of Public Health has the duty to prepare for and lead the Local Authority public health response to incidents that present a threat to the health of the population supported by this Authority. Under the amended Public Health (Control of Disease) Act 1984 and associated regulations, we have the majority of statutory responsibilities, duties and powers significant in the handling of an outbreak. This includes appointment of a 'Proper Officer' whose powers include the receipt of notifications. We have delegated the 'Proper Officer' function to Dr Dom Mellon at UKHSA. In 2024/25 we were involved in the investigation and management of 1 outbreak.

3.9 Food Hygiene Rating Scheme (FHRS):

The FHRS was launched in 2010 and this Authority signed an agreement with the FSA to operate and maintain the scheme at local level. This allows consumers to [Search for ratings | Food Hygiene Ratings](#) and make an informed decision about where they eat and purchase food. The food hygiene rating awarded (0-5) aligns with the risk rating of A to E. Where a Food Business Operator requests an additional inspection for the purpose of improving their rating then a charge will be made for this. This requested revisit is separate to revisits carried out for compliance and public health purposes. Display of the rating sticker is not mandatory, but the FSA is committed to mandatory display through the introduction of regulation. The Food Team are responsible for uploading all data from our information management system, Uniform IDOX, to the FHRS portal for public display. This upload is done every 2 weeks and is in accordance with the FHRS Brand Standard IT Guidance.

3.10 Requests for Advice:

In 2024/25 we received 111 requests for advice relating to food safety, mainly regarding opening a new food business.

In most cases, advice is provided via our website. In line with our commercialisation project any specific tailored advice over and above a 15-minute phone call may incur a charge in line with our fees and charges schedule.

3.11 Education and Promotional Activities:

Cheltenham Borough Council's website is the main media to publish and signpost important food safety information. We use social media to promote FSA campaigns such as the campaign 'Safer Food means Better Business'. We work closely with our communications team to support such campaigns.

3.12 Food Safety Liaison Group (FSLG):

We continue to be an active member of the FSLG and contribute to the formulation and implementation of the County Work Plan. See appendix 3. Following our audit by the FSA on service planning and prioritisation, the PEH Manager and Lead Food Officer led on the County inter-authority audit (IAA). This was a significant and important piece of work. We are currently summarising the findings and will report them to the FSA.

3.13 Chargeable Services:

Our fees and charges for all services are available on our website. Charges for discretionary services are made in accordance with our policy and the FLCoP.

Any terms and conditions applicable to the provision of any such service are discussed together with any conflicts of interest and it is made clear that there are other providers of said services available. These services are separate to Official Controls or other Official Activities. This includes provision of advice, as detailed above, arranging sampling on request and certificates of attestation for the purpose of export.

56 requests for attestations were received 2024/25. The PEH Manager is required to revalidate her Competency Certificate as the Food Competent Certifying Officer (FCCO) with the Animal and Plant Health Agency (APHA) for any export health certificates; for which there is a charge. The Lead Food Officer will obtain an FCCO Certificate this year. We continue to work with Highfields training provider to offer an online Food Hygiene Level 2 Certificate on behalf of Cheltenham Council.

Where a business requests an additional visit outside of their programmed inspection for the purpose of improving their food hygiene rating score then a charge will apply for this. 13 requested revisits were received in 2023/24. This is separate from a revisit for the purpose of securing compliance with legislation; which is not chargeable. However, such compliance revisits do not change the Food Hygiene Rating. Apart from the requested revisits referred to above, no requests for discretionary services were received in 2024/25.

3.14 Intelligence:

Intelligence is information which has been evaluated and assessed as to its reliability and relevance. The recording, evaluating and sharing of information is central to intelligence led work operating effectively. It helps us to prioritise resources effectively by identifying risks and threats on a local, regional and national level.

The Food Team receives information from a number of sources, both proactively and reactively, open and closed. This may be from people, complainants, whistleblowers, members of the public, other Food Business Operators, EHOs, Trading Standards Officers and other regulators. The National Food Crime Unit (NFCU) is the designated body to receive whistle blower reports.

Information may also come from technical sources, CCTV, business records, financial documents, sampling data, Public Analyst reports, open-source reports, articles in the media, previous prohibitions and convictions, planning applications, planning lists, business rates and other internal departments, Rapid Alert for Food and Feed, Border Notifications, the Early Warning System (EWS), the National Monitoring Plan and the Likelihood Risk Dashboard.

We use intelligence to inform our Service Plans, proactive projects, food sampling programmes, targeted enforcement work, complaints, service requests and investigations.

When new information becomes available that suggests the nature of a food business activity has changed or the level of compliance has changed we will:

- Reconsider the intervention rating and the appropriateness of the next planned intervention.
- Decide if it is appropriate to conduct an investigation, inspection or audit to investigate further.
- Document the reason for our decision.

Any concerns around food fraud and serious criminality in the food chain will be reported to the National Food Crime Unit (NFCU)

All Officers have received training on food crime intelligence.

We will share intelligence centrally, where necessary, and work closely with the Local Authority Intelligence Co-ordination Team (LAICT), the NFCU, the Incidents and Resilience Unit, the Imports Delivery Team and other Local Authorities and regulators.

4. Resourcing:

Based on a predicted minimum service demand for 2025/26, as shown in Appendix 4, current resource is considered sufficient to carry out our statutory duties and maintain Officer competency. We do not have much scope for added value activities, such as: entering a Primary Authority Partnership and full engagement in corporate projects. In the event of an emergency, we would consider our Mutual Aid arrangements with Local District Authorities, if necessary.

It must be noted that there is no nationally recognised model for determining resource requirements to effectively deliver a Food Service. Until such a model is developed, it is difficult to establish a robust estimate of the real level of resources required within this Authority which can be compared to similar Authorities. At their board meeting in December 2023, the FSA committed to develop and publish a methodology for Local Authorities to use when determining resources. In Feb 2025, this Authority took part in the first iteration of the user acceptance testing of a time and motion toolkit. This toolkit is now in the validation test phase. The document estimating Officer resourcing will be refined once the toolkit has been fully approved for use.

5. Quality Assessment and Internal Monitoring:

5.1 Performance Reports to the FSA:

A new mechanism for monitoring and reporting on the delivery of Food Controls by Local Authorities was introduced by the FSA. This replaced the Local Authority Enforcement Monitoring System (LAEMS), which was removed in 2022. This will ensure the FSA receive data in a timely manner. This will be reconfigured to collect new data and support a transition to a more intelligence-based risk assessment

approach. Data set change is required to reflect the significant changes in the operating environment. It will result in a more qualitative assessment of Local Authority performance focusing on achievement of outcomes within the food system with less emphasis on inputs and outputs. In the interim, survey returns to the FSA will be provided in April and October providing prescribed information on resourcing, interventions and enforcement activity. The FSA are also developing KPIs for Local Authorities; which will be communicated in due course.

5.2 Internal monitoring; Qualitative and Quantitative:

The Public and Environmental Health Manager and the Lead Food Officer monitor the qualitative and quantitative work of the Food Safety Team based on the operational performance indicators.

We have documented policies and /or procedures for all activities as required under the FLCoP. A list can be found at Appendix 5. All Officers have undergone consistency training and training against the policies to ensure the consistency and quality of interventions. All Officers subscribe to ABC Food Law training platform and are signed up to the Regulators Companion; which provide ongoing high-quality competency training.

The Uniform Database (which also forms the Public Register of food premises) is audited on a fortnightly basis for data accuracy before uploading to the Food Hygiene Rating Scheme portal.

Data checking is undertaken when quarterly inspection lists are produced from the information management system Uniform IDOX.

Officers perform a monthly team consistency exercise and quality check on premises reports against the FLCoP and the Brand Standard. Internal monitoring checks are carried out in 121s on a monthly basis to ensure compliance with the FLCoP for interventions. Accompanied visits occur quarterly with feedback provided to Officers. Feedback is also given in team meetings. This Authority is also introducing a new appraisal system of an annual goal setting meetings and 3 monthly periodic reviews. We will use this to ensure we align with the Authority's needs and regulatory service demands.

We take part in the FSA annual 'National Consistency Exercise' and consider the findings in the summary reports.

The PEH Manager is responsible for monitoring internal performance indicators. Our current operational indicators look at:

- % of new food businesses inspected with 28 days of registration.
- % of food businesses inspected within 28 days of due date.
- % of food businesses which are broadly compliant (rated 3 or above).

6. Review:

6.1 Review Against the Service Plan:

Any major deviation from the above indicators are escalated to the Head of Service for early intervention and implementation of appropriate measures. Food Service Plans are submitted each year for approval by Cabinet and are included on the forward plan for June.

7. Factors Affecting Service Delivery:

7.1 Staff Development and Competency:

This Service Plan can only be effectively delivered by fully competent Officers. The Competency Framework for Officers carrying out Official Food Controls is currently under review as part of the modernisation of the 'Food Delivery Model'. The new framework is expected in June/July 2025. Our Officer authorisation process is linked to and determined by the Competency Framework, which will be amended accordingly. Following extensive training and supervision, all staff are fully competent to deliver Official Controls. However, should there be any changes in staff service delivery may be compromised due to the FLCoP competency requirements.

7.2 Recruitment and Retention:

We currently have no vacancies within the Food Safety Team; having made recruitment a priority. We are at risk of losing existing staff due to retirement, ill-health, career changes and/ or to other Authorities. As the pool of qualified Officers reduce, we work with our HR Team to retain existing staff.

Due to recruitment challenges within the Environmental Health profession, we continue to explore alternative ways to recruit. In 2024, we used our apprenticeship levy to internally recruit an Environmental Health Degree Apprentice through the new 'Chartered Institute of Environmental Health Apprentice Pathway'. We are also currently onboarding a Regulatory Compliance Officer Apprentice. Although, it is hoped they will be part of the Private Sector Housing Team. However, should the need arise, they have cross-cutting regulatory skills which can be used in any of the Public Protection Team's disciplines.

7.3 The Modernisation of the Delivery Model:

Much of the proposed modernisation to the Food Hygiene Delivery Model was put on hold in 2024, as the FSA focused on changes to the Food Standards Delivery Model. Work streams are still ongoing including national level regulation, improvements to the FLCoP, enhanced registration and revision of the Competency Framework. Any changes will require extensive engagement with Officers. Any significant changes may also require changes to our Information Management System.

In conclusion, subject to the above it is considered that we will have sufficient resource to meet the minimum current expectations with the FLCoP and requirements from the FSA. This is based on the establishment profile in the Cheltenham Borough, numbers of new business registrations received, the number of staff within the Food Team, analysis of historic service data, a 'time and motion' study of all our food activities and maintenance of a Duty Officer system. However, the considerable uncertainty of the current operating environment must be recognised.

7.4 Change in Local Business Profile:

Currently, we do not have any specialist or complex processes to regulate, nor many large manufacturers or importers. Should this change significantly then additional training and additional resource may be needed to reflect the additional service demands.

The above risks have been highlighted in the corporate risk register where appropriate.

8. Areas for Improvement:

As part of our commercialisation project, we aim to better utilise technology during our inspections. A corporate project is underway with the Food Team and Private Sector Housing Team using tablets on site to capture information in real-time and use electronic forms to replace handwritten forms. We are exploring the use of IDOX, in-house and 3rd party apps to see how efficiency can be improved 'in the field'.

We will have a stronger focus on proactive sampling.

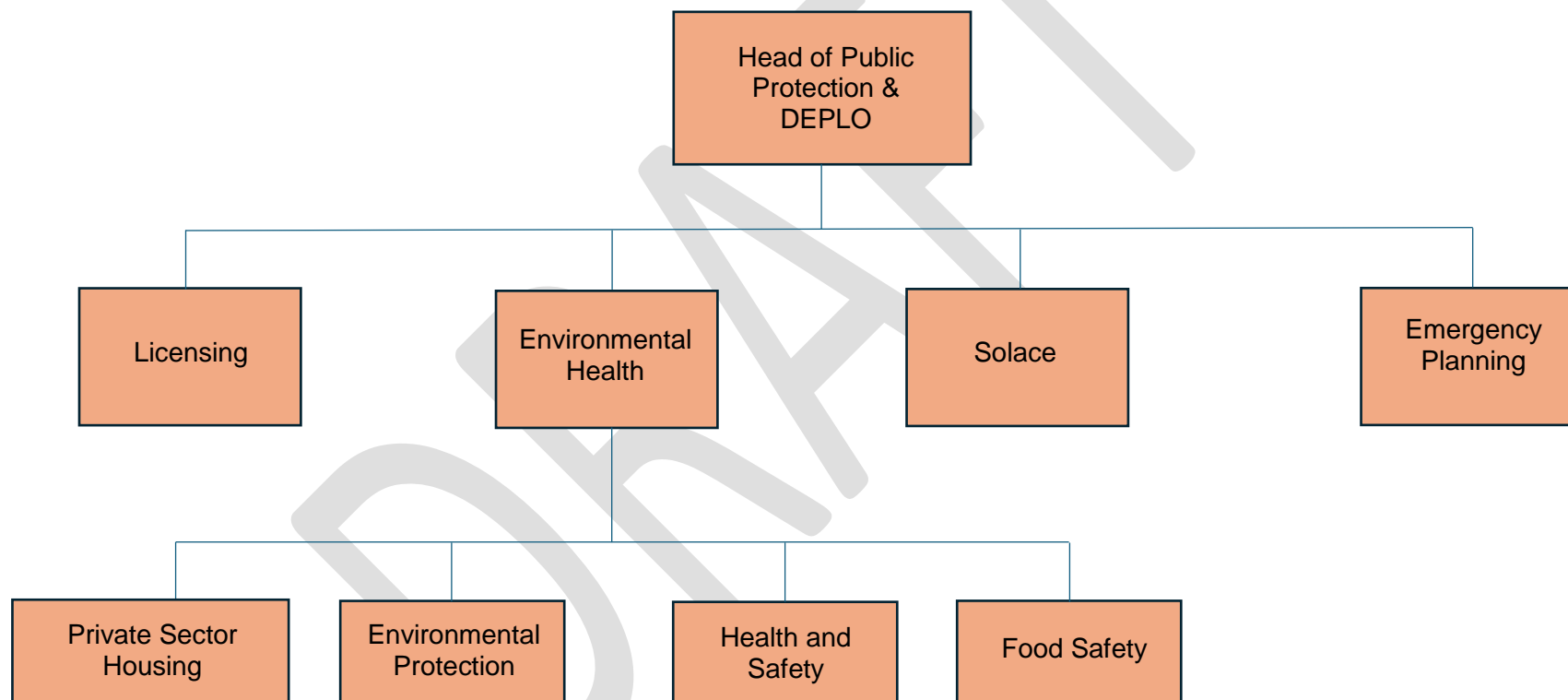
We continue to streamline our alternative enforcement interventions.

We will review all our policies and procedures.

9. Review:

This Service Plan, its format and content will be reviewed annually as a minimum and will be reviewed periodically to reflect any changes in the regulatory landscape. It will be reviewed periodically in consideration of experience gained and the results of internal monitoring, as described above.

Public and Environmental Health Structure:



Sampling Plan 2025/26												
Month of Sampling	A	M	J	J	A	S	O	N	D	J	F	M
Proactive												
Study 83 – dried fruit, seeds and nuts.												
Study 84 – root veg.												
Study 85 – TBC.												
Additional Studies TBC.												
Local Sampling Study – Sushi.												
Local Sampling Study – Steak Tartare.												
Reactive												
Complaints												
As part of Official Controls												
At request of FBO												

Appendix 3

COUNTY FOOD SAFETY GROUP DRAFT WORKPLAN 2025/26**Date of last update: 4 March 2025**

Time Period	Area of Work	Project Leads	Update
April 2025	FSA data returns	All	
From May 2025	FSA Webinars	FSA	
May 2025	Submission of Service Plans for approval	All	
May 2025	Submission of data for the Health Protection Board (HPB)	All	
September 2025	Training day	TBC	
Oct 2025	FSA data returns	All	
TBC 2024	Inter-Authority Audit on Service Planning	All	
Ongoing	Participation in National and regional sampling studies and local Sampling Plans	FSA	
TBC	Rebrand of Better Business for All pack to focus on carbon footprint		
TBC	Project on single-use plastics with new legislation coming out and a focus on becoming carbon neutral	TBC	
From Nov 2025	Update of policies and procedures required by the FLCoP	TBC	

Estimated Officer Resourcing:

Appendix 4

Service Function	Estimated Demand Unit (Hours)	Estimated Time Per Unit (Hours)	Equivalent Officer Hours
Cat A due	2	7	14
Cat B due	13	7	91
Cat C due	157	6	942
Cat D due	137	4.5	616.5
Cat E plus 10% site visit due	144 + 14 = 158	2.5	395
New registrations	150	7	1050
Complaints	68	2.5	170
Allegations of food poisoning	45	1	45
Infectious disease notifications and investigations	154	1	154
Request for advice	123	0.5	61.5
Event submissions	73	0.5	36.5
SAG meetings	12	2	24
SAG event spot checks	12	3	36
Revisits	20	2.5	50
Food Business Operator requested revisits	18	2.5	45
Food Alert for Action	2	3	6
Data base maintenance surveillance	1/4	5	20
Export certificates/FCCO work	50	0.5	25
Food Safety Liaison Group	3h every 3 months	3 x 4	12
Reactive sampling	10	7	70
Proactive sampling	40	5	200
Emergency planning	each 1/4	2	8
Site surveillance checks	each 1/4	2	8
Policy and procedure updates/training	x 24	3	72
Outbreaks	2	37 x 2	74
Project work/ County work plan/IAA	1/4	4 x 7 + 37	65
KPI performance data management	1/4	4 x 2	8
Internal monitoring	1/month	12 x 3	36
Service planning	1/year	1 x 37	37
Data Returns	2/year	2x10	20
Total Demand		4391.5	
Available Officer hours	52 x 3 x 37	37	5772
Annual leave	3	222	-666
Bank Holidays	7 x 3	7.4	-155.4
CPD	30	4	-120
Sickness	3 x 2 x 37	37	-296
Other statutory training	10	3	-30
Total available hours		4504.6	
Shortfall/ Surplus		+113.1	

List of Documents Procedures and Arrangements:

Type	Requirement
Approvals	Competent Authorities must have a procedure(s) to ensure that there is a clear and consistent process for Food Business Operators (FBOs) to follow when applying for approval of their food business establishments, in accordance with Assimilated Law: Regulation (EC) No. 852/2004 and Assimilated Law: Regulation (EC) No. 853/20041.
Food Business Establishment Database	Competent Authorities must have a procedure(s) to ensure that the Competent Authority's database of food business establishments is accurate, reliable and up-to-date.
Food Incidents and Alerts	Competent Authorities must have a procedure(s) to ensure that food incidents and alerts initiated and/or responded to by Competent Authorities are dealt with effectively and within a timely manner.
Officer Authorisation	Officers performing Official Food Controls and other Official Activities must be duly authorised. Competent Authorities must have a procedure(s) to ensure that Authorised Officers (including the Lead Food Officer(s)) engaged in Official Food Controls and other Official Activities hold a suitable qualification (or equivalent) and that they are competent and experienced in accordance with Chapter 3 of The Code and The Practice Guidance, where relevant, to their level of authorisation and the range of tasks performed.
Control Verification	Competent Authorities must have a procedure(s) to ensure that Official Food Controls and other Official Activities are carried out consistently and effectively to a high standard, in conformance with relevant legislation, The Code, relevant centrally issued guidance and the Competent Authority's own documented policies and procedures. It must set out how the Competent Authority carries out risk-based internal monitoring. A record must be made of all internal monitoring and kept for 2 years.
Corporate Complaints	Competent Authorities must have a procedure(s) to ensure that complaints about the Competent Authority are investigated in accordance with centrally issued guidance, a record is made of all complaints received and of the actions taken.
Food Complaints	Competent Authorities must have a procedure(s) to ensure that complaints about food and food business establishments are investigated in accordance with The Code, centrally issued guidance and the Competent Authority's policies and procedures.
Sampling	Competent Authorities must have a procedure(s) to ensure that samples are taken in accordance with The Code, The Practice Guidance, the Competent Authority's policies and procedures and relevant legislation, and that, where unsatisfactory results are received, appropriate action is taken in accordance with the Competent Authority's Sampling and Enforcement Policy.

Equipment	Competent Authorities must have a procedure(s) to ensure that equipment is properly maintained, calibrated and is removed from service when found to be defective.
Official Food Controls and Other Official Activities	Competent Authorities must have a procedure(s) to ensure that the full range of Official Food Controls and other Official Activities carried out by the Competent Authority are effective and appropriate and that they are carried out in accordance with The Code, relevant legislation and in an impartial and consistent manner.
Enforcement	Competent Authorities must have a procedure(s) to ensure that any follow up action or enforcement action taken by the Competent Authority is in accordance with The Code, The Practice Guidance and the Competent Authority's Enforcement Policy.
Control and Investigation of Outbreaks and Food Related Infectious Diseases	Competent Authorities must have a procedure(s) to ensure that the control of outbreaks of food related infectious diseases, and the investigation of notified food related infectious diseases is carried out in accordance with centrally issued guidance.
Information	Competent Authorities must set-up, maintain and implement appropriate back-up systems for any electronic databases, and systems or documented procedures that have been designed to minimise the risk of corruption or loss of information held on its databases and ensure that reasonable security measures are in place to prevent access and amendment by unauthorised persons.
Registration	Competent Authorities must have procedures and/or arrangements in place to ensure that there is a clear and consistent process for FBOs to follow when applying for registration of their food business establishments.
Conflict of Interest	Competent Authorities must have procedures and/ or arrangements in place to ensure that staff performing Official Food Controls and other Official Activities are free from any conflict of interest.
Sampling Policy	The Sampling Policy must set out the Competent Authority's approach to food sampling.
Contingency Plan	The Contingency Plan must set out what the Competent Authority would do in an emergency.
Service Plan	The Service Plan must cover all areas of food law that the Competent Authority has a duty to enforce, be documented in accordance with Chapter 2 of The Practice Guidance and The Framework Agreement. It must set out how the Competent Authority intends to deliver and resource Official Food Controls and other Official Activities in its area and address any variance in meeting the outcomes of the previous Service Plan. A performance review must be carried out at least once per year and be documented. The Service plan must be submitted for approval by a relevant member forum or relevant Senior Officer.
Intervention Programme	The Intervention Programme must be established and implemented in accordance with the requirements of Chapter 4 and ensure that interventions are effective, appropriate and consistent. It should include all food

	business establishments for which the Competent Authority has food law enforcement responsibility for.
Sampling Programme	The Sampling Programme must set out the details of the Competent Authority's intended risk-based food sampling priorities.
Training Programme	The Training programme must ensure that Authorised Officers undertaking Official Food Controls and other Official Activities receive appropriate training.
Alternative Enforcement Strategy (AES)	The AES must set out how the surveillance of food business establishments that can have Alternative Enforcement Strategies applied to them will be conducted.

DRAFT

Cheltenham Borough Council

Cabinet – 15 July 2025

Compliance Strategy and Policies

Accountable member:

Councillor Flo Clucas, Cabinet Member for Housing and Customer Services

Accountable officer:

Claire Hughes, Director of Governance, Housing and Communities

Executive summary:

This report brings forward a new compliance strategy and revised compliance policies for the big six areas of compliance in housing (gas, electrical, fire, asbestos, water and lifts). The committee are asked to recommend that the Cabinet approve the strategy and policies.

The compliance strategy action plan will be monitored via the Compliance Monitoring Group and captured within our Housing Improvement Programme.

Recommendations: That Cabinet:

- 1. adopts the Compliance Strategy (Appendix 2);**
 - 2. adopts the following Compliance Policies:**
 - i. Gas and Heating Safety (Appendix 3)**
 - ii. Electrical Safety (Appendix 4)**
 - iii. Fire Safety (Appendix 5)**
 - iv. Asbestos (Appendix 6)**
 - v. Water Safety (Appendix 7)**
 - vi. Lift Safety (Appendix 8)**
-

1 Background

- 1.1 Cheltenham Borough Council (CBC) provides a wide range of local services, including the provision of social housing, maintaining approximately 5,000 domestic properties, communal blocks and schemes. In 2023, we made the strategic decision to bring CBC owned properties and housing services back under our own management and that transfer took place on 1 July 2024. These properties are subject to landlord property compliance arrangements to ensure they are safe places to live and work.
- 1.2 A key driver in this change was to ensure that our tenants were at the heart of everything we do and that their safety, together with the standards of their homes is our number one priority.
- 1.3 Ahead of the transfer, in June 2024 Cabinet approved a range of compliance policies relating to the big 6 areas of compliance, namely gas, electrical, fire, asbestos, water and lifts.
- 1.4 Since the transfer we have been on an improvement journey, developing our services and our approach to compliance. On 1 April officers attended a facilitated session with Pennington Choices Limited where our compliance strategy was created and developed.
- 1.5 Building on the Compliance Strategy officers attended a further facilitated session with Pennington Choices on 30 April to review our existing compliance policies. A further session on 5 June will develop this work further creating a suite of operational procedures and process maps, ensuring everyone is clear on our approach to compliance.

2 Compliance Strategy

- 2.1 The development of a compliance strategy enables the council to be clear, both internally and externally about its approach to compliance. Modelled around the 'three lines of defence' risk management and assurance framework it provides clarity and structure around all components that need to work together to ensure successful property compliance delivery.
- 2.2 The strategy outlines our arrangements across the 'big six' areas of compliance as well as damp and mould. It concludes with our overall objectives, and a supporting action plan, which demonstrates our commitment to prioritising tenant safety and continuous improvement.
- 2.3 Delivery of the action plan will be monitored by the Compliance Monitoring Group and captured within our Housing Improvement Programme.

3 Compliance Policies

3.1 The council adopted a suite of compliance policies in June 2024 as part of the transfer of Housing Services. At that time, it committed to carrying out a full review of those policies post transfer.

3.2 Supported by Pennington Choices Limited that review has now concluded and attached are a revised suite of policies which the committee are asked to review and recommend to cabinet for adoption.

3.3 In accordance with our new compliance strategy each policy has been updated to ensure that it contains the following information:

- Ownership, review and approval
- Introduction, objectives and scope
- Roles and responsibilities
- Legislation, guidance and regulatory standards
- Obligations
- Statement of intent
- Programmes
- Follow up work
- Data and records
- Resident engagement
- Competent persons
- Training
- Performance reporting
- Quality assurance
- Significant non-compliance and escalation

3.4 Whilst most elements of the policy are statutory there are some areas where strategic choices were required, for example our desire via our planned maintenance programme to upgrade all smoke detectors to LD1s, the highest level of fire protection for a domestic property.

3.5 Adopting these policies demonstrates the councils commitment to safety and ensures that compliance remains our priority.

4 Key risks

4.1 Key risks are set out in the risk register at Appendix 1.

Report author: Claire Hughes, Director of Governance, Housing and Communities,
claire.hughes@cheltenham.gov.uk

Appendices:

- i. Risk Assessment
- ii. Compliance Strategy
- iii. Gas and Heating Safety
- iv. Electrical Safety
- v. Fire Safety
- vi. Asbestos
- vii. Water Safety
- viii. Lift Safety

Appendix 1: Risk Assessment

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
1	The Council has a legal duty to ensure that properties it manages are safe and comply with all applicable statutory requirements. If the Council fails to adopt clear policies then this could result in ambiguity and compliance failures, potentially putting tenants and residents at risk	Director of Governance, Housing and Communities	5	3	15	Reduce	Produce, approve and implement clear and robust policies and associated procedures.	Director of Governance, Housing and Communities	July 2025
2	If the Council does not have clear property compliance policies in place or does not comply with the provisions of the policies then there is a significant safety and reputational risk to the Council.	Director of Governance, Housing and Communities	5	3	15	Reduce	Produce, approve and implement clear and robust policies and associated procedures.	Director of Governance, Housing and Communities	July 2025
3	If the Council does not have clear property compliance policies in place or does not comply with the provisions of the policies then there is a significant financial risk to the Council.	Director of Governance, Housing and Communities	5	3	15	Reduce	Produce, approve and implement clear and robust policies and associated procedures.	Director of Governance, Housing and Communities	July 2025
4	If the Council does not have clear property compliance policies in place or does not comply with the provisions of the policies then there is a significant legal risk to the Council.	Director of Governance, Housing and Communities	5	3	15	Reduce	Produce, approve and implement clear and robust policies and associated procedures.	Director of Governance, Housing and Communities	July 2025

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Cheltenham Borough Council

Property Compliance Strategy

2025 - 2028

Owner	Director of Governance, Housing and Communities
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Member Lead	Councillor Flo Clucas – Cabinet Member Housing and Customer Services

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1. Introduction

Cheltenham Borough Council (CBC) provides a wide range of local services, including the provision of social housing, maintaining approximately 5,000 domestic properties, communal blocks and schemes. In 2024, we made the strategic decision to bring CBC owned properties and housing services back under our own management. These properties are subject to landlord property compliance arrangements to ensure they are safe places to live and work.

Property compliance and building safety is ultimately about risk management and keeping people safe. We strive to achieve this by meeting our legal and regulatory obligations through well-managed testing, servicing, and inspection programmes and carrying out remedial and follow-up actions when required.

Success relies on robust data management, performance management, assurance reporting, and employing competent individuals and suppliers. We use the 'three lines of defence' assurance framework to ensure that each of these elements work effectively together (see Section 2).

With recent changes in the legal and regulatory landscape and due bringing housing services back to CBC we have refreshed our **Corporate Plan** and also created a **Mission Statement** for CBC's housing services. Together with our **Asset Management Strategy and Tenant Engagement Plan**, these set out our objectives for the housing service. This strategy supports our vision and forms part of our wider organisational commitment to driving a positive health and safety culture among our employees, contractors and stakeholders as detailed within our **Health**

and Safety Policy. We also continue to learn from the ongoing impact of the Grenfell Tower fire tragedy in 2017, which was a catalyst for change within the social housing sector. We want to ensure that as far possible, no similar event occurs within our housing portfolio.

Together with our tenants we provide safe, secure and well-maintained homes that help everyone to reach their potential.

Since bringing housing services back to CBC, we have been on an improvement journey to develop a greater understanding of our buildings, our compliance arrangements and our response to the new regulatory challenges. This has resulted in a **housing improvement programme** which will strengthen our approach.

To support the improvement programme, on 1 April 2025, CBC employees attended a facilitated workshop with external consultant Pennington Choices Ltd. to develop a property compliance strategy (this strategy) to document our overarching framework, objectives, and priorities for property compliance delivery.

The following sections of this strategy outline these arrangements across the 'big six' areas of property compliance: gas, electric, fire, asbestos, water, and lifts, as well as damp and mould. The strategy concludes with our overall objectives, and supporting action plan, to demonstrate our commitment prioritising resident safety and continuous improvement within CBC.

2. Three lines of defence

This strategy is modelled around the ‘three lines of defence’ risk management and assurance framework. We have adopted this framework to provide clarity and structure around all of the components that need to work together to ensure successful property compliance delivery. We can check and measure our performance against each line of defence to ensure a holistic approach to provide assurance.



Diagram 1: Three lines of defence model.

Sections 7 - 15 of this strategy describe how we put the three lines of defence framework into effect (also illustrated in Diagram 2 below).

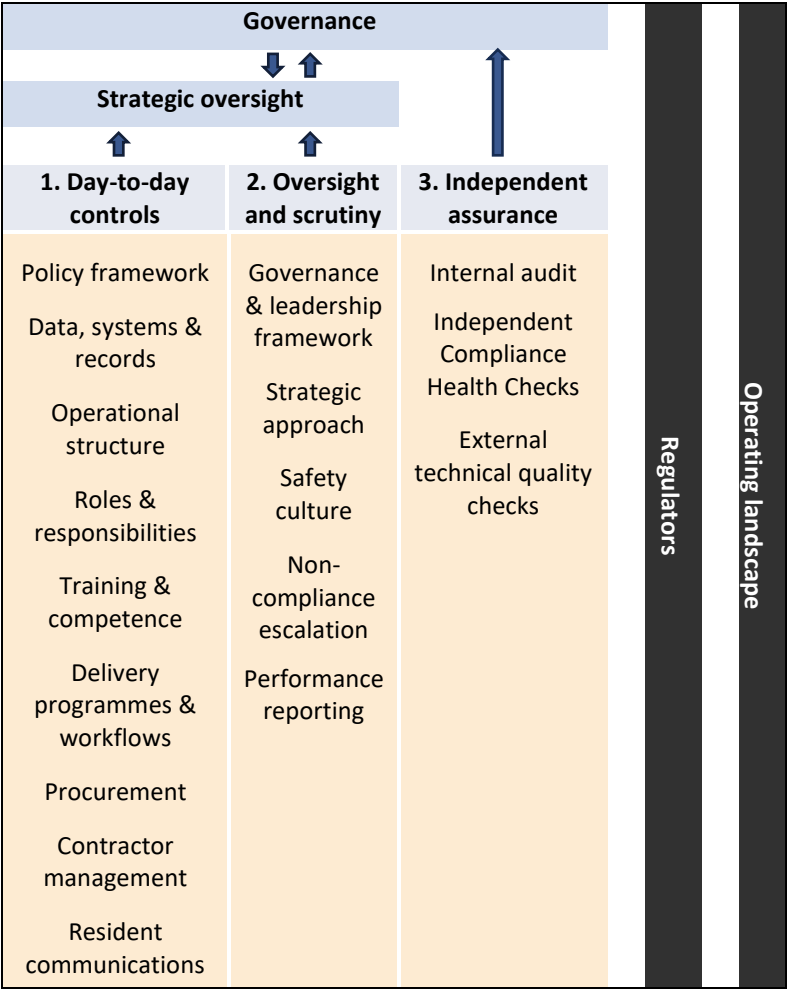


Diagram 2: Three lines of defence in practice.

3. Context: Properties & residents

The scope of this strategy includes CBC assets which are assigned to the housing revenue account. These are primarily domestic properties, communal blocks, and schemes. This strategy does not cover commercial or public buildings.

Shared ownership properties as well as a small number of private rentals are included within compliance performance data to ensure we retain full oversight. We adopt a zero-tolerance approach to risk within these arrangements.

Properties		
Item	Count	Description
Domestic	4710	Flats, houses, bungalows, and so on.
Managed domestic	0	Domestic properties we own that are managed by a third party.
Communal blocks	447	Total number of all communal blocks.
Shared Ownership	51	
18m+ blocks	0	N/A
11m+ blocks	5	5 (with x 3 having EWS)
Private Rental	13	Monitored but reported aside from HRA assets
Schemes	17	Independent living, sheltered, and so on.

Table 1: Our properties by type.

CBC operates a diverse range of tenures, as illustrated in the table and pie chart below. CBC have been working to ensure that we meet the housing needs of all our customers. Our aim is to ensure our priorities and activities going forward reflect our additional responsibilities not only as a housing provider, but as landlord to the tenants and leaseholders who live in our properties.

Units		
Type	Description	Count
Social housing	Social Rent and Affordable Rent	4,640
Leaseholders	Leasehold properties	426
Other tenures	Private Rental and Shared Ownership	64

Table 2: Our residents/units by type.

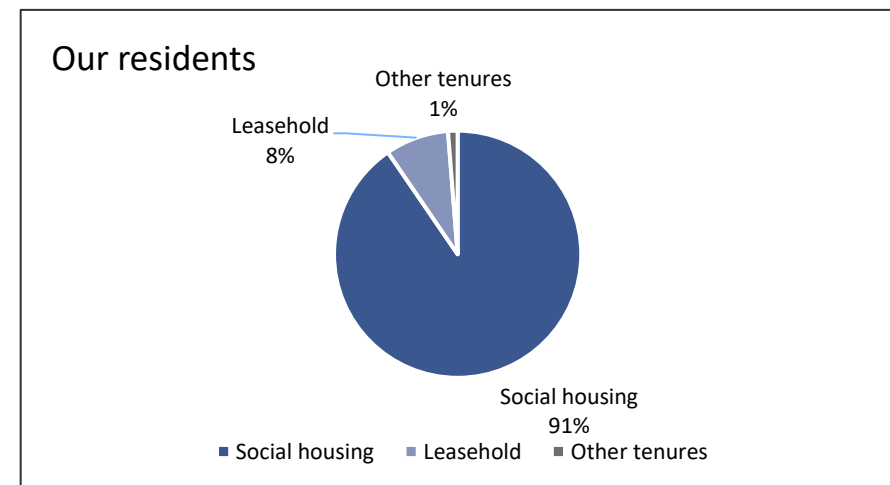


Diagram 3: Resident breakdown.

4. Context: Operating landscape

CBC must meet a range of legal and regulatory duties in respect of the safety and quality of our homes. The legal landscape around safety and compliance has changed considerably over the past five years, with the introduction of new pieces of legislation, including the Fire Safety (England) Regulations 2022, Building Safety Act 2022, and Social Housing (Regulation) Act 2023. Awaab's Law will also be implemented from October 2025.

We must ensure we stay up to date with obligations to ensure we meet our duties. Failure to comply could mean legal action from the Health and Safety Executive or our residents. The Regulator of Social Housing can also impose sanctions if we fail to meet regulatory standards. We must also provide services to residents in a way which meets the expectations of the Housing Ombudsman. Whilst we do not have buildings over 18m in height and in scope of the Building Safety Regulator, we must also monitor changes in this area as the threshold for intervention is likely to be lowered.

Diagram 4 demonstrates how we stay up to date with changes that have an impact on property compliance and building safety.

We are risk aware, not risk averse. Our **Risk Register** demonstrates that we understand, and have considered, wider risks in the operating environment. The housing and compliance risks are reviewed every six months by the Director of Governance, Housing and Communities and Cabinet Housing Committee.



Diagram 4: Operating landscape.

5. Context: Regulator of Social Housing

The Social Housing (Regulation) Act 2023 received Royal Assent in July 2023. It aims to improve social housing quality by delivering ‘transformational change’ for social housing tenants. The Act has enabled the Regulator of Social Housing (RSH) to implement a new, proactive consumer regulation regime through a new set of strengthened consumer standards that CBC must comply with.

The new Safety and Quality Standard, which has been in effect since April 2024, requires landlords to provide safe and good-quality homes for their tenants, along with good-quality landlord services.

The RSH will include us in their programme of planned inspections to review how we are performing against the new standards. We must be prepared to provide them with evidence and assurance that we have an effective framework for managing property compliance in place.

If the RSH believes that we do not, and improvements are required, they can use a range of tools for intervention, until they are satisfied issues have been addressed and measures and controls are in place to prevent a recurrence. To support this, we engage proactively with RSH as part of the co-regulatory approach required under the consumer standards.

The RSH will also gather information in between planned inspections, through the tenant satisfaction measures, quarterly survey or other engagement. As a result, we must always ensure compliance with the standards. This strategy demonstrates how we will meet the health and safety requirements under the Safety and Quality Standard.

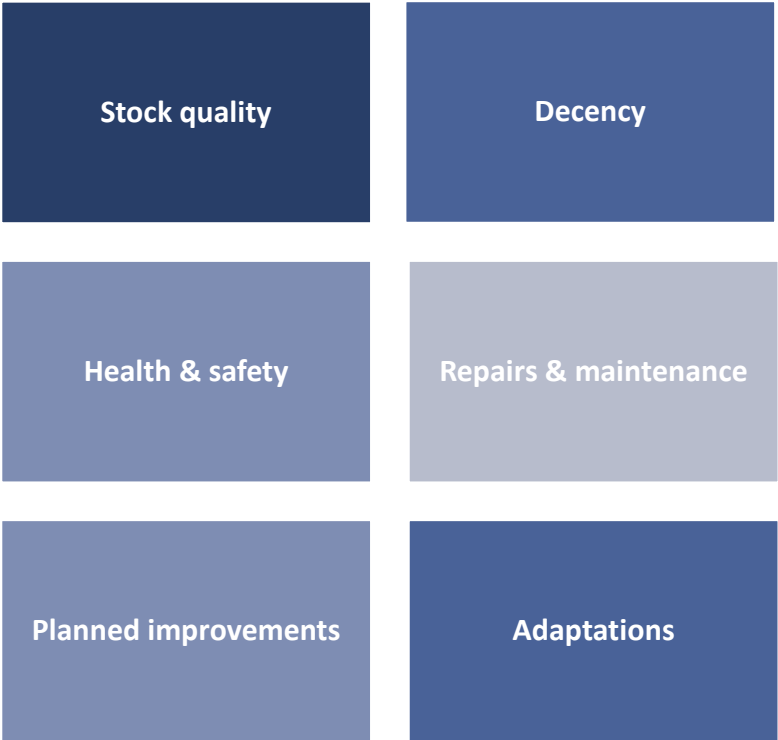


Diagram 5: The six elements of the Safety and Quality Standard.

6. 1st line: Policy framework

Having a robust compliance policy framework in place to support this strategy is key to ensuring CBC meets its legal obligations and our stakeholders understand what we will do to achieve compliance.

We are updating our compliance policies across the compliance areas to set out **what** we will do to meet our legal and regulatory obligations and show that we have considered relevant strategic choices that have significant cost and risk implications. Each policy will be updated to include all the items listed in Diagram 6.

The policies are approved through our governance framework and ultimately by the Cabinet. They will be reviewed at least every two years, or sooner if legislative requirements change.

The policies will be supported by operational process maps and procedure documents which are also being developed. These will outline **how** we deliver end-to-end compliance processes and include milestones, timescales, interdependencies, roles and responsibilities, contract delivery and confirm how operational performance and compliance will be monitored.

Our policies will include the following:

- ✓ Ownership, review, and approval
- ✓ Introduction, objectives, and scope
- ✓ Roles and responsibilities
- ✓ Legislation, guidance, and regulatory standards
- ✓ Obligations
- ✓ Statement of intent
- ✓ Programmes
- ✓ Follow-up work
- ✓ Data and records
- ✓ Resident engagement
- ✓ Competent persons
- ✓ Training
- ✓ Performance reporting
- ✓ Quality assurance
- ✓ Significant non-compliance and escalation

Diagram 6: Policy content.

7. 1st line: Data and systems

Successful data management supports our assurance and delivery of property compliance. We must understand how many properties we own and manage and which compliance programmes they should be included on.

QL is our parent housing management system with our compliance programme data and records held between QL, Data Hub, Documotive and Excel. The table below provides an overview of where compliance data is held.

Area	Programme	Follow-up actions	Records
Gas	Excel >QL	Excel >QL	Documotive > Contractor Portal
Electric	Excel >QL	Excel > QL	Documotive
Fire	QL	QL	Documotive
Asbestos	Excel >QL	Excel >QL	Documotive > Contractor Portal
Water	Excel >QL	Excel > QL	Documotive > Contractor Portal
Lifts (communal)	Excel > QL	Excel > QL	Documotive
Damp and Mould	QL	QL	Documotive

Over the next 12 months we will be making a number of data and system improvements to ensure we manage and deliver compliance programmes effectively. This will ensure we understand our properties better so that we have one universally agreed version of the truth.

Our **top three** compliance data priorities are to:

1. Transition from the use of manual systems and Excel to ensure compliance programmes, follow-up actions and records are recorded and managed consistently on the QL system.
2. Undertake a data validation exercise to support migration to QL and ensure all required properties are included on compliance programmes with valid and evidenced based reasons for any exclusions.
3. Explore the reporting functionality of QL to automate our performance reporting to give greater data assurance.

Following data validation, we will implement monthly data reconciliation across all assets, compliance programmes and systems to ensure that records remain accurate and up to date. This will include sample checks of compliance records to ensure inspection dates are being captured correctly within each system.

Table 3: Compliance data locations.

Key: > System to be implemented.

8. 1st line: Operational structure

The Property Compliance Manager(s) have overall operational responsibility for property compliance. They are supported by officers with responsibility for individual compliance areas. Beneath these managers are contract managers, officers, coordinators, risk assessors, engineers, and technical assistants to make up the full operational structure

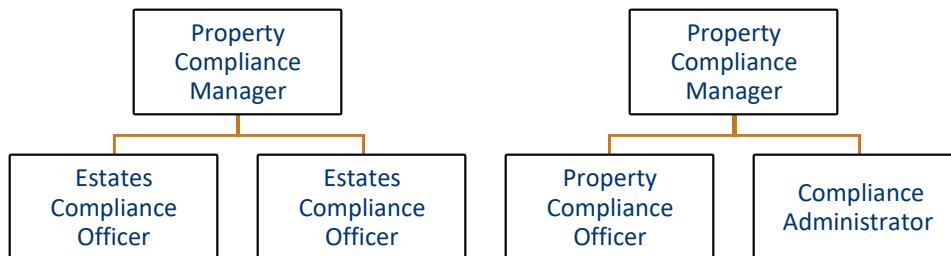


Diagram 5: High level operational structure for compliance delivery at CBC.

Training and competence

We will update our policies to detail the qualifications, skills, and competencies we require individuals to hold for each area of compliance. We will also encourage and support CBC staff to gain relevant compliance management qualifications.

We will only engage competent, qualified, technical consultants and contractors to provide external assurance, technical advice, and to deliver compliance inspections and remedial works.

Health and Safety Lead

As required under the Social Housing (Regulation) Act 2023 we have appointed The Deputy Chief Executive as our Health and Safety Lead to:

1. Monitor our compliance with health and safety requirements.
2. Assess risks of failure to comply with health and safety requirements.
3. Notify CBC councillors of the risks assessed and any material failures to comply with health and safety requirements.
4. Provide advice to councillors as to how CBC should address associated risks and failures.

9. 1st line: Procurement and contract management

All our compliance contracts will be formally procured, with support from third-party technical experts and our shared services procurement team, to ensure service specifications are robust. We will be implementing annual contractor checks to review insurance, qualifications, and accreditations to ensure standards are maintained for the duration of each contract.

We will proactively manage all contractors through a framework of structured formal contractor meetings and arrangements across all compliance programmes. We will provide regular contract management training for individuals managing and dealing with compliance and building safety contracts.

Area	Inspection frequency
Gas (Landlord's gas safety records)	Annual
Electric (Electrical installation condition reports)	5 years
Fire (Fire risk assessments)	High risk blocks 3 years Low risk blocks 4 years
Asbestos (Re-inspections)	Annual for Garages 1 / 2 / 3 / 4 & 5 years based on the risks and survey results stating timeframe
Water (Legionella risk assessments)	2 years
Lifts (Thorough examinations)	6 months

Table 4: Compliance programme frequencies.

10. 1st line: Customer communications

We are improving our approach to communicating with our residents and will implement our Customer Engagement Strategy for the housing service to put the voice of customers at the heart of everything we do. This includes working with customers to keep their homes safe and making sure customers have a range of methods they can get involved in shaping our services.

Our Tenant Voice newsletter provides our residents with the latest updates about their homes and the local community. It includes different ways that residents can engage with us to share their thoughts and concerns.

We provide information through our Tenant and Leaseholders Handbooks and on our website on keeping homes safe. We are working with customers to update and improve these.

We will also develop a resident safety communications plan to strengthen our approach to resident health and safety. We will proactively promote the work we do to keep our residents safe and develop an annual plan that raises general awareness about key safety issues as residents are often best placed to mitigate risks themselves.

11. 2nd line: Governance and strategic oversight

Our governance structure, as illustrated in the image below, demonstrates how we implement effective scrutiny and oversight of property compliance.

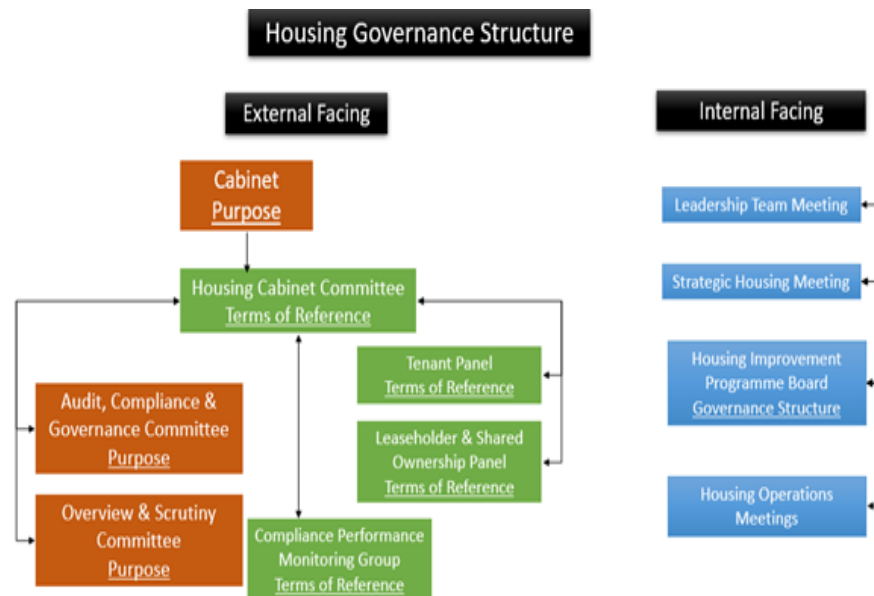


Diagram 6: : CBC Governance Structure.

Our Leadership Team, Compliance Monitoring Group, Cabinet Housing Committee and Cabinet Member for Housing and Customer Services all receive regular landlord property compliance performance reporting.

Our Cabinet has overall governance accountability to ensure full compliance with legislation and regulatory standards, and the Director of Governance, Housing and Communities has overall strategic accountability for property compliance and the health and safety of our homes.

To ensure tenants and leaseholders have oversight of property compliance, we have established tenant and leaseholder panels which feed into our Cabinet Housing Committee. Tenant and leaseholder representatives also sit on the Cabinet Housing Committee.

We provide awareness training on property health and safety compliance to our elected members, Leadership Team and residents to inform strategic decision making, including how to provide effective challenge, scrutiny, and oversight.

12. 2nd line: Safety culture

We are committed to developing and maintaining a strong safety culture within CBC based on the following principles:

Effective leadership

- Appropriate proportion of time, money and resources are allocated to deliver compliance arrangements.
- We prioritise risk and quality over cost and profit.

Positive organisational environment

- Managers need to be seen visibly leading by example through talking about landlord health and safety compliance and following correct procedures.
- Acknowledging that people make mistakes without blame reporting. Instead, our focus is on continuous improvement while holding people accountable for their actions.
- Roles and responsibilities are clearly defined and allocated so everybody knows what they are expected to do in different health and safety scenarios.
- Critical issues are not overlooked and dealt with as they emerge.

Effective communication

- Top down and bottom-up open communication.
- Health and safety is acknowledged to be everyone's responsibility and be part of everyday work conversations.

13. 2nd line: Reporting & escalation

Reporting

As a minimum we will report the following performance indicators for each area of property compliance:

- ✓ Total number of properties domestic/ communal (number).
- ✓ Properties not on programme (number).
- ✓ Properties with valid and in date inspection records (number and percentage).
- ✓ Properties without valid and in date inspection records (number and percentage).
- ✓ Properties due within the next 30 days (number).
- ✓ Follow-up works by priority and overdue status (number).
- ✓ Explanation of corrective action required and progress with completion of follow-up works (narrative).

Performance is reported monthly to Compliance Group and Leadership Team, and quarterly to Cabinet Housing Committee

Non-compliance escalation

Any incident which could result in a breach of legislation or regulatory standard, or which causes a risk to health or safety, and needs to be managed as an exception will be escalated from operational level through our governance framework. Escalation routes will be outlined within our compliance policies.

14. 3rd line: Quality assurance

Our third line of defence is about ensuring we have independent and objective assurance around compliance delivery. To support this, we will consider implementing programmes of third-party technical audits across all compliance areas. This will provide quality assurance through fieldwork checks and desktop reviews of compliance records on a sample basis. Our approach to each compliance area will be set out within individual policies.

We will also review our internal audit function with the aim of developing a programme that includes all six compliance areas, and damp and mould, at least once every two-years. We will ensure that the internal auditors are competent to undertake this task.

We will also consider commissioning an independent, external 'health check' of property compliance periodically (every three years). The purpose will be to test compliance with legal and regulatory requirements and to identify any non-compliance issues for correction collectively across all areas.

15. Supporting documents

- Mission Statement for Cheltenham BC Housing Service
- Corporate Plan
- Asset Management Strategy
- Risk Register
- Customer Engagement Strategy
- Individual compliance policies x 6
- Damp and Mould Policy
- Health and Safety Policy
- Housing Improvement Plan

16. Objectives

The four key objectives below summarise our priorities for delivering this strategy to keep our properties compliant and support resident safety. The action plan at Appendix 1 includes the key activities we need to deliver to meet these objectives over the next three years. This strategy, objectives and action plan will be reviewed periodically to ensure they remain an accurate reflection of what we would like to achieve. The objectives will also be reviewed if there is a change to any applicable health and safety legislation.

OBJECTIVE 1	Key results
STRENGTHEN 1ST LINE OF DEFENCE WITHIN PROPERTY COMPLIANCE FRAMEWORK	<p>We will strengthen our first line of defence to ensure all day-to-day operational controls are implemented.</p> <p>We will also improve the accuracy of our data and the use the QL compliance system to manage all compliance programmes.</p> <p>This will be completed by April 2026</p>

OBJECTIVE 2	Key results
STRENGTHEN 2ND LINE OF DEFENCE WITHIN PROPERTY COMPLIANCE FRAMEWORK	<p>We will update compliance reporting templates and scorecards to provide the appropriate amount of detail and clarify non-compliance escalation processes by September 2025.</p> <p>This will help our Leadership and Governance Teams to challenge and scrutinise compliance performance effectively, and ensure non-compliance is escalated within appropriate timeframes.</p>

OBJECTIVE 3	Key results
STRENGTHEN 3RD LINE OF DEFENCE WITHIN PROPERTY COMPLIANCE FRAMEWORK	<p>We will establish and implement quality checking regimes to provide independent and objective assurance around our property compliance management and delivery framework. This will be completed by April 2027</p> <p>This will also provide assurance that the improvement actions we have taken have been embedded within the organisation successfully.</p>

OBJECTIVE 4	Key results
STRENGTHEN OUR PEOPLE AND ENGAGEMENT TO SUPPORT OUR COMPLIANCE FRAMEWORK	<p>We will review our existing staffing structures to ensure we are appropriately resourced and will put in place formal plans and protocols for internal and external communication and training by April 2026 to ensure a joined-up approach to sharing information with residents and wider housing management staff.</p> <p>This will help ensure support a positive safety culture, with people having the right skills and knowledge to</p>

17. Appendix 1 - Action Plan

High	Within six months
Medium	Within 12 months
Low	Before the end of the strategy (by April 2028)

Objective	Action	Description	By when?	Accountable	Responsible	Priority
1 Strengthen first line of defence within property compliance framework	1.	Develop and implement a plan to move all property compliance programmes away from Excel spreadsheets and on to QL.	October 2025	Interim Director of Housing Transformation	TBC	High
	2.	Undertake a data validation and cleansing exercise prior to migrating data to QL to ensure the data is accurate and provides one version of the truth.	August 2025	Director of Governance, Housing and Communities	Governance, Risk and Assurance Manager	High
	3.	Implement monthly data reconciliation across assets, compliance programmes and systems to ensure that records remain accurate and up to date.	September 2025	Interim Director of Housing Transformation	Compliance Manager	High
	4.	Implement sample checks of compliance records to ensure inspection dates are being captured correctly within each system	December 2025	Interim Service Improvement Lead	Compliance Manager	High
	5.	Develop policies, processes, and procedures to underpin the delivery of the compliance programmes.	July 2025	Director of Governance, Housing and Communities	Director of Governance, Housing and Communities	Medium

	6.	Implement a consistent approach to procuring contracts and undertaking contractor competency checks.	December 2025	Interim Director of Housing Transformation	Interim Service Improvement Lead	Medium
	7.	Set expected competence levels for internal team members managing and delivering compliance programmes.	December 2025	Interim Service Improvement Lead	Learning and Development Lead	Medium
2 Strengthen second line of defence within property compliance framework	8.	Develop a scorecard to strengthen property compliance reporting in line with Section 13 of the strategy and the requirements under the tenant satisfaction measures.	September 2025	Director of Governance, Housing and Communities	Governance, Risk and Assurance Manager	Medium
	9.	Develop and implement a consistent approach to escalating contractor non-performance and non-compliance escalation.	September 2025	Interim Director of Housing Transformation	Interim Service Improvement Lead	Medium

3 Strengthen third line of defence within property compliance framework.	10.	Implement an internal audit regime for the big six areas of compliance, and for damp and mould at least every two years.	October 2025	Director of Governance, Housing and Communities	SWAP	Low
	11.	Implement technical third-party quality assurance checks across all compliance areas to undertake sample checks on field work and desktop reviews on records. The auditors will be competent and appropriately qualified.	May 2026	Interim Service Improvement Lead	Compliance Manager	Medium
	12.	Consider commissioning an external compliance health check every two years	June 2026	Director of Governance, Housing and Communities	Director of Governance, Housing and Communities	Low
4 Strengthen our people and engagement to support our property compliance framework.	13.	Review our compliance team to make sure it is fit for purpose.	December 2025	Director of Governance, Housing and Communities	Interim Service Improvement Lead	High
	14.	Implement regular training for elected members and leaders on compliance assurance.	May 2026	Director of Governance, Housing and Communities	Learning and Development Lead	Low
	15.	Develop an internal protocol for sharing information and raise awareness of the importance of property compliance to improve knowledge and understanding and that we 'own it'	January 2026	Director of Governance, Housing and Communities	Housing Improvement Programme Lead	Medium

	16.	Implement the Customer Engagement plan to improve tenant oversight, scrutiny and engagement with compliance and safety in the home.	December 2025	Director of Governance, Housing and Communities	Director of Housing: Customer and Communities	Medium
	17.	Develop our Tenant and Leaseholder handbook and website information	June 2026	Director of Governance, Housing and Communities	Housing Improvement Programme Lead	Medium
	18.	Develop a resident communications plan for property compliance (such as gas safety week, summer months focus on water hygiene, barbeques on balconies, and heating safety in autumn/winter).	June 2026	Director of Governance, Housing and Communities	Housing Improvement Programme Lead	Low

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Gas and Heating Policy



Name	Gas and Heating Policy
Owner	Property Compliance Manager
Version	2
Last Review	June 2025
Next Review	June 2027
Strategic Lead	Claire Hughes – Director of Governance, Housing and Communities
Member Lead	Councillor Flo Clucas – Cabinet Member Housing and Customer Services

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1.0 Introduction and Objectives

- 1.1 As a landlord, Cheltenham Borough Council (CBC) is responsible for the maintenance and repairs to our homes, communal blocks and other properties we own and manage, many of which will contain gas installations and appliances.
- 1.2 We are also responsible for maintaining other types of heating systems to ensure that all heating appliances provided for tenants are safe. These include solid fuel/ solar thermal/ electrical heating systems.
- 1.3 The key objective of this policy is to ensure our Cabinet, Leadership Team, employees, partners and tenants are clear on our legal and regulatory gas/heating safety obligations. This policy provides the framework our staff and partners will operate within to meet these obligations.
- 1.4 This policy forms part of our wider organisational commitment to driving a health and safety culture amongst staff and contractors (as detailed within our Health and Safety Policy). It will be saved on our shared drive and distributed to all relevant members of staff.

2.0 Scope

- 2.1 This policy applies to the following property types:
 - Domestic properties (houses, flats, bungalows, and so on).
 - Communal blocks.
 - Sheltered / independent living schemes.
- 2.2 This policy is relevant to all our employees, tenants, contractors, stakeholders and other persons who may work on, occupy, visit, or use our premises, or who may be affected by our activities or services. Adherence to this policy is mandatory.

3.0 Roles and Responsibilities

- 3.1 The Cabinet has overall governance responsibility for ensuring this policy is fully implemented to ensure full compliance with legislation and regulatory standards. As such, the Cabinet will formally approve this policy and review it every two years (or sooner if there is a change in legislation or regulation).
- 3.2 The Leadership Team (LT) will receive monthly performance reports in respect of gas and heating safety and ensure compliance is being achieved. They will also be notified of any non-compliance issue identified.

- 3.3 The Property Compliance Manager has strategic responsibility for the management of gas and heating safety, and ensuring compliance is achieved and maintained. They will oversee the implementation of this policy.
- 3.4 The Interim Capital and Repairs Manager has operational responsibility for the management of gas and heating safety and will be responsible for overseeing the delivery of these programmes.
- 3.5 Housing teams will provide support where gaining access to properties is difficult and will assist and facilitate any legal processes as necessary.
- 3.6 Under the requirements of the Social Housing (Regulation) Act 2023 we have appointed the Deputy Chief Executive as our Health and Safety Lead.

4.0 Legislation, Guidance and Regulatory Standards

4.1 **Legislation** - The principal legislation applicable to this policy is:

- The Gas Safety (Installation and Use) Regulations 1998 as amended (hereafter referred to as the Gas Safety Regulations). We have a legal obligation under Part F, Regulation 36 of the legislation (Duties of Landlords) and we are the 'Landlord' for the purposes of the legislation.
- Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022.
- This policy also operates within the context of additional legislation (see Appendix 1).

4.2 **Approved Code of Practice (ACoP)** - The ACoP applicable to this policy is:

- ACoP L56 - 'Safety in the installation and use of gas systems and appliances' (5th edition 2018).

4.3 **Guidance** – The principal guidance applicable to this policy is:

- INDG285 - 'A guide to landlords' duties: Gas Safety (Installation and Use) Regulations 1998 as amended Approved Code of Practice and guidance (3rd Edition 2018).

4.4 **Regulatory standards** – We must ensure we comply with the Regulator of Social Housing's regulatory framework and consumer standards for social housing in England; the Safety and Quality Standard is the primary one applicable to this policy.

The Social Housing (Regulation) Act 2023 changes the way social housing is regulated and may result in future changes to this policy.

4.5 **Sanctions** – Failure to discharge our responsibilities and obligations properly could lead to sanctions, including prosecution by the Health and Safety Executive (the HSE) under the Health and Safety at Work Act 1974; prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007; prosecution under the Gas Safety Regulations; and via a regulatory judgement from the Regulator of Social Housing.

5.0 Obligations

5.1 The **Gas Safety (Installation and Use) Regulations 1998** impose duties on landlords to protect tenants in their homes. These obligations apply to both gas heating and liquid petroleum gas heating systems. The main landlord duties are set out in Regulation 36 and require landlords to:

- Ensure gas fittings and flues are maintained in a safe condition. Gas appliances should be serviced in accordance with the manufacturer's instructions. If these are not available it is recommended that they are serviced annually, unless advised otherwise by a Gas Safe registered engineer.
- Ensure the annual safety check is carried out on each gas appliance and flue within 12 months of the previous safety check.
- Have all installation, maintenance and safety checks carried out by a Gas Safe registered engineer.
- Keep a record of each safety check for at least two years (until at least two further gas safety checks have been carried out).
- Issue a copy of the latest safety check record to existing tenants within 28 days of the check being completed, or prior to any new tenant moving in.
- Display a copy of the latest safety check record in a common area of a building where the gas appliance serves a communal heating system to multiple homes.
- Ensure that no gas fitting of a type that would contravene Regulation 30 (for example, certain gas fires and instantaneous water heaters) is fitted in any room occupied, or to be occupied, as sleeping accommodation after the Regulations came into force. This includes any room converted into such accommodation after that time.

5.2 The **Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022**, came into effect on 1 October 2022, require landlords to:

- Install smoke alarm on every storey with living accommodation.
- Install carbon monoxide alarms in any rooms used as living accommodation with a fixed combustion appliance (excluding gas cookers).
- Repair or replace faulty alarms as soon as reasonably practicable.

5.3 For **other heating types** (as set out in Section 2.1), although there is no legal requirement to do so, we will carry out periodic safety checks to these properties as detailed in Section 7.

6.0 Statement of Intent

- 6.1 We acknowledge and accept our responsibilities under the Gas Safety Regulations, Smoke and Carbon Monoxide Alarm (Amendment) Regulations, and other duties outlined in Section 4 and Section 5.
- 6.2 We will carry out an annual gas safety check to all properties with a gas supply, irrespective of whether the gas is connected or not.
- 6.3 We will ensure that copies of all landlord's gas safety records (LGSRs)/certificates are provided to tenants or displayed in a common area within 28 days of completion.
- 6.4 Any open flue gas appliances found in any rooms that are being used as bedrooms or for sleeping will be removed.
- 6.5 We will cap off gas supplies to all properties when the property becomes void, and a new tenant is not moving in immediately after. This will be completed within 24 hours.
- 6.6 We will cap off gas supplies to all new build properties at handover from the contractor/developer to us if the new tenancy is not commencing immediately at the point of handover.
- 6.7 We will ensure that gas safety checks are carried out within 24 hours of the commencement of a new tenancy (void or new build properties), mutual exchange and/or transfer, and that the tenant receives a copy of the LGSR before they move in.
- 6.8 We will ensure a gas safety check is carried out following our installation of any new gas appliance and obtain a gas safety certificate to confirm the necessary checks have been completed.
- 6.9 We will carry out a five-point visual check of tenant owned cooker appliances and carry out a safety test of a tenant's own gas fire if in place. If any appliance is deemed unsafe we will issue a warning notice and the appliance will be capped off with the tenants' permission until such time it can be evidenced as being safe.
- 6.10 A safety check will be carried out on completion of any repair and/or refurbishment works to occupied or void properties where works may have affected any gas fittings, appliances or flues.
- 6.11 We will install, test and replace (as required) battery operated and/or hard-wired smoke alarms and carbon monoxide detectors as part of the annual gas safety check (or at void stage).
- 6.12 We will carry out an annual gas safety check to all properties where the gas supply has been capped at the request of the tenant, to ensure the supply has not been reconnected by the tenant. At the same time, we will check on the tenant's wellbeing and assess whether or not the lack of gas heating is adversely affecting the condition of the property. In addition, we will endeavour to communicate monthly with these tenants to ensure

the property remains capped and inform the tenant of what is required to reinstate gas at the property.

- 6.13 We will regularly check properties that are not currently connected to the gas mains network to ensure a gas supply has not been installed without our knowledge.
- 6.14 We will ensure that there is a robust process in place for the management of immediately dangerous situations identified from the gas/heating safety check.
- 6.15 We will operate a robust process if there is difficulty gaining access to a property to carry out the gas/heating safety check or remediation works. We will use the legal remedies available within the terms of the tenancy agreement, provided the appropriate procedures have been followed and approval given by a Head of Service (or more senior role). Where tenant vulnerability issues are known or identified, we will ensure we safeguard the wellbeing of the tenant.
- 6.16 We will operate effective contract management arrangements with the contractors responsible for delivering the service, including ensuring contracts/service level agreements are in place, conducting client-led performance meetings, and ensuring that contractors' employee and public liability insurances are up to date on an annual basis.
- 6.17 We will ensure that all replacements, modifications and installations of gas appliances and heating systems within our properties will comply with all elements of Building Regulations, Part J Combustion Appliances and Fuel Storage Systems.
- 6.18 We will establish and maintain a risk assessment for gas safety management and operations, setting out our key gas safety risks and appropriate mitigations.
- 6.19 To comply with the requirements of the Construction (Design and Management) Regulations 2015 (CDM) a Construction Phase Plan will be in place for all repairs work to void and tenanted properties (at the start of the contract and reviewed annually thereafter), component replacement and refurbishment works.
- 6.20 To comply with the requirements of the Dangerous Substances and Explosive Atmospheres Regulations (DSEAR) 2002, we will consider the safety of our workspaces and plant/boiler rooms of our residential blocks that fall within scope of the legislation.

7.0 Programmes

- 7.1 **Domestic properties** – We will carry out a programme of annual gas safety checks to all domestic properties we own and manage; the check will be completed within 12 months from the date of the previous LGSR/certificate.
- 7.2 We will consider the 'MOT' approach to gas safety checks within the lifecycle of this policy. This approach, under Part F, Regulation 36 (3) of the Gas Safety Regulations, allows a gas safety check to take place within ten months and one day of the previous safety check and retain the original 12-month anniversary date of the previous LGSR.

- 7.3 We will carry out a safety check of electrical heating systems every five years during the periodic electrical inspection and testing programme.
- 7.4 We will carry out an annual safety check to properties with solar thermal heating.
- 7.5 **Communal blocks and other properties** – We will carry out a programme of annual gas safety checks and services to all communal blocks and other properties (such as sheltered/ supported schemes), where we have the legal obligation to do so; these will be completed within 12 months from the date of the previous LGSR/certificate.
- 7.6 **Properties managed by others** – We will obtain LGSRs/gas safety certificates where our properties are managed by a third party. If we are not provided with the LGSR/certificate we will agree on an appropriate course of action, which may include carrying out the safety check and re-charging them for the cost of this work.
- 7.7 We will ensure there is a robust process in place for the management of any follow-up works required following the completion of a gas/heating safety check (where the work cannot be completed at the time of the check).

8.0 Data and Records

- 8.1 We will maintain a core asset register of all properties we own and/or manage, with component/attribute data against each property to show gas/heating safety check requirements.
- 8.2 We will operate a robust process to manage all changes to stock, including property acquisitions and disposals, to ensure that properties are not omitted from gas/heating safety programmes and the programme remains up to date.
- 8.3 We will hold gas/heating safety check dates and safety check records against each property we own or manage. We will hold the dates of the safety checks in the QL System and safety check records in Documotive.
- 8.4 We will ensure the Gas Safe registered engineer records the details of all appliances and other equipment which is served by the gas/heating supply in every domestic property, communal block or other property.
- 8.5 We will keep all completed safety check records, warning notices and remedial work records for at least two years and/or the duration that we own and manage the property and will have robust processes and controls in place to maintain appropriate levels of security for all gas/heating safety related data and records.

9.0 Tenant Engagement

- 9.1 We consider good communication essential in the effective delivery of gas and heating safety programmes therefore we will endeavor to establish a tenant engagement strategy

and communication programme to support tenants in their understanding of gas and heating safety.

- 9.2 This will assist us in maximising access to carry out gas safety checks, encourage and support tenants to report any concerns about gas and heating safety, and help us engage with vulnerable and hard to reach tenants.
- 9.3 We will share information clearly and transparently and will ensure that information is available to tenants via regular publications and information on our website.

10.0 Competent Persons

- 10.1 All operatives/engineers (internal or external) will maintain Gas Safe accreditation for all areas of gas/LPG works that they undertake and will be members of the Nationally Accredited Certification Scheme for Individual Gas Fitting Operatives (ACS).
- 10.2 Only individuals/organisations with a Microgeneration Certification Scheme accreditation (MCS) will undertake works on ground/air source heat pumps, solar thermal and biomass heating systems.
- 10.3 Only suitably competent NICEIC (or equivalent) electrical contractors and operatives will undertake servicing and repairs to electrical heating systems.
- 10.4 Only suitably competent Gas Safe registered and NICEIC (or equivalent) third party technical auditors will undertake quality assurance checks.
- 10.5 We will check our contractors hold the relevant qualifications and accreditations when we procure them, and thereafter on an annual basis; we will evidence these checks and each contractor's certification appropriately.

11.0 Training

- 11.1 We will deliver training on this policy and the procedures that support it, through appropriate methods including team briefings; basic gas and heating safety awareness training; and on the job training for those delivering the programme of gas and heating safety checks, planned maintenance and repair works as part of their daily job. All training undertaken by staff will be formally recorded.

12.0 Performance Reporting

- 12.1 We will report key performance indicator (KPI) measures for gas/heating safety that follow the requirements set out in the Tenant Satisfaction Measures (TSMs) which came into force on 1 April 2023 and must be reported to the RSH on an annual basis.
- 12.2 We will report the following gas safety performance:

Report recipient	Frequency
Regulator of Social Housing	Annual
Leadership Team	Monthly
Cabinet	Quarterly
Tenants	Quarterly

12.3 We will also report the following:

Data – the total number of:

- Properties split by category (domestic, communal, commercial/others).
- Properties on programme split by category.
- Properties not on programme.
- Properties with a valid and in date LGSR/certificate.
- Properties without a valid and in date record LGSR/certificate.
- Properties due to be serviced within the next 30 days.

Narrative - an explanation of the:

- Current position.
- Corrective action required.
- Progress with completion of follow-up works.

In addition:

- The number of RIDDOR notifications to the HSE about gas/heating safety.

13.0 Quality Assurance

13.1 We will ensure there is an annual programme of third-party quality assurance audits of gas/heating safety checks, gas appliance services and gas appliance repair works. This will be:

- Ten per cent of all new installations.
- Ten per cent sample of field checks and certificates.

13.2 Internally we will undertake 100 per cent desktop audits of all LGSRs/certificates using the nine-point check.

13.3 We will carry out an independent audit of gas/heating safety at least once every two years, to specifically test for compliance with legal and regulatory obligations and to identify non-compliance issues for correction.

14.0 Significant Non-Compliance and Escalation

- 14.1 Our definition of significant non-compliance is any incident which has the potential to result in a potential breach of legislation or regulatory standard, or which causes a risk to health or safety, and which needs to be managed as an exception to routine processes and procedures.
- 14.2 All non-compliance issues will be reported and escalated as soon as possible, and no later than 24 hours after the incident occurred, or of a CBC employee becoming aware of it.
- 14.3 Any non-compliance issue identified at an operational level will be formally reported to the Interim Capital and Repairs Manager in the first instance, who will agree an appropriate course of corrective action with the Property Compliance Manager and report details of the same to the LT.
- 14.4 In cases of serious non-compliance, LT and Cabinet will consider whether it is necessary to disclose the issue to the Regulator of Social Housing as required by the regulatory framework, or any other relevant organisation such as the Health and Safety Executive.
- 14.5 We will ensure there is a robust process in place to investigate and manage all RIDDOR notifications submitted to the HSE in relation to gas and heating safety and will take action to address any issues identified and lessons we have learned, to prevent a similar incident occurring again.

15.0 Glossary

- 15.1 This glossary defines key terms used throughout this policy:
- **Gas Safe Register:** the official list of gas engineers who are qualified to work legally on gas appliances.
 - **LGSR:** Landlord's Gas Safety Record – a certificate containing the results of the annual safety check carried out on gas appliances and flues.

Appendix 1 - Additional Legislation

This policy also operates within the context of the following legislation:

- Defective Premises Act 1972
- Health and Safety at Work Act 1974
- Landlord and Tenant Act 1985
- Homes (Fitness for Human Habitation) Act 2018
- The Occupiers' Liability Act 1984
- Workplace (Health, Safety and Welfare) Regulations 1992
- Pipelines Safety Regulations 1996
- Health and Safety (Safety Signs and Signals) Regulations 1996
- Gas Safety (Management) Regulations 1996 (as amended)
- Provision and Use of Work Equipment Regulations 1998
- Management of Health and Safety at Work Regulations 1999
- Management of Houses in Multiple Occupation (England) Regulations 2006
- Pressure Equipment (Safety) Regulations 2016
- Pressure Systems Safety Regulations 2000
- Dangerous Substances and Explosive Atmospheres Regulations (DSEAR) 2002
- Housing Act 2004
- Building Regulations 2010 (England and Wales)
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- Construction (Design and Management) Regulations 2015
- Data Protection Act 2018
- Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022
- Social Housing (Regulation) Act 2023

Electrical Safety Policy



Name	Electrical Safety Policy
Owner	Property Compliance Manager
Version	2
Last Review	June 2025
Next Review	June 2026
Strategic Lead	Claire Hughes – Director of Governance, Housing and Communities
Member Lead	Councillor Flo Clucas – Cabinet Member Housing and Customer Services

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1.0 Introduction and Objectives

- 1.1 As a landlord, Cheltenham Brough Council (CBC) is responsible for repairs and maintenance to our homes, communal blocks and other properties we own and manage, all of which will contain electrical installations, equipment and portable appliances.
- 1.2 The key objective of this policy is to ensure our Cabinet, Leadership Team, employees, partners and tenants are clear on our legal and regulatory electrical safety obligations. This policy provides the framework our staff and partners will operate within to meet these obligations.
- 1.3 This policy forms part of our wider organisational commitment to driving a health and safety culture amongst staff and contractors (as detailed within our Health and Safety Policy). It will be saved on our shared drive and distributed to all relevant members of staff.

2.0 Scope

- 2.1 This policy applies to the following property types only:
 - Domestic properties (houses, flats bungalows, and so on).
 - Communal blocks.
 - Sheltered / independent living schemes.
- 2.2 This policy is relevant to all our employees, tenants, contractors, stakeholders and other persons who may work on, occupy, visit, or use our premises, or who may be affected by our activities or services. Adherence to this policy is mandatory.

3.0 Roles and Responsibilities

- 3.1 The Cabinet has overall governance responsibility for ensuring this policy is fully implemented to ensure full compliance with legislation and regulatory standards. As such, the Cabinet will formally approve this policy and review it every two years (or sooner if there is a change in legislation or regulation).
- 3.2 The Leadership Team (LT) will receive monthly performance reports in respect of electrical safety and ensure compliance is being achieved. They will also be notified of any non-compliance issue identified.
- 3.3 The Property Compliance Manger has strategic responsibility for the management of electrical safety, and ensuring compliance is achieved and maintained. They will oversee the implementation of this policy.

- 3.4 The Interim Capital and Repairs Manager has operational responsibility for the management of electrical safety and will be responsible for overseeing the delivery of these programmes.
- 3.5 Housing teams will provide support where gaining access to properties is difficult and will assist and facilitate any legal processes, as necessary.
- 3.6 Under the requirements of the Social Housing (Regulation) Act 2023 we have appointed the Deputy Chief Executive as our Health and Safety Lead.

4.0 Legislation, Guidance and Regulatory Standards

4.1 **Legislation** – Principal legislation applicable to this policy is:

- Housing Act 2004.
- Landlord and Tenant Act 1985.
- Homes (Fitness for Human Habitation) Act 2018.
- Electricity at Work Regulations 1989.
- Electrical Equipment (Safety) Regulations 2016.

The government consultation into electrical safety within social housing closed on 31 August 2022 and we are awaiting the outcome to be published, which will likely result in future changes to this policy.

This policy also operates within the context of additional legislation (see Appendix 1).

4.2 **Guidance and codes of practice** – The principal guidance and codes of practice applicable to this policy are:

- INDG236 - Maintaining portable electrical equipment in low-risk environments (as amended 2013).
- IET Wiring Regulations British Standard 7671:2018 (18th edition).
- Code of Practice for the Management of Electrotechnical Care in Social Housing (Electrical Safety Roundtable) January 2019.
- The Code of Practice for In-Service Inspection and Testing of Electrical Equipment (IET) 2020 (5th edition).

4.3 **Regulatory standards** – We must ensure we comply with the Regulator of Social Housing's regulatory framework and consumer standards for social housing in England; the Safety and Quality Standard is the primary one applicable to this policy.

The Social Housing (Regulation) Act 2023 changes the way social housing is regulated and may result in future changes to this policy.

4.4 **Sanctions** – Failure to discharge our responsibilities and obligations properly could lead to sanctions, including prosecution by the Health and Safety Executive (the HSE) under

the Health and Safety at Work Act 1974; prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007; prosecution under any of the principal legislation listed in Section 4.1; and via a regulatory judgement from the Regulator of Social Housing.

5.0 Obligations

- 5.1 The Housing Act 2004 requires that properties are free from Category 1 housing health and safety rating system (HHSRS) hazards; this includes electrical hazards.
- 5.2 The Landlord and Tenant Act 1985 and the Homes (Fitness for Human Habitation) Act 2018 place duties on landlords to ensure that electrical installations in rented properties are:
- Safe when a tenancy begins.
 - Maintained in a safe condition throughout the tenancy so the property is fit for habitation.
- 5.3 To comply with these duties, electrical installations should be periodically inspected and tested. Although there is no legal requirement setting out the frequency, best practice guidance from the Electrical Safety Council and from BS7671:2018 recommends intervals of no longer than five years from the previous inspection.
- 5.4 All electrical installations should be inspected and tested prior to the commencement of any new tenancies. This means that tests should be carried out whilst properties are void and when mutual exchanges and transfers take place, and a satisfactory Electrical Installation Condition Report (EICR) must be issued to the tenant upon moving in.
- 5.5 The Electricity at Work Regulations 1989 places duties on employers that all electrical installations and appliances within the workplace are safe and that only competent persons work on the electrical installations, systems and equipment.
- 5.6 The Electrical Equipment (Safety) Regulations 2016 requires landlords to ensure that any electrical appliances provided as part of a tenancy are safe when first supplied.

6.0 Statement of Intent

- 6.1 We acknowledge and accept our responsibilities with regards to electrical safety under the legislation and regulations, as outlined in Sections 4 and 5.
- 6.2 We will deliver an electrical inspection and testing programme as set out in Section 7.
- 6.3 We will ensure that all electrical installations are in a satisfactory condition following the completion of an electrical installation inspection and test and will require the production of a condition report or other certificate which confirms that the installation is safe.
- 6.4 We will ensure that a full electrical installation inspection and test is undertaken at change of occupancy (void properties, mutual exchanges and transfers), and when

completing planned works within domestic properties; this will be evidenced through a satisfactory EICR or other report.

- 6.5 We will install, test and replace (as required) battery/hard-wired smoke and carbon monoxide alarms as part of the annual gas safety check visit (or at void stage).
- 6.6 We will operate a robust process if there is difficulty gaining access to a property to carry out the electrical safety check or remediation works. We will use the legal remedies available within the terms of the tenancy agreement, provided the appropriate procedures have been followed and approval given by a Head of Service (or more senior role). Where tenant vulnerability issues are known or identified, we will ensure that we safeguard the wellbeing of the tenant.
- 6.7 We will ensure that there is a robust process in place for the management of immediately dangerous situations identified from the electrical safety check.
- 6.8 We will operate effective contract management arrangements with the contractors responsible for delivering the service, including ensuring contracts/service level agreements are in place, conducting client-led performance meetings and ensuring that contractors' employee and public liability insurances are up to date on an annual basis.
- 6.9 We will operate measures to identify, manage and/or mitigate risks related to portable electrical appliances in the properties we are responsible for.
- 6.10 We will establish and maintain a risk assessment for electrical safety management and operations, setting out our key electrical safety risks and appropriate mitigations.
- 6.11 To comply with the requirements of the Construction (Design and Management) Regulations 2015 (CDM) a Construction Phase Plan will be in place for all repairs work to void and tenanted properties (at the start of the contract and reviewed annually thereafter), component replacement and refurbishment works.

7.0 Programmes

- 7.1 We will carry out a programme of five yearly electrical installation inspections and tests to all domestic properties, communal blocks and other properties (unless the competent person recommends an earlier next test date) or where a new consumer unit has been installed, and this will include the issuing of a new satisfactory EICR. The date of the inspection and test is driven from the anniversary date of the most recent EICR.
- 7.2 **New builds and rewires** – All new builds, and all properties which have had a rewire, will receive their first electrical installation inspection and test five years after the date of installation, and every five years thereafter.
- 7.3 **Properties managed by others** – We will obtain EICRs where our properties are managed by a third party. We will promote discounted services as an incentive for completion of the EICR. If we are not provided with the EICR we will agree on an appropriate course of

action, which may include carrying out the safety check and re-charging them for the cost of this work.

8.0 Follow-up Work

- 8.1 We will endeavour to repair all Code 1 (C1) and Code 2 (C2) defects identified by an electrical installation inspection and test at the time of the check, to produce a satisfactory EICR. Where this is not possible, we will make the installation safe and return to complete the required remediation works within 28 days to ensure a satisfactory EICR is produced.
- 8.2 Where any C1 and C2 defects have been repaired, they will be recorded on the satisfactory EICR to provide an audit of the work completed.
- 8.3 We will review all Code 3 (C3) and Further Investigation observations and determine and take the most appropriate course of action.

9.0 Data and Records

- 9.1 We will maintain a core asset register of all properties we own or manage, with component/attribute data against each property to show electrical safety testing and inspection requirements.
- 9.2 We will operate a robust process to manage all changes to stock, including property acquisitions and disposals, to ensure that properties are not omitted from the electrical safety programme and the programme remains up to date.
- 9.3 We will maintain accurate records, against each property we own and/or manage, of the following:
 - Inspection dates.
 - EICRs.
 - Minor Electrical Works Certificates and Building Regulation Part P notifications associated with remedial works.
 - Electrical Installation Certificates.
- 9.4 We will hold these in the QL system and safety check records in Documotive.
- 9.5 We will keep all records and data for a minimum of ten years and for the duration that we own and manage the property. We will keep at least the two most recent EICR records or certificates outlined within section 9.3. We will have robust processes and controls in place to maintain appropriate levels of security for all electrical safety related data.

10.0 Tenant Engagement

- 10.1 We consider good communication essential in the effective delivery of electrical safety programmes, therefore we will endeavour to establish a tenant engagement strategy and communication programme to support tenants in their understanding of electrical safety.
- 10.2 This will assist us in maximising access to carry out electrical inspections, encourage and support tenants to report any concerns about electrical safety, and help us to engage with vulnerable and hard to reach tenants.
- 10.3 We will share information clearly and transparently and will ensure that information is available to tenants via regular publications and information on our website.

11.0 Competent Persons

- 11.1 The Internal Electrical Supervisor, who has lead responsibility for operational delivery, will maintain Approved Electrical Contractor Accreditation with the National Inspection Council for Electrical Inspection Contracting (NICEIC), or equivalent, for all areas of electrical inspection, testing, installation and repair works that they undertake.
- 11.2 Only suitably competent NICEIC (or equivalent) electrical contractors and operatives will undertake electrical works on our behalf.
- 11.3 Only suitably competent NICEIC (or equivalent) third party technical auditors will undertake quality assurance checks.
- 11.4 We will check that our contractors hold the relevant qualifications and accreditations when we procure them, and thereafter on an annual basis; we will evidence these checks and each contractor's certification appropriately.

12.0 Training

- 12.1 We will deliver training on this policy and the procedures that support it, through appropriate methods including team briefings; basic electrical safety awareness training; and on the job training for those delivering the electrical safety programme, planned maintenance and repair works as part of their daily job. All training undertaken by staff will be formally recorded.

13.0 Performance Reporting

- 13.1 We will report key performance indicator (KPI) measures for electrical safety that follow the principles set out in the Tenant Satisfaction Measures (TSMs) which came in to force on 1 April 2023. Although electrical safety is not specifically covered by these measures, we will adopt the same approach to ensure consistency with other compliance areas and ensure all dwellings at risk are accounted for.

13.2 We will report the following electrical safety performance:

Report recipient	Frequency
Regulator of Social Housing	Annual
Leadership Team	Monthly
Cabinet	Quarterly
Tenants	Quarterly

13.3 We will also report the following:

Data – the total number of:

- Properties split by category (domestic, communal, commercial/others).
- Properties on programme split by category.
- Properties not on programme.
- Properties with a satisfactory and in date EICR.
- Properties without a satisfactory and in date EICR.
- Properties due to be inspected and tested within the next 30 days.
- Follow-up actions arising from the programme (in time and overdue).

Narrative - an explanation of the:

- Current position.
- Corrective action required.
- Progress with completion of follow-up works.

In addition:

- The number of RIDDOR notifications to the HSE with regards to electrical safety.

14.0 Quality Assurance

14.1 We will ensure there is programme of third-party quality assurance audits of electrical safety checks. This will be:

- 100 per cent of all new installations.
- Ten per cent sample of field checks.
- Ten per cent of all certificates

14.2 Internally we will undertake 100 per cent desktop audits of all EICRs and other records and certificates outlined in Section 9.3.

14.3 We will carry out an independent audit of electrical safety annually, to specifically test for compliance with legal and regulatory obligations and to identify non-compliance issues for correction.

15.0 Significant Non-Compliance and Escalation

- 15.1 Our definition of significant non-compliance is any incident which has the potential to result in a potential breach of legislation or regulatory standard, or which causes a risk to health or safety, and which needs to be managed as an exception to routine processes and procedures.
- 15.2 All non-compliance issues will be reported and escalated as soon as possible, and no later than 24 hours after the incident occurred, or of a CBC employee becoming aware of it.
- 15.3 Any non-compliance issue identified at an operational level will be formally reported to the Electrical Supervisor in the first instance, who will agree an appropriate course of corrective action with the Property Compliance Manager and report details of the same to the LT.
- 15.4 In cases of serious non-compliance, LT and Cabinet will consider whether it is necessary to disclose the issue to the Regulator of Social Housing as required by the regulatory framework, or any other relevant organisation such as the Health and Safety Executive.
- 15.5 We will ensure there is a robust process in place to investigate and manage all RIDDOR notifications made to the HSE in relation to electrical safety and will take action to address any issues identified and lessons we have learned, to prevent a similar incident occurring again.

16.0 Glossary

- 16.1 This glossary defines key terms used throughout this policy:

- **EICR:** Electrical Installation Condition Report - a formal document that is produced following an assessment of the electrical installation within a property (domestic or communal). It must be carried out by an experienced qualified electrician or approved contractor.
- **NICEIC:** National Inspection Council for Electrical Installation Contracting – an organisation which regulates the training and work of electrical contractors in the UK. The NICEIC is one of several providers given Government approval to offer Competent Person Schemes to oversee electrical work within the electrical industry.

Appendix 1 - Additional Legislation

This policy also operates within the context of the following legislation:

- The Defective Premises Act 1972
- Health and Safety at Work Act 1974
- The Occupiers' Liability Act 1984
- Workplace (Health Safety and Welfare) Regulations 1992
- Health and Safety (Safety Signs and Signals) Regulations 1996
- Provision and Use of Work Equipment Regulations 1998
- Management of Health and Safety at Work Regulations 1999
- Regulatory Reform (Fire Safety) Order 2005
- Corporate Manslaughter and Homicide Act 2007
- Building Regulations 2010 (England and Wales) - Part P
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- Construction, Design and Management Regulations 2015
- Data Protection Act 2018
- Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022

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Fire Safety Policy



Name	Fire Safety Policy
Owner	Property Compliance Manager
Version	2
Last Review	June 2025
Next Review	June 2027
Strategic Lead	Claire Hughes – Director of Governance, Housing and Communities
Member Lead	Councillor Flo Clucas – Cabinet Member Housing and Customer Services

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1.0 Introduction and Objectives

- 1.1 As a landlord, Cheltenham Borough Council (CBC) is responsible for carrying out fire risk assessments, and taking action to identify, manage and mitigate risks associated with fire within the common areas of buildings we own and manage.
- 1.2 The key objective of this policy is to ensure that our Cabinet, Leadership Team, employees, partners and tenants are clear on our legal and regulatory fire safety obligations. This policy provides the framework our staff and partners will operate within to meet these obligations.
- 1.3 This policy forms part of our wider organisational commitment to driving a health and safety culture amongst staff and contractors (as detailed within our Health and Safety Policy). It will be saved on our shared drive and distributed to all relevant members of staff.

2.0 Scope

- 2.1 This policy applies to the following property types:
 - Communal blocks.
 - Sheltered / independent living schemes.
 - Commercial buildings.
- 2.2 Some aspects of this policy also apply to individual domestic properties (houses, flats bungalows, and so on). Applicable items will be clearly referenced.
- 2.3 This policy is relevant to all our employees, tenants, contractors, stakeholders and other persons who may work on, occupy, visit, or use our premises, or who may be affected by our activities or services. Adherence to this policy is mandatory.

3.0 Roles and Responsibilities

- 3.1 CBC is the Responsible Person as defined by the legislation (see Section 4) because we own and manage homes and buildings where tenants and leaseholders live.
- 3.2 The Cabinet has overall governance responsibility for ensuring this policy is fully implemented to ensure full compliance with legislation and regulatory standards. As such, the Cabinet will formally approve this policy and review it every two years (or sooner if there is a change in legislation or regulation).
- 3.3 The Leadership Team (LT) will receive monthly performance reports in respect of fire safety and ensure compliance is being achieved. They will also be notified of any non-compliance issue identified.

- 3.4 The Property Compliance Manager has strategic responsibility for the management of fire safety, and ensuring compliance is achieved and maintained. They will oversee the implementation of this policy.
- 3.5 The Interim Capital Repairs Manager has operational responsibility for the management of fire safety and will be responsible for overseeing the delivery of these programmes.
- 3.6 Housing teams will provide support where gaining access to properties is difficult.

4.0 Legislation, Guidance and Regulatory Standards

4.1 Legislation - The principal legislation applicable to this policy is:

- **Regulatory Reform (Fire Safety) Order 2005 (FSO).**
- **Fire Safety Act 2021** - came into force on 16 May 2022 and amends the FSO.
- **Fire Safety (England) Regulations 2022** - came into force on 23 January 2023.
- **Building Safety Act 2022 (Section 156)** – came into force on 1 October 2023 and amends the FSO.
- This policy also operates within the context of additional legislation, industry guidance and government policy direction (see Appendix 1).

4.2 Regulatory standards – We must ensure we comply with the Regulator of Social Housing’s regulatory framework and consumer standards for social housing in England; the Safety and Quality Standard is the primary one applicable to this policy.

The Social Housing (Regulation) Act 2023 changes the way social housing is regulated and may result in future changes to this policy.

4.3 Sanctions – Failure to discharge our responsibilities and obligations properly could lead to sanctions, including prosecution by the Health and Safety Executive (the HSE) under the Health and Safety at Work Act 1974; prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007; prosecution by the Fire and Rescue Service under the FSO; and via a regulatory judgement from the Regulator of Social Housing.

5.0 Obligations

5.1 Regulatory Reform (Fire Safety) Order 2005 (the FSO)

As the Responsible Person under the FSO (CBC) must:

- Carry out a fire risk assessment (FRA) in all workplaces, commercial buildings and non-domestic parts of multi-occupied residential buildings.
- The FRA should identify general fire precautions and other measures needed to comply with the FSO. Although under the FSO this requirement only applies to

common parts of premises, in practice the responsible person will need to consider the entire premises, including units of residential accommodation.

- Consider who may be especially at risk.
- Implement all necessary general fire precautions and any other necessary measures identified by an FRA to remove or reduce any risks.
- Implement a suitable system of maintenance and appoint competent persons to carry out any procedures that have been adopted.
- Periodically review FRAs in a timescale appropriate to the premises and/or occupation fire risk level. This timescale is determined by the fire risk assessor carrying out the FRA.

5.2 Fire Safety Act 2021

The Act amends the FSO by clarifying that in buildings with two or more sets of domestic premises, the FSO applies to:

- The structure and external walls of the building, including cladding, balconies and windows.
- All doors between the domestic premises and the common parts, for example, entrance doors to individual flats which open on to common parts.

CBC must ensure that FRAs comply with the criteria outlined above by appointing a competent person to review them (if the FRAs do not already comply). See Section 11 for competency requirements.

5.3 Fire Safety (England) Regulations 2022

CBC is required to carry out the following under these regulations:

- **All** buildings with two or more sets of domestic premises: provide tenants with fire safety instructions and information on fire doors.
- Buildings **over 11 metres in height**: undertake quarterly checks of communal fire doors and annual checks of flat entrance doors.

5.4 Building Safety Act 2022 – Section 156

Section 156 of the Building Safety Act amends the FSO and requires Responsible Persons to do the following:

- Record FRAs in full and record fire safety arrangements.
- Record the name of the individual and/or organisation undertaking the FRA and share with tenants.
- Identify other Responsible Persons/Accountable Persons and cooperate with them.

- Share relevant fire safety information with other Responsible Persons and tenants.
- Provide tenants with easy to understand, relevant fire safety information.

There will be an additional requirement to appoint a competent person to undertake and review FRAs which will come into force at a later date, which may result in future changes to this policy.

6.0 Statement of Intent

- 6.1 We acknowledge and accept our responsibilities under all the legislation set out in Section 4 and Section 5. We will endeavour to meet all the requirements of this legislation and set out how we will do this in our supporting procedures and process maps.
- 6.2 All our FRAs will be reviewed by a competent person to ensure they meet the requirements set out in the Fire Safety Act 2021 by December 2026.
- 6.3 Each property requiring an FRA will have one in place which has been carried out by a competent fire risk assessor, and which is compliant with the British Standards Institution's PAS 79-1:2020 and PAS 79-2:2020 specifications for non-residential and residential buildings respectively.
- 6.4 All FRAs will be reviewed no later than the review date set within the most recent FRA and in the event of:
- A fire, fire safety incident or near miss.
 - Change in building use.
 - Change in working practices that may affect fire safety.
 - Following refurbishment works.
 - Change in applicable legislation.
 - If required following an independent fire safety audit.
- 6.5 Fire evacuation strategies will be determined on a building-by-building basis, in accordance with the recommendations of the competent fire risk assessor and with any guidance from Gloucestershire Fire and Rescue Service.
- 6.6 To comply with the Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022, which came into force on 1 October 2022, we will install, test and replace (as required) battery operated and/or hard-wired smoke alarms and carbon monoxide alarms as part of the annual gas safety check visit (or at void stage).
- 6.7 If we are made aware that a customer has an issue with mobility or a cognitive impairment, a person-centred fire risk assessment (PCFRA) will be completed.

- 6.8 Personal Emergency Evacuation Plans (PEEPs) will be carried out by a competent person, reviewed annually, and made available to the Fire and Rescue Service in the event of an evacuation, as follows:
- For any disabled tenant and/or employee within any building where we provide care services and are the employer (i.e., sheltered or supported housing schemes); and
 - For any tenant within a building where we have a responsibility for carrying out an FRA, where we have been notified that they are storing oxygen in their home for medical use.
- 6.9 When letting properties, we may consider the suitability of the accommodation for the prospective tenant in respect of fire safety.
- 6.10 We are committed to working with Gloucestershire Fire and Rescue Service to create safer places to live and work.
- 6.11 We will advise all new tenants of the opportunity to request a free home fire safety check, provided by Gloucestershire Fire and Rescue Service.
- 6.12 We will operate robust processes to gain access should any tenant or leaseholder refuse access to carry out essential fire safety inspection and remediation works (as tested in the case Croydon Council v. Leaseholder 1st August 2014).
- 6.13 We will operate robust processes to gain access to properties where tenant vulnerability issues are known or identified (including hoarding), whilst ensuring we safeguard the wellbeing of the tenant.
- 6.14 We will operate effective contract management arrangements with the contractors responsible for delivering the service, including ensuring contracts/service level agreements are in place, conducting client-led performance meetings, and ensuring that contractors' employee and public liability insurances are up to date on an annual basis.
- 6.15 We will operate a robust process to manage immediately dangerous situations identified during fire safety programmes.
- 6.16 We will adopt a sterile environment approach in all internal common areas, requiring tenants to remove combustible materials from corridors and fire escape routes.
- 6.17 We will permit the storage of mobility scooters within specified areas, storage specifications will be in line with our mobility scooter policy.
- 6.18 We will establish and maintain a risk assessment for fire safety management and operations, setting out our key fire safety risks and appropriate mitigations.
- 6.19 To comply with the requirements of the Construction, Design and Management Regulations 2015 (CDM) a Construction Phase Plan will be in place for all repairs work to void and tenanted properties (at the start of the contract and reviewed annually thereafter), component replacement and refurbishment works.

- 6.20 To comply with the requirements of the Dangerous Substances and Explosive Atmospheres Regulations (DSEAR) 2002, we will consider the safety of our workplaces and plant/boiler rooms of our residential blocks.
- 6.21 We will operate robust processes to record and action any property fires and fire safety related near misses. A near miss is an unplanned event which does not result in an injury but had the potential to do so.

7.0 Programmes

- 7.1 **FRAs** - We will ensure our communal blocks, schemes and commercial premises have an FRA in place where we have the legal obligation to do so.
- 7.2 We will undertake a new FRA in a timescale appropriate to the premises and occupation risk level. This timescale will be determined by the fire risk assessor and will be between one and three years. All higher-risk buildings will receive a new FRA annually.
- 7.3 All FRAs will be Type 3 surveys. Type 4 surveys will only be commissioned where it is deemed appropriate for a particular property.
- 7.4 We will carry out desktop reviews of FRAs every 12 months where the reassessment timescale is longer than every 12 months.
- 7.5 We will ensure that a pre-occupation FRA is carried out on all new build schemes or new acquisitions where we have an obligation to do so, followed by a post-occupation FRA, a maximum of three months after the first tenant moves in.
- 7.6 **Fire door checks** – To comply with the Fire Safety (England) Regulations, we will undertake quarterly checks of communal fire doors and annual checks of flat entrance doors to all buildings over 11 meters in height.
- 7.7 For all other communal blocks and other properties with common areas, we will undertake a six-monthly check of all communal fire doors, and an annual check of all flat entrance doors.
- 7.8 **Servicing** - We will carry out a programme of servicing, maintenance and testing, in accordance with all relevant British Standards and manufacturer's recommendations, to all fire detection, prevention and firefighting systems and equipment within buildings we own and manage.
- 7.9 **Regular inspections** – We will carry out a programme of fortnightly inspections to all blocks and schemes.

8.0 Follow-up Work

- 8.1 We will ensure robust processes are in place to implement all general fire precaution measures identified by FRAs, in accordance with the following priorities and timescales:

- Intolerable Risk (Category 1) – within 24 hours.
- High Risk (Category 2) – within seven days
- Medium Risk (Category 3) – within one month.
- Low Risk (Category 4) – within six months or delivered as part of a planned programme within 12 months.

8.2 We will use the date the FRA was undertaken on-site as our timeframe to start completing FRA actions.

8.3 We will ensure there is a robust process in place to manage follow-up works arising from fire door checks, and servicing and maintenance checks to fire systems and equipment.

9.0 Data and Records

9.1 We will maintain a core asset register of all properties we own or manage, setting out which properties require an FRA. We will also set out which properties require fire safety servicing and maintenance regimes (for example, fire alarms, emergency lighting and smoke/heat detection).

9.2 We will operate a robust process to manage all changes to stock, including property acquisitions and disposals, to ensure that properties are not omitted from fire safety programmes and the programme remains up to date.

9.3 We will hold fire safety inspection dates, FRAs, FRA actions, and fire safety servicing records against all properties on each programme. These will be held in the QL system and Documotive.

9.4 We will keep fire safety logbooks electronically (or securely on site where practical), for all properties on the FRA programme.

9.5 We will keep all records and data, for the duration that we own and manage the property and will have robust processes and controls in place to maintain appropriate levels of security for all fire safety related data.

10.0 Tenant Engagement

10.1 We consider good communication essential in the effective delivery of fire safety programmes, therefore we will establish a tenant engagement strategy and communication programme. This will support tenants in their understanding of fire safety, advise them of how they can keep themselves and other tenants safe, and encourage them to report any fire safety concerns.

10.2 We also aim to successfully engage with vulnerable and hard to reach tenants. We will share information clearly and transparently and will ensure that information is available to tenants via regular publications and information on our website.

11.0 Competent Persons

- 11.1 The Compliance Manager will hold the NEBOSH National Certificate in Fire Safety and Risk Management (or equivalent), or Level 4 VRQ Diploma in Asset and Building Management. If they do not have this already, they will obtain it within 12 months of the approval of this policy.
- 11.2 Only suitably competent contractors, fire risk assessors and fire engineers will undertake FRAs or works to fire safety equipment, systems and installations. These must be certified by BAFE and/or an IFSM member and be in line with the Fire Sector Federation's guidance on choosing a competent Fire Risk Assessor.
- 11.3 Only suitably competent fire safety consultants and contractors will provide third party technical quality assurance checks.
- 11.4 We will check that our contractors hold the relevant qualifications and accreditations when we procure them, and thereafter on an annual basis; we will evidence these checks and each contractor's certification appropriately.

12.0 Training

- 12.1 We will deliver training on this policy and the procedures that support it, including team briefings; basic fire safety awareness training; and on the job training for those delivering fire safety programmes, planned maintenance and repairs works as part of their daily job. All training undertaken by staff will be formally recorded.

13.0 Performance Reporting

- 13.1 We will report key performance indicator (KPI) measures for fire safety that follow the requirements set out in the Tenant Satisfaction Measures (TSMs) which came into force on 1 April 2023 and must be reported to the RSH on an annual basis.
- 13.2 We will report the following fire safety performance:

Report recipient	Frequency
Regulator of Social Housing	Annual
Leadership Team	Monthly
Cabinet	Quarterly
Tenants	Quarterly

- 13.3 We will also report the following:

Data – the total number of:

- Properties split by category (communal blocks/schemes, commercial/ other).

- Properties on the FRA programme.
- Properties not on the FRA programme.
- Properties with a valid and in date FRA.
- Properties without a valid and in date FRA.
- Properties due a new FRA within the next 30 days.
- Completed, in-time and overdue follow-up works/actions (split by priority).

Narrative - an explanation of the:

- Current position.
- Corrective action required.
- Progress with completion of follow-up works.

In addition:

- Compliance with the fire safety equipment, systems and installations servicing and maintenance programme.
- The number of RIDDOR notifications to the HSE with regards to fire safety.
- Details of any enforcement notices from the Fire and Rescue Service or other enforcement bodies.
- Recording and reporting on property fires to identify trends and target awareness campaigns.

14.0 Quality Assurance

- 14.1 We will internally review 100 per cent of FRA surveys.
- 14.2 We will carry out property inspections to 20% of properties with an FRA to audit that all required management actions have been completed.
- 14.3 We will carry out post-inspections of FRA actions related to building fabric work.
- 14.4 We will carry out an independent audit of fire safety at least once every two years, to specifically test for compliance with legal and regulatory obligations and to identify any non-compliance issues for correction.

15.0 Significant Non-Compliance and Escalation

- 15.1 Our definition of significant non-compliance is any incident which has the potential to result in a potential breach of legislation or regulatory standard, or which causes a risk to health or safety, and which needs to be managed as an exception to routine processes and procedures.
- 15.2 All non-compliance issues will be reported and escalated as soon as possible, and no later than 24 hours after the incident occurred, or of a CBC employee becoming aware of it.

- 15.3 Any non-compliance issue identified at an operational level will be formally reported to the Interim Capital and Repairs Manager in the first instance, who will agree an appropriate course of corrective action with the Property Compliance Manager and report details of the same to the LT.
- 15.4 In cases of serious non-compliance, LT and Cabinet will consider whether it is necessary to disclose the issue to the Regulator of Social Housing as required by the regulatory framework, or any other relevant organisation such as the Health and Safety Executive.
- 15.5 We will ensure there is a robust process in place to investigate and manage all RIDDOR notifications made to the HSE in relation to fire safety and will take action to address any issues identified and lessons we have learned, to prevent a similar incident occurring again.

16.0 Glossary

16.1 This glossary defines key terms used throughout this policy:

- **BAFE:** Is the independent register of quality fire safety service providers, who are certified to ensure quality and competence to help meet fire safety obligations.
- **FRA:** A fire risk assessment is an assessment involving the systematic evaluation of the factors that determine the hazard from fire, the likelihood that there will be a fire and the consequences if one were to occur.
- **FRA survey:** The FSO states that an FRA is required, however, it does not prescribe how intrusive or destructive this should be. There are four types of FRA:
 - Type 1 – common parts only (non-destructive), basic level to satisfy the FSO.
 - Type 2 – common parts only (destructive), element of destruction on sample basis.
 - Type 3 – common parts and flats (non-destructive), considers means of escape and fire detection within at least a sample of flats.
 - Type 4 – common parts and flats (destructive).
- **IFSM:** The Institute of Fire Safety Managers.
- **PAS79:** A publicly available specification published by the British Standards Institution which focuses on making sure that all the required information that pertains to both an FRA and its findings are recorded.
- **PEEP:** A personal emergency evacuation plan is a bespoke escape plan for individuals who may not be able to reach an ultimate place of safety unaided or within a satisfactory period of time in the event of any emergency.

- **UKAS:** The National Accreditation Body for the United Kingdom, appointed by government to assess and accredit organisations that provide services including certification, testing, inspection and calibration.

Appendix 1 – Additional Legislation and Policy Direction

Legislation - This policy also operates within the context of the following legislation:

- The Defective Premises Act 1972
- Health and Safety at Work Act 1974
- The Occupiers' Liability Act 1984
- Furniture and Furnishings (Fire) (Safety) Regulations 1988
- Health and Safety (Safety Signs and Signals) Regulations 1996
- Gas Safety (Installation and Use) Regulations 1998
- Management of Health and Safety at Work Regulations 1999
- Dangerous Substances and Explosive Atmospheres Regulations 2002 (DSEAR)
- Housing Act 2004
- Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006
- Management of Houses in Multiple Occupation (England) Regulations 2006
- Building Regulations 2010: Approved Document B Fire Safety
- Homes (Fitness for Human Habitation) Act 2018
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- Construction (Design and Management) Regulations 2015
- Electrical Equipment (Safety) Regulations 2016
- Data Protection Act 2018
- Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022
- Social Housing (Regulation) Act 2023

Guidance – The principal guidance documents applicable to this policy are:

- Housing - Fire Safety: Guidance on fire safety provisions for certain types of existing housing (Local Authorities Coordinators of Regulatory Services), August 2008.
- Fire safety in purpose-built blocks of flats. This guidance should be viewed as no longer comprehensive; the Home Office is currently working on a revised version but in the interim, it is continued to be made available as it contains relevant and useful information for purpose-built blocks of flats.
- Fire Safety in Specialised Housing (National Fire Chiefs Council), May 2017. This guidance covers sheltered schemes, supported schemes and extra care schemes.
- Housing Health and Safety Rating System Operating Guidance: Housing Act 2004 Guidance about inspections and assessment of hazards given under Section 9 (Ministry of Housing, Communities & Local Government), February 2006.
- Housing Health and Safety Rating System Operating Guidance: Addendum for the profile for the hazard of fire and in relation to cladding systems on high rise residential buildings (Ministry of Housing, Communities & Local Government), November 2018.

- Guidance to support a temporary change to a simultaneous evacuation strategy in purpose-built blocks of flats (National Fire Chiefs Council), fourth edition, August 2022.

Additional guidance and policy direction – The following documents set out clear direction for landlords in respect of fire safety, and whilst not statutory guidance or approved legislation, there are certain recommendations or proposals which are applicable to this policy:

- Fire Sector Federation – Approved Code of Practice: A National Framework for Fire Risk Assessor Competency (November 2020).
- Fire Sector Federation – A Guide to Choosing a Competent Fire Risk Assessor (Version 3, October 2020).
- Grenfell Tower Inquiry: phase 1 report. Volume 1 – 4 (October 2019).
- Building a Safer Future - Independent Review of Building Regulations and Fire Safety: Final Report (May 2018).

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Asbestos Policy



Name	Asbestos Policy
Owner	Property Compliance Manager
Version	2
Last Review	June 2025
Next Review	June 2027
Strategic Lead	Claire Hughes – Director of Governance, Housing and Communities
Member Lead	Councillor Flo Clucas – Cabinet Member Housing and Customer Services

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1.0 Introduction and Objectives

- 1.1 As a landlord, Cheltenham Borough Council (CBC) is responsible for maintenance and repairs to our homes, communal blocks and other properties we own and manage, many of which will have been constructed using asbestos containing materials. As such, we have a legal duty to manage asbestos in these buildings.
- 1.2 Homes or buildings built or refurbished before the year 2000 may contain asbestos. If an asbestos containing material is disturbed or damaged it can release asbestos fibres into the air which are a danger to health if inhaled. Workers who carry out repairs and maintenance work are at particular risk, however, building occupants could also be put at risk.
- 1.3 The key objective of this policy is to ensure our Cabinet, Leadership Team, employees, partners and tenants are clear on our legal and regulatory asbestos safety obligations. This policy provides the framework our staff and partners will operate within to meet these obligations.
- 1.4 This policy forms part of our wider organisational commitment to driving a health and safety culture amongst staff and contractors (as detailed within our Health and Safety Policy). It will be saved on our shared drive and distributed to all relevant members of staff.

2.0 Scope

- 2.1 This policy applies to the following property types:
 - Communal blocks.
 - Sheltered / independent living schemes.
- 2.2 Some aspects of this policy also apply to individual domestic properties (houses, flats bungalows, and so on). Applicable items will be clearly referenced.
- 2.3 This policy is relevant to all our employees, tenants, contractors, stakeholders and other persons who may work on, occupy, visit, or use our premises, or who may be affected by our activities or services. Adherence to this policy is mandatory.

3.0 Roles and Responsibilities

- 3.1 The Cabinet has overall governance responsibility for ensuring this policy is fully implemented to ensure full compliance with legislation and regulatory standards. As such, the Cabinet will formally approve this policy and review it every two years (or sooner if there is a change in legislation or regulation).

- 3.2 The Leadership Team (LT) will receive monthly performance reports in respect of asbestos safety and ensure compliance is being achieved. They will also be notified of any non-compliance issue identified.
- 3.3 The Property Compliance Manager has strategic responsibility for the management of asbestos safety, and ensuring compliance is achieved and maintained. They will oversee the implementation of this policy.
- 3.4 The Interim Capital and Repairs Manager has operational responsibility for the management of asbestos safety and will be responsible for overseeing the delivery of these programmes. The Compliance Manager will fulfil the role of the Appointed Person and will be the overall Responsible Person on behalf of Cheltenham Borough Council.
- 3.5 Housing teams will provide support for gaining access to properties as necessary.
- 3.6 Under the requirements of the Social Housing (Regulation) Act 2023 we have appointed the Deputy Chief Executive as our Health and Safety Lead.

4.0 Legislation, Guidance and Regulatory Standards

- 4.1 **Legislation** - The principal legislation applicable to this policy is:
- The Control of Asbestos Regulations 2012.
 - This policy also operates within the context of additional legislation (see Appendix 1).
- 4.2 **Approved Code of Practice (ACoP)** - The principal ACoP applicable to this policy is:
- ACoP L143 - Managing and working with Asbestos (Second edition, 2013).
- 4.3 **Guidance** – The principal guidance documents applicable to this policy are:
- HSG227 - A comprehensive guide to managing asbestos in premises (First edition, 2002).
 - HSG247 - Asbestos: The licensed contractors' guide (First edition, 2006).
 - HSG264 - Asbestos: The survey guide (Second edition, 2012).
 - INDG223 - Managing asbestos in buildings: a brief guide (Revision 5, April 2012).
 - HSG210 - Asbestos Essentials: A task manual for building, maintenance and allied trades and non-licensed asbestos work (Fourth edition, 2018).
 - HSG248 – Asbestos: The Analysts' Guide (Second edition, 2021).
- 4.4 **Regulatory standards** – We must ensure we comply with the Regulator of Social Housing's regulatory framework and consumer standards for social housing in England; the Safety and Quality Standard is the primary one applicable to this policy.

The Social Housing (Regulation) Act 2023 changes the way social housing is regulated and may result in future changes to this policy.

- 4.5 **Sanctions** – Failure to discharge our responsibilities and obligations properly could lead to sanctions, including prosecution by the Health and Safety Executive (the HSE) under the Health and Safety at Work Act 1974; prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007; prosecution under the Control of Asbestos Regulations; and via a regulatory judgement from the Regulator of Social Housing.

5.0 Obligations

- 5.1 Under The Control of Asbestos Regulations 2012 (CAR 2012) CBC has a legal obligation under Part 2, Section 4 ‘Duty to manage asbestos in non-domestic properties’ and is the ‘Duty Holder’ for the purposes of the legislation. We are required to:

- Find out if asbestos containing materials (ACMs) are present, where we have an obligation to do so, presuming that materials contain asbestos unless we have strong evidence that they do not.
- Identify the location and condition of any ACMs.
- Assume asbestos is present if the property was built prior to the year 2000.
- Keep an up-to-date record (an asbestos register) of the location and condition of ACMs or presumed ACMs.
- Assess the risk from any ACMs found.
- Prepare an Asbestos Management Plan that sets out how we will manage the risk from ACMs, and review and monitor its implementation.
- Set up a system to provide information on the location and condition of ACMs to anyone who is liable to work on or disturb them.
- Assess the reliability of information we receive relating to asbestos within the properties we own and manage. Anyone who has information on the whereabouts of asbestos within these properties is required to make this available to us.

6.0 Statement of Intent

- 6.1 We acknowledge and accept our responsibilities under CAR 2012 as outlined in Section 5, and we recognise that the main hazard in relation to asbestos is the non-identification of ACMs. As such, we will protect those persons potentially exposed to asbestos as far as is reasonably practical, through the use of appropriate control measures and working methods.
- 6.2 We will have an Asbestos Management Plan and will maintain an asbestos register.

- 6.3 We will ensure that information about ACMs (known or presumed) is provided to every person liable to disturb it, accidentally or during the course of their work. This includes employees, contractors and tenants.
- 6.4 We will generally not use asbestos labelling in domestic premises, however, in non-domestic premises and common areas of domestic blocks, labelling will be used where practicable.
- 6.5 We will provide appropriate personal protective equipment to our in-house delivery team where required.
- 6.6 We will ensure that there is a robust process in place to manage immediately dangerous situations identified during asbestos related works.
- 6.7 We will operate effective contract management arrangements with the contractors responsible for delivering the service, including ensuring contracts/service level agreements are in place, conducting client-led performance meetings, and ensuring that contractors' employee and public liability insurances are up to date on an annual basis.
- 6.8 We will use the legal remedies available within the terms of the tenancy and lease agreement should any tenant, leaseholder or shared owner refuse access to carry out essential asbestos related inspection and remediation works. Where tenant vulnerability issues are known or identified we will ensure we safeguard the wellbeing of the tenant.
- 6.9 We will establish and maintain a risk assessment for asbestos management and operations, setting out our key risks from asbestos and appropriate mitigations.
- 6.10 To comply with the requirements of the Construction (Design and Management) Regulations 2015 (CDM) a Construction Phase Plan will be in place for all repairs to void and tenanted properties (at the start of the contract and reviewed annually thereafter), component replacement works and refurbishment projects.

7.0 Programmes

- 7.1 **Non-domestic properties** – All non-domestic properties (communal blocks/supported schemes/offices/depots) that we own or manage, built prior to the year 2000, will have an asbestos management survey that is compliant with CAR 2012 (dated after 6 April 2012 when this legislation came into effect).
- 7.2 We will maintain a programme of asbestos re-inspections for all properties that contain ACMs (known or presumed). Re-inspections will either be annual or in accordance with the risk level as identified by the previous survey. We will not re-inspect any properties where the initial asbestos management survey confirms that there are no ACMs.
- 7.3 **Domestic properties** – We currently hold asbestos survey data on approximately 51% per cent of our domestic properties. Within the lifecycle of this policy, we will implement a risk-based approach to pro-actively carrying out surveys within domestic properties.

- 7.4 **Garages** – We own or manage 659 garages, many of which may contain ACMs. We will carry out a risk-based programme of sample inspections to assess the location and condition of ACMs within these garages and implement a programme of remedial works as necessary.
- 7.5 **Repairs / planned maintenance** - We will review existing asbestos survey information prior to carrying out any intrusive void work, day-to-day repairs, planned maintenance or refurbishment work. Where there is no asbestos information, prior to the work taking place, we will commission a refurbishment and/or demolition asbestos survey to the areas of the property that are likely to be disturbed as part of the proposed works. We will also undertake a management asbestos survey to the remainder of the property as part of the same refurbishment and/or demolition survey. Once completed, survey details will be provided to the relevant operatives or contractors.

8.0 Follow-up Work

- 8.1 Where asbestos is positively identified and removal, sealing or encapsulation is recommended by the competent person, this will be carried out as follows:
- **Non-licensed works** (as defined in regulation 2 of CAR 2012) – will be undertaken by a Licensed Asbestos Removal Contractor (LARC) licensed by the Health and Safety Executive in compliance with CAR 2012.
 - **Notifiable non-licensed works** (as defined in regulation 2 of the CAR 2012) – will be undertaken by a LARC.
 - **Licensed works** (as defined in regulation 2 of CAR 2012) – will be undertaken by a LARC.

9.0 Data and Records

- 9.1 We will maintain a core asset register of all properties we own or manage, setting out which properties are and are not required to be included on the asbestos re-inspection programme.
- 9.2 We will operate a robust process to manage all changes to stock, including property acquisitions and disposals, to ensure that properties are not omitted from asbestos programmes and the programme remains up to date.
- 9.3 We will keep an asbestos register in the QL system. The asbestos register will include details of ACMs in the properties we own or manage, with information on the type, address, location and condition. We will hold inspection dates, asbestos surveys, details of remediation works and evidence of completion of these works in the QL system and Documotive.

9.4 We will keep all of these records for the duration that we own and manage the property and have robust processes and controls in place to maintain appropriate levels of security for all asbestos related data.

9.5 We will keep air monitoring and health surveillance records for at least 40 years.

10.0 Tenant Engagement

10.1 We consider good communication essential in the effective delivery of asbestos safety, therefore we will establish a tenant engagement strategy and communication programme. This will support tenants in their understanding of asbestos, advise them of how they can manage any risk if there is asbestos within their property, and encourage them to report any asbestos safety concerns.

10.2 We also aim to successfully engage with vulnerable and hard to reach tenants. We will share information clearly and transparently and will ensure that information is available to tenants via regular publications and information on our website.

11.0 Competent Persons

11.1 The operational lead will hold a P405, P402, P407 or W504 qualification (or equivalent). If they do not have one of these, they will obtain this within 12 months of the approval of this policy.

11.2 Only competent contractors (as per HSG264) will carry out asbestos management surveys.

11.3 Only competent Licensed Asbestos Removal Contractors will carry out all work on asbestos, including non-notifiable non-licensed work, notifiable non-licensed work or licensed works.

11.4 Suitably competent persons will undertake asbestos re-inspections and the removal of non-licensed asbestos, under the supervision of persons who are suitably trained and competent to manage this work.

11.5 Only suitably competent asbestos consultants and contractors will provide third party technical quality assurance checks.

11.6 We will check that our contractors hold the relevant qualifications and accreditations when we procure them, and thereafter on an annual basis; we will evidence these checks and each contractor's certification appropriately.

12.0 Training

12.1 We will deliver training on this policy and the procedures that support it, through appropriate methods including team briefings; basic asbestos awareness training; and on

the job training for those delivering the asbestos programme, planned maintenance and repair works as part of their daily job. All training undertaken by staff will be formally recorded.

13.0 Performance Reporting

13.1 We will report key performance indicator (KPI) measures for asbestos safety that follow the requirements set out in the Tenant Satisfaction Measures (TSMs) which came in to force on 1 April 2023 and must be reported to the Regulator on an annual basis.

13.2 We will report the following asbestos safety performance:

Report recipient	Frequency
Regulator of Social Housing	Annual
Leadership Team	Monthly
Cabinet	Quarterly
Tenants	Quarterly

13.3 We will also report the following:

Data – the total number of:

- Properties split by category (communal blocks/schemes, commercial/other).
- Properties with a post 2012 management survey.
- Properties without a post 2012 management survey.
- Properties on the re-inspection programme.
- Properties not on the re-inspection programme.
- Properties with a valid and in date re-inspection.
- Properties without a valid and in date re-inspection.
- Properties due to be re-inspected within the next 30 days.
- Completed, in-time and overdue follow-up actions arising from the surveys.

Narrative - an explanation of the:

- Current position.
- Corrective action required.
- Progress with completion of follow-up works.

In addition:

- The percentage of domestic properties with full asbestos data.
- The number of RIDDOR notifications to the HSE with regards to asbestos safety.

14.0 Quality Assurance

- 14.1 We will require external contractors to provide the results of their own five per cent quality assurance audit checks, as required by UKAS, on a monthly basis.
- 14.2 We will undertake ten per cent third party audits of asbestos removals and air monitoring.
- 14.3 We will commission an independent audit of asbestos management at least once every two years, to specifically test for compliance with legal and regulatory obligations and to identify any non-compliance issues for correction.

15.0 Significant Non-Compliance and Escalation

- 15.1 Our definition of significant non-compliance is any incident which has the potential to result in a potential breach of legislation or regulatory standard, or which causes a risk to health or safety, and which needs to be managed as an exception to routine processes and procedures.
- 15.2 All non-compliance issues will be reported and escalated as soon as possible, and no later than 24 hours after the incident occurred, or of a CBC employee becoming aware of it.
- 15.3 Any non-compliance issue identified at an operational level will be formally reported to the Interim Capital and Repairs Manager in the first instance, who will agree an appropriate course of corrective action with the Property Compliance Manager and report details of the same to the LT.
- 15.4 In cases of serious non-compliance, LT and Cabinet will consider whether it is necessary to disclose the issue to the Regulator of Social Housing as required by the regulatory framework, or any other relevant organisation such as the Health and Safety Executive.
- 15.5 We will ensure there is a robust process in place to investigate and manage all RIDDOR notifications made to the HSE in relation to asbestos safety and will take action to address any issues identified and lessons we have learned, to prevent a similar incident occurring again.

16.0 Glossary

- 16.1 This glossary defines key terms used throughout this policy:
 - **Duty Holder:** The owner of the non-domestic premises or the person or organisation that has clear responsibility for the maintenance or repair of non-domestic premises, for example through an explicit agreement such as a tenancy agreement or contract.
 - **Management asbestos survey:** A survey to enable the management of asbestos-containing materials during the normal occupation and use of premises.
 - **Refurbishment and/or demolition asbestos survey:** A refurbishment and/or demolition survey (previously known as a type 3 survey) is a survey which is

necessary prior to any works which may affect the fabric of a building, and which is used to locate (as far as reasonably practicable) asbestos-containing materials. The survey may be within a localised area or cover the whole building.

- **UKAS:** The appointed national accreditation body for asbestos surveyors. Accreditation is a means of assessing, in the public interest, the technical competence and integrity of organisations offering evaluation services.

Appendix 1 - Additional Legislation

This policy also operates within the context of the following legislation:

- Defective Premises Act 1972
- Health and Safety at Work Act 1974
- Landlord and Tenant Act 1985
- Homes (Fitness for Human Habitation) Act 2018
- The Occupiers' Liability Act 1984
- The Workplace (Health Safety and Welfare) Regulations 1992
- Personal Protective Equipment at Work Regulations 1992
- The Asbestos (Licensing) (Amendment) Regulations 1998
- The Management of Health and Safety at Work Regulations 1999
- Control of Substances Hazardous to Health Regulations (as amended) 2002 (COSHH)
- Hazardous Waste (England and Wales) Regulations 2005 (Amendment 2009)
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- Construction (Design and Management) Regulations 2015
- Data Protection Act 2018
- Social Housing (Regulation) Act 2023

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Water Hygiene Policy



Name	Water Hygiene Policy
Owner	Property Compliance Manager
Version	2
Last Review	June 2025
Next Review	June 2027
Strategic Lead	Claire Hughes – Director of Governance, Housing and Communities
Member Lead	Councillor Flo Clucas – Cabinet Member Housing and Customer Services

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1.0 Introduction and Objectives

- 1.1 As a landlord, Cheltenham Borough Council (CBC) must meet the legal obligations which require us to deal with the risks associated with legionella bacteria within the properties we own or manage. Legionella bacteria can cause a potentially fatal form of pneumonia called Legionnaires' disease. People contract Legionnaires' disease by inhaling small droplets of water containing the bacteria.
- 1.2 As far as is reasonably practicable, we must introduce measures to reduce and/or control exposure to legionella bacteria, including managing the conditions that support the growth of the bacteria in water systems.
- 1.3 The key objective of this policy is to ensure that our Cabinet, Leadership Team, employees, partners and tenants are clear on our legal and regulatory water hygiene obligations. This policy provides the framework our staff and partners will operate within in order to meet these obligations.
- 1.4 This policy forms part of our wider organisational commitment to driving a health and safety culture amongst staff and contractors (as detailed within our Health and Safety Policy). It will be saved on our shared drive and distributed to all relevant members of staff.

2.0 Scope

- 2.1 This policy applies to the following property types:
 - Communal blocks.
 - Sheltered / independent living schemes.
- 2.2 Some aspects of this policy also apply to individual domestic properties (houses, flats bungalows, and so on). Applicable items will be clearly referenced.
- 2.3 This policy is relevant to all our employees, tenants, contractors, stakeholders and other persons who may work on, occupy, visit, or use our premises, or who may be affected by our activities or services. Adherence to this policy is mandatory.

3.0 Roles and Responsibilities

- 3.1 The Cabinet has overall governance responsibility for ensuring this policy is fully implemented to ensure full compliance with legislation and regulatory standards. As such, the Cabinet will formally approve this policy and review it every two years (or sooner if there is a change in legislation or regulation).

- 3.2 The Leadership Team (LT) will receive monthly performance reports in respect of water hygiene safety and ensure compliance is being achieved. They will also be notified of any non-compliance issue identified.
- 3.3 The Property Compliance Manager has strategic responsibility for the management of water hygiene safety, and ensuring compliance is achieved and maintained. They will oversee the implementation of this policy.
- 3.4 The Property Compliance Manager has operational responsibility for the management of water hygiene safety and will be responsible for overseeing the delivery of these programmes. The Property Compliance Manager is the Responsible Person.
- 3.5 The Compliance Officer is the Deputy Responsible Person who will provide cover to the Property Compliance Manager (Responsible Person) in their absence.
- 3.6 Housing teams will provide support where gaining access to properties is difficult.

4.0 Legislation, Guidance and Regulatory Standards

4.1 **Legislation** - The principal legislation applicable to this policy is as follows:

- The Health and Safety at Work Act 1974.
- The Control of Substances Hazardous to Health Regulations 2002 (as amended) (COSHH).
- This policy also operates within the context of additional legislation (see Appendix 1).

4.2 **Approved Code of Practice (ACoP)** – The principal ACoP applicable to this policy is:

- ACoP L8 - Legionnaires' disease: The control of legionella bacteria in water systems (4th edition 2013).

4.3 **Guidance** – The principal guidance applicable to this policy is as follows:

- HSG274 - Legionnaires' disease: Technical guidance Part 2: The control of legionella bacteria in hot and cold water systems (2014).
- HSG274 - Legionnaires' disease: Technical guidance Part 3: The control of legionella bacteria in other risk systems (2013).
- INDG458 - Legionnaires' disease: A brief guide for dutyholders (2012).
- BS 8580-1:2019 Water quality, risk assessments for Legionella control – Code of practice.

4.4 **Regulatory standards** – We must ensure we comply with the Regulator of Social Housing's regulatory framework and consumer standards for social housing in England; the Safety and Quality Standard is the primary one applicable to this policy.

The Social Housing (Regulation) Act 2023 changes the way social housing is regulated and may result in future changes to this policy.

- 4.5 **Sanctions** – Failure to discharge our responsibilities and obligations properly could lead to sanctions, including: prosecution by the Health and Safety Executive (the HSE) under the Health and Safety at Work Act 1974; prosecution under the COSHH Regulations; prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007; and via a regulatory judgement from the Regulator of Social Housing.

5.0 Obligations

- 5.1 The Health and Safety at Work Act 1974 places a duty on us, as an employer and landlord, to ensure our employees and others affected by our undertakings (for example, tenants), are not exposed to health and safety risks, including the risk from legionella.
- 5.2 We have a legal obligation under COSHH to prevent or control exposure to biological agents, including legionella.
- 5.3 CBC is the 'Duty Holder' as defined by ACoP L8 and we must take necessary precautions to prevent, reduce or control the risks of exposure to legionella.
- 5.4 As the Duty Holder, we must:
- Carry out a risk assessment for all hot and cold-water systems, cooling plant and any other systems that can produce water droplets to identify and assess potential risks.
 - Implement measures to either eliminate, reduce or control identified risks.
 - Appoint a Responsible Person to take managerial responsibility for:
 - Carrying out risk assessments.
 - Producing written schemes of control (a practical, risk management document used to control the risk from exposure to legionella).
 - Implementing the written scheme of control.
 - Appoint a Deputy Responsible Person who will provide cover to the responsible person in their absence.
 - Keep associated records for five years.

6.0 Statement of Intent

- 6.1 We acknowledge and accept our responsibilities and obligations under the legislation outlined in Sections 4 and 5.

- 6.2 We will review legionella risk assessments using a risk-based approach. Schemes will be assessed as high, medium or low risk.
- 6.3 Written schemes of control will be in place for all properties risk assessed as requiring controls to manage the risk of legionella exposure.
- 6.4 When properties become void, we will drain and flush the water system, including any shower loop, before undertaking any work. The water system will then be flushed and recommissioned before the property is let, and the shower head replaced or sterilised.
- 6.5 We will carry out checks to identify pipework 'dead legs' and remove them within void properties and any properties where we are carrying out adaptations or planned investment work.
- 6.6 When we acquire properties (existing or new build) we will follow the same process as for void properties, and we will ensure that there are no pipework 'dead legs' present when we take possession of the property.
- 6.7 We will operate a robust process for the management of immediately dangerous situations identified from the legionella risk assessment, water testing/monitoring regime or suspected legionella outbreak.
- 6.8 We will use the legal remedies available within the terms of the tenancy and lease agreement should any tenant, leaseholder or shared owner refuse access to carry out essential water hygiene related inspection and remediation works. Where tenant vulnerability issues are known or identified we will ensure we safeguard the wellbeing of the tenant .
- 6.9 We will operate effective contract management arrangements with the contractors responsible for delivering the service, including; ensuring contracts/service level agreements are in place, conducting client-led performance meetings, and ensuring that contractors' employee and public liability insurances are up to date on an annual basis.
- 6.10 We will establish and maintain a risk assessment for water hygiene management and operations, setting out our key water hygiene risks and appropriate mitigations.
- 6.11 To comply with the requirements of the Construction, Design and Management Regulations 2015 (CDM) a Construction Phase Plan will be in place for all repairs work to void and tenanted properties (at the start of the contract and reviewed annually thereafter), component replacement works and refurbishment projects.

7.0 Programmes

- 7.1 **Communal blocks and other properties** – We will ensure all communal blocks and other properties (such as supported schemes) that we own or manage are subject to an initial visit to establish whether a legionella risk assessment (LRA) is required. Thereafter, if an

LRA is required, the property will be included on the LRA programme. If an LRA is not required, we will record this on our core asset register.

7.2 For all properties on the LRA programme, we will undertake a risk-based approach to renewing the LRAs. This will be supplemented by an annual internal desktop review.

7.3 LRAs will be reviewed in the following circumstances:

- Change in building use.
- Change in internal layout of water system.
- Change in building occupation that increases the risk due to health.
- After a confirmed or suspected outbreak of Legionella.
- Following a water hygiene audit (if required).

7.4 **Domestic properties** – We will undertake an annual programme of five per cent sample legionella risk assessments in domestic properties. These will be prioritised according to the perceived level of risk (based on design, size, age and type of water supply).

7.5 **Testing and monitoring** - We will undertake testing and monitoring (for example, monthly temperature checks) as set out within any written schemes of control.

7.6 We will ensure there is a robust process in place for the management of any follow-up works required following the completion of an LRA or ongoing monitoring (where the work cannot be completed at the time of the assessment or check).

8.0 Data and Records

8.1 We will maintain a core asset register of all properties we own or manage, setting out which properties require an LRA. We will also set out which properties require ongoing testing and monitoring as prescribed by the written control scheme (for example, monthly temperature checks).

8.2 We will operate a robust process to manage all changes to stock, including property acquisitions and disposals, to ensure that properties are not omitted from water hygiene programmes and the programmes remain up to date.

8.3 We will hold LRA inspection dates, LRAs, and testing and monitoring records against all properties on each programme. LRA inspection dates will be held in the QL system and Documotive. Testing and monitoring records are held on an Excel spreadsheet and the contractor portal.

8.4 We will keep water hygiene logbooks electronically (or securely on site where practical), for all properties on the LRA programme.

- 8.5 We will keep all records for at least five years or for the duration that we own and manage the property and have robust processes and controls in place to maintain appropriate levels of security for all water hygiene related data.

9.0 Tenant Engagement

- 9.1 We consider good communication essential in the effective delivery of water hygiene programmes, therefore we will establish a tenant engagement strategy and communication programme. This will support tenants in their understanding of water hygiene and legionella risk, advised them of how they can manage the risks within their properties, and to encourage them to report any concerns about water safety.
- 9.2 We also aim to successfully engage with vulnerable and hard to reach tenants. We will share information clearly and transparently and will ensure that information is available to tenants via regular publications and information on our website.
- 9.1 We will display written schemes of control in communal areas of buildings to inform occupants how the risk of exposure to legionella bacteria is being managed and controlled.

10.0 Competent Persons

- 10.1 As we should appoint a Responsible Person (Property Compliance Manager) and a Deputy Responsible Person (Compliance Officer), they should both be trained, instructed, and informed to the same level and should assist in the frequent monitoring of written control schemes. Therefore, they should hold a relevant qualification such as the BOHS P901 – Management and control of building hot and cold water services, Level 2 Award in Legionella Awareness (or equivalent), or Level 4 VRQ Diploma in Asset and Building Management. If they do not have these already, they will obtain them within 12 months of the approval of this policy.
- 10.2 Only suitably competent consultants and contractors, registered with the Legionella Control Association (or equivalent), will undertake LRAs, prepare written schemes of control and undertake works in respect of water hygiene and legionella control.
- 10.3 Only suitably competent consultants and contractors, registered with the Legionella Control Association (or equivalent), will undertake third party technical quality assurance checks.
- 10.4 We will check that our contractors hold the relevant qualifications and accreditations when we procure them, and thereafter on an annual basis; we will evidence these checks and each contractor's certification appropriately.

11.0 Training

- 11.1 We will deliver training on this policy and the procedures that support it, through appropriate methods including: team briefings; basic water hygiene awareness training; and on the job training for those delivering the programme of LRAs and water hygiene testing and monitoring, as part of their daily job. All training undertaken by staff will be formally recorded.

12.0 Performance Reporting

- 12.1 We will report key performance indicator (KPI) measures for water hygiene safety that follow the requirements set out in the Tenant Satisfaction Measures (TSMs) which came into force on 1 April 2023 and must be reported to the RSH on an annual basis.

- 12.2 We will report the following water hygiene performance:

Report recipient	Frequency
Regulator of Social Housing	Annual
Leadership Team	Monthly
Cabinet	Quarterly
Tenants	Quarterly

- 12.3 We will also report the following:

Data – the total number of:

- Properties split by category (domestic, communal blocks/schemes, commercial/other).
- Properties on the LRA programme.
- Properties not on the LRA programme.
- Properties with a valid and in date LRA.
- Properties without a valid and in date LRA.
- Properties due an LRA within the next 30 days.
- Overdue follow-up works/actions (split by priority).

Narrative - an explanation of the:

- Current position.
- Corrective action required.
- Progress with completion of follow-up works.

In addition:

- The number of RIDDOR notifications to the HSE with regards to water safety.

13.0 Quality Assurance

- 13.1 We will ensure there is a programme of third-party quality assurance audits to five per cent of LRAs. Annual audits will be undertaken to all systems identified as a high risk.
- 13.2 We undertake internal desktop audits to 100 per cent of all certification.
- 13.3 We will carry out an independent audit of water hygiene safety at least once every two years, to specifically test for compliance with legal and regulatory obligations and to identify any non-compliance issues for correction.

14.0 Significant Non-Compliance and Escalation

- 14.1 Our definition of significant non-compliance is any incident which has the potential to result in a potential breach of legislation or regulatory standard, or which causes a risk to health or safety, and which needs to be managed as an exception to routine processes and procedures.
- 14.2 All non-compliance issues will be reported and escalated as soon as possible, and no later than 24 hours after the incident occurred, or of a CBC employee becoming aware of it.
- 14.3 Any non-compliance issue identified at an operational level will be formally reported to the Interim Capital and Repairs Manager in the first instance, who will agree an appropriate course of corrective action with the Property Compliance Manager and report details of the same to the LT.
- 14.4 In cases of serious non-compliance, LT and Cabinet will consider whether it is necessary to disclose the issue to the Regulator of Social Housing as required by their regulatory framework, or any other relevant organisation such as the Health and Safety Executive.
- 14.5 We will ensure there is a robust process in place to investigate and manage all RIDDOR notifications made to the HSE in relation to water hygiene safety and will take action to address any issues identified and lessons we have learned, to prevent a similar incident occurring again.

15.0 Glossary

- 15.1 This glossary defines key terms used throughout this policy:
- **BOHS:** British Occupational Hygiene Society.
 - **Duty Holder:** the owner of the non-domestic premises or the person or organisation that has clear responsibility for the maintenance or repair of non-domestic premises, for example through an explicit agreement such as a tenancy agreement or contract.

- **Legionellosis:** a collective term for diseases caused by legionella bacteria including the most serious Legionnaires' disease, as well as the similar but less serious conditions of Pontiac fever and Lochgoilhead fever.
- **LRA:** Legionella Risk Assessment – an assessment which identifies the risks of exposure to legionella in the water systems present in a premises and the necessary control measures required.

Appendix 1 - Additional Legislation

This policy also operates within the context of the following legislation:

- The Defective Premises Act 1972
- Landlord and Tenant Act 1985
- Homes (Fitness for Human Habitation) Act 2018
- The Occupiers' Liability Act 1984
- Public Health (Infectious Diseases) Regulations 1988
- The Workplace (Health Safety and Welfare) Regulations 1992
- The Management of Health and Safety at Work Regulations 1999 (the Management Regulations).
- Water Supply (Water Fittings) Regulations 1999
- Housing Act 2004
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- Construction (Design and Management) Regulations 2015
- Water Supply (Water Quality) Regulations 2018
- Data Protection Act 2018
- Social Housing (Regulation) Act 2023

Lift Safety Policy



Name	Lift Safety Policy
Owner	Property Compliance Manager
Version	2
Last Review	June 2025
Next Review	June 2027
Strategic Lead	Claire Hughes – Director of Governance, Housing and Communities
Member Lead	Councillor Flo Clucas – Cabinet Member Housing and Customer Services

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1.0 Introduction and Objectives

- 1.1 As a landlord, Cheltenham Borough Council (CBC) is responsible for maintenance and repairs to our homes, communal blocks and other properties we own and manage, some of which will contain domestic lifts, passenger lifts and other lifting equipment. We are responsible for maintaining these lifts and carrying out thorough examinations to ensure they continue to operate safely.
- 1.2 The key objective of this policy is to ensure our Cabinet, Leadership Team, employees, partners and tenants are clear on our legal and regulatory lift safety obligations. This policy provides the framework our staff and partners will operate within to meet these obligations.
- 1.3 This policy forms part of our wider organisational commitment to driving a health and safety culture amongst staff and contractors (as detailed within our Health and Safety Policy). It will be saved on our shared drive and distributed to all relevant members of staff.

2.0 Scope

- 2.1 This policy applies to the following property types:
- Domestic properties (houses, flats bungalows, and so on).
 - Communal blocks.
 - Sheltered / independent living schemes.
- 2.2 This policy is relevant to all our employees, tenants, contractors, stakeholders and other persons who may work on, occupy, visit, or use our premises, or who may be affected by our activities or services. Adherence to this policy is mandatory.
- 2.3 We own and manage domestic properties which have been adapted with living aids such as stair lifts, through floor lifts and hoists to enable tenants to continue to live independently. We take responsibility for the lifts which have been installed within our domestic properties which we have been made aware of.

3.0 Roles and Responsibilities

- 3.1 The Cabinet has overall governance responsibility for ensuring this policy is fully implemented to ensure full compliance with legislation and regulatory standards. As such, the Cabinet will formally approve this policy and review it every two years (or sooner if there is a change in legislation or regulation).

- 3.2 The Leadership Team (LT) will receive monthly performance reports in respect of lift safety and ensure compliance is being achieved. They will also be notified of any non-compliance issue identified.
- 3.3 The Property Compliance Manager has strategic responsibility for the management of lift safety, and ensuring compliance is achieved and maintained. They will oversee the implementation of this policy.
- 3.4 The Interim Capital and Repairs Manager has operational responsibility for the management of lift safety and will be responsible for overseeing the delivery of these programmes.
- 3.5 Housing teams will provide support where gaining access to properties is difficult and will assist and facilitate any legal access process as necessary.
- 3.6 Under the requirements of the Social Housing (Regulation) Act 2023 we have appointed the Deputy Chief Executive as our Health and Safety Lead.

4.0 Legislation, Guidance and Regulatory Standards

- 4.1 **Legislation** - The principal legislation applicable to this policy is as follows:
- The Health and Safety at Work Act 1974.
 - The Lifting Operation and Lifting Equipment Regulations 1998 (LOLER).
 - The Provision and Use of Work Equipment Regulations 1998 (PUWER).
- 4.2 **Approved Code of Practice (ACoP)**—The principal ACoP applicable to this policy is:
- ACoP L113 - Safe use of lifting equipment: Lifting Operations and Lifting Equipment Regulations 1998 (2nd edition 2014).
 - ACoP L22 – Safe use of work equipment: Provision and Use of Work Equipment Regulations 1998 (4th edition 2014).
- 4.3 **Guidance** – The principal guidance applicable to this policy is as follows:
- INDG422 - Thorough examination of lifting equipment: A simple guide for employers (2008).
 - INDG339 - Thorough examination and testing of lifts: Simple guidance for lift owners (2008).

- 4.4 **Regulatory standards** – We must ensure we comply with the Regulator of Social Housing’s regulatory framework and consumer standards for social housing in England; the Safety and Quality Standard is the primary one applicable to this policy.

The Social Housing (Regulation) Act 2023 changes the way social housing is regulated and may result in future changes to this policy.

- 4.5 **Sanctions** – Failure to discharge our responsibilities and obligations properly could lead to sanctions, including prosecution by the Health and Safety Executive (the HSE) under the Health and Safety at Work Act 1974; prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007; prosecution under LOLER or PUWER; and via a regulatory judgement from the Regulator of Social Housing.

5.0 **Obligations**

5.1 **LOLER**

Passenger lifts in workplaces (for example, offices) which are used by people during their course of work, fall within the scope of LOLER.

LOLER requires landlords to maintain lifts and ensure that they have thorough examinations:

- Before use for the first time.
- After substantial and significant changes have been made.
- At least every six months if the lift is used at any time to carry people or every 12 months if the lift is only carrying loads (or in accordance with an examination scheme).
- Following exceptional circumstances such as damage to, or failure of, the lift, long periods out of use, or a major change in operating conditions which is likely to affect the integrity of the equipment.
- Thorough examination reports must be kept for at least two years.

5.2 **Health and Safety at Work Act 1974**

Section 3 of the Health and Safety at Work Act makes employers, such as landlords, responsible for the health and safety of employees and people using or visiting their premises, so far as reasonably practicable (including tenants).

For passenger lifts in communal blocks and for tenanted properties with domestic lifts, duties may be adequately discharged by adopting the same provisions as applies to all other lifting equipment covered by LOLER (carrying out regular maintenance and thorough examination).

5.3 **Provision and Use of Work Equipment Regulations 1998 (PUWER)**

There is some overlap between LOLER and PUWER, which applies to all work equipment, including lifting equipment (such as hoists, lift trucks, elevating work platforms and lifting slings). The scope of this policy includes for lifts which are fixed within properties owned and managed by CBC (i.e., passenger/stairlifts/through floor lifts) and not mobile lifting equipment.

5.4 **Insurance**

Insurers may impose demands for similarly stringent levels of risk management to cover public liability.

6.0 **Statement of Intent**

6.1 We acknowledge and accept our responsibilities under the legislation outlined in Sections 4 and 5.

6.2 We will adopt the same principles to the management of lifts within communal blocks and domestic properties as for passenger lifts and any other lifts provided as work equipment. We will therefore carry out a programme of periodic servicing and maintenance and thorough examinations to lifts within domestic properties where these have been installed by us, or where our tenant has installed one and made us aware of it.

6.3 All lifts that we install in properties we own or manage will be fully accessible for disabled users, as per the requirements of the Equality Act 2010, and to the specifications outlined in Part M of the Building Regulations 2004.

6.4 We will endeavour to ensure that all lifting equipment will always be in full working order. Where we become aware of a breakdown, we will ensure our lift contractor attends within 24 hours.

6.5 We will operate robust processes to deal with entrapment situations. In the event of any persons becoming trapped in a lift we are responsible for we will ensure our lift contractor attends within one hour.

6.6 We will operate a robust process to manage and rectify immediately dangerous situations identified during a lift safety check or any other maintenance work.

6.7 All passenger lifts will have an intercom that dials directly to a dedicated call centre. Call handlers will contact emergency services if there is an urgent concern for a person's welfare.

- 6.8 We will operate a robust process to gain access to properties to undertake thorough examinations, lift safety/servicing visits and follow-on works. Where tenant vulnerability issues are known or identified we will ensure we safeguard the wellbeing of the tenant, whilst ensuring the organisation can gain timely access to any property to be compliant with this policy.
- 6.9 We will operate effective contract management arrangements with the contractors responsible for delivering the service, including ensuring contracts/service level agreements are in place, conducting client-led performance meetings, and ensuring that contractors' employee and public liability insurances are up to date on an annual basis.
- 6.10 We will establish and maintain a risk assessment for lift safety management and operations, setting out our key lift safety risks and appropriate mitigations.
- 6.11 To comply with the requirements of the Construction (Design and Management) Regulations 2015 (CDM), a Construction Phase Plan will be in place for all repairs work to void and tenanted properties (at the start of the contract and reviewed annually thereafter), component replacement works and refurbishment projects. This plan will detail what is required to reinstate lifts affected by the works, to ensure they are safe to use and continue to comply with relevant legislation.
- 6.12 We will ensure there is a robust process in place to investigate and manage all RIDDOR notifications made to the HSE in relation to lift safety, and we will take action to ensure any issues identified and lessons we have learned to prevent a similar incident occurring again.

7.0 Programmes

- 7.1 **Thorough examinations** – all lifts, including domestic lifts, will be subject to a thorough examination:
- Before being commissioned into use for the first time.
 - Every six months if the lift is being used to carry people.
 - Every 12 months if the lift only carries loads.
 - In accordance with an examination scheme (as prepared by a competent person) where there is one in place.
 - In accordance with our insurer's specification.
- 7.2 All domestic lifts will be subject to a thorough examination before a void property is re-let in to ensure it is safe for the next tenant. The new tenant will also be shown

how to operate the lift safely. We will also consider the suitability of prospective tenants to ensure the property is appropriate if lifting equipment has been installed.

7.3 **Maintenance** - All lifting equipment will be subject to routine servicing and maintenance in line with manufacturers' recommendations.

7.4 We will ensure there is a robust process in place for the management of any follow-up works required following the completion of a thorough examination or servicing and maintenance inspection (where the work cannot be completed at the time of the examination or servicing/inspection).

8.0 Data and Records

8.1 We will maintain a core asset register of all properties we own or manage, setting out which properties have lifts which require a thorough examination. We will also set out which properties have lifts which require ongoing servicing and maintenance. This register will also hold data against each property asset of the type, age and condition of lifting equipment in place.

8.2 We will operate a robust process to manage all changes to stock, including property acquisitions and disposals, to ensure that properties are not omitted from lift safety programmes and the programme remains up to date.

8.3 We will hold records of the following against all properties on each programme:

- Thorough examination dates and reports.
- Servicing and maintenance dates and reports.
- Any examination schemes in place.
- Evidence of completed remedial works.
- Entrapment incidents.

8.4 All records and data as outlined above will be stored in the QL system and Documotive.

8.5 Where we install any stairlifts or other lifts to domestic properties or give approval for or become aware of any installation of such lifts, we will add them to the thorough examination and servicing programmes.

8.6 We will keep all records for at least five years or for the duration that we own and manage the property/in line with our document retention policy and have robust processes and controls in place to maintain appropriate levels of security for all lift safety related data and records.

9.0 Tenant Engagement

- 9.1 We consider good communication essential in the effective delivery of lift safety programmes, therefore we will establish a tenant engagement strategy and communication programme to support tenants in their understanding of lift safety.
- 9.2 This will assist us in maximising access to carry out periodic servicing and thorough examinations, encourage tenants to report any lift safety concerns, and help us to engage with vulnerable and hard to reach tenants.
- 9.3 We will share information clearly and transparently and will ensure that information is available to tenants via regular publications and information on our website.

10.0 Competent Persons

- 10.1 Only suitably competent lift consultants and contractors, registered with the Lift and Escalator Industry Association (or equivalent), will be appointed to undertake thorough examinations, risk assessments, prepare examination schemes and undertake lifting equipment works. Lift engineers will have a minimum qualification of EAL QCF NVQ Level 3 Diploma or its equivalent in an appropriate discipline.
- 10.2 We will check that our contractors hold the relevant qualifications and accreditations when we procure them, and thereafter on an annual basis; we will evidence these checks and each contractor's certification appropriately.

11.0 Training

- 11.1 We will deliver training on this policy and the procedures that support it, through appropriate methods including team briefings; basic lift safety awareness training; and on the job training for those delivering the programme of lift inspections, planned maintenance and repair works as part of their daily job. All training undertaken by staff will be formally recorded.

12.0 Performance Reporting

- 12.1 We will report key performance indicator (KPI) measures for lift safety that follow the requirements set out in the Tenant Satisfaction Measures (TSMs) which came in to force on 1 April 2023 and must be reported to the Regulator on an annual basis.
- 12.2 We will report the following lift safety performance:

Report recipient	Frequency
------------------	-----------

Regulator of Social Housing	Annual
Leadership Team	Monthly
Cabinet	Quarterly
Tenants	Quarterly

12.3 We will also report the following:

Data – the total number of:

- Properties split by category (domestic, communal blocks/schemes, commercial/other).
- Properties on the thorough examination programme.
- Properties not on the thorough examination.
- Properties with a valid and in date thorough examination.
- Properties without a valid and in date thorough examination.
- Properties due to be examined within the next 30 days.
- Follow-up actions arising from the programme (in time and overdue, by priority).

Narrative - an explanation of the:

- Current position.
- Corrective action required.
- Progress with completion of follow-up works.

In addition:

- The number of entrapments within lifts (in month and year to date).
- The number of RIDDOR notifications to the HSE with regards to lift safety.
- Lift servicing programme.

13.0 Quality Assurance

13.1 We will ensure there is programme of annual third-party quality assurance audits of lifts that are not included on the thorough examination programme.

13.2 We will carry out an independent audit of lift safety at least once every two years, to specifically test for compliance with legal and regulatory obligations and to identify non-compliance issues for correction.

14.0 Significant Non-Compliance and Escalation

14.1 Our definition of significant non-compliance is any incident which has the potential to result in a potential breach of legislation or regulatory standard, or which causes

a risk to health or safety, and which needs to be managed as an exception to routine processes and procedures.

- 14.2 All non-compliance issues will be reported and escalated as soon as possible, and no later than 24 hours after the incident occurred, or of a CBC employee becoming aware of it.
- 14.3 Any non-compliance issue identified at an operational level will be formally reported to the Interim Capital and Repairs Manager in the first instance, who will agree an appropriate course of corrective action with the Property Compliance Manager and report details of the same to the LT.
- 14.4 In cases of serious non-compliance, LT and Cabinet will consider whether it is necessary to disclose the issue to the Regulator of Social Housing as required by their regulatory framework, or any other relevant organisation such as the Health and Safety Executive.
- 14.5 We will ensure there is a robust process in place to investigate and manage all RIDDOR notifications made to the HSE in relation to lift safety, and we will take action to ensure any issues identified and lessons we have learned to prevent a similar incident occurring again.

15.0 Glossary

- 15.1 This glossary defines key terms used throughout this policy:
- **IOSH Managing Safely course** - The Institution of Occupational Safety and Health (IOSH) have designed the IOSH Managing Safely course for managers and supervisors of organisations in virtually all industry sectors, in order to give them all they need to know to effectively manage health and safety in the workplace.
 - **LEIA** – The Lift and Escalator Industry Association is the trade association and advisory body for the lift and escalator industry.
 - **Thorough examination** - A systematic and detailed examination of the equipment and safety-critical parts, carried out at specified intervals by a competent person who must then complete a written report.

Appendix 1- Additional Legislation

This policy also operates within the context of the following legislation:

- The Defective Premises Act 1972
- Landlord and Tenant Act 1985
- Homes (Fitness for Human Habitation) Act 2018
- Workplace (Health Safety and Welfare) Regulations 1992
- BS:7671: Requirements for Electrical Installations
- BS:5839: Fire Detection and Fire Alarm Systems for Buildings
- Provision and Use of Work Equipment Regulations 1998 (PUWER)
- Management of Health and Safety at Work Regulations 1999
- Housing Act 2004
- The Occupiers' Liability Act 1984
- Equality Act 2010
- Building Regulations 2010 – Part M
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- Construction (Design and Management) Regulations 2015
- Data Protection Act 2018
- Social Housing (Regulation) Act 2023

Cheltenham Borough Council

Cabinet – 15 July 2025

Cheltenham Business Improvement District Renewal Ballot

Accountable member:

Councillor Rowena Hay, Leader

Accountable officer:

Helen Mole, Head of Place Marketing and Inward Investment

Ward(s) affected:

All

Key Decision: Yes**Executive summary:**

A Business Improvement District (BID) is a defined geographic area in which local businesses collaborate to fund and implement projects, services, and initiatives which will be of benefit to businesses within the BID area. Financed via a levy in addition to business rates, there are no restrictions on the types of projects or initiatives that a BID can undertake, the only condition is that they must go beyond what the local authority already provides.

All BIDs within the United Kingdom are formed in accordance with government legislation which sets out how a BID operates and is administered. A BID must go to ballot to ensure that all eligible businesses within the proposed area have a fair and democratic opportunity to vote on whether the BID should be established or renewed. This process ensures that the BID operates with the support and consent of the majority of those who will fund and benefit from its activities. If the ballot outcome is successful, all organisations in the BID area must pay the BID levy, regardless of how they voted.

Cheltenham BID, operational since July 2016, was successfully re-balloted in 2021 and is set to run until 31 March 2026. The BID board has notified relevant authorities

of its intention to hold a renewal ballot in October 2025, seeking a further five-year term from 1 April 2026 to 31 March 2031.

This report updates Cabinet on the BID's achievements in its current term, sets out the process for the renewal ballot, and seeks delegated authority to deal with elements of the process for which the council has responsibility.

Recommendations: That Cabinet

- 1. notes that, on Monday 16 June 2025, Cheltenham BID Limited formally served notice of their intention to seek a renewal ballot for a further five-year term to both the Secretary of State and the council;**
- 2. notes that the Deputy Chief Executive, as returning officer, will engage the services of a suitable consultancy that provides election services to carry out the ballot on behalf of the council in accordance with the BID regulations;**
- 3. notes the draft Baseline and Operating Agreements between Cheltenham BID Limited and the Authority at Appendix 3 and 4;**
- 4. delegates authority to the Deputy Chief Executive to review the details of the draft business plan when shared by Cheltenham BID Limited and ensure it does not conflict with any formal policy adopted by the council, providing feedback to the BID board;**
- 5. delegates to the Director of Finance and Assets, in consultation with the Leader, the authority to vote in favour of another BID term on behalf of the council in the ballot;**
- 6. delegates authority to the Deputy Chief Executive, in consultation with the Director: One Legal to agree and sign the Baseline Agreement and the Operating Agreement with Cheltenham BID Limited, should the ballot be in favour of renewal for another five-year term.**

1. Implications

1.1. Financial, Property and Asset implications

Should the BID be successful at ballot, the council will continue to manage billing and the collection of the levy and will hold the levy in a ring-fenced revenue account on behalf of the BID.

Signed off by: Gemma Bell, director of finance and assets

1.2. Legal implications

Many of the legal implications are set out in the body of the report; in summary

(a) The main piece of legislation governing the creation and administration of Business Improvement Districts is The Business Improvement Districts (England) Regulations 2004 (“the Regulations”).

(b) The Regulations set out the authority’s powers and responsibilities in terms of how ballots relating to BIDs are to be conducted and how the BID levy is to be collected and accounted for.

(c) The Baseline and Operating Agreements create a legally enforceable contractual relationship between the Council and Cheltenham BID Limited. The Operating Agreement in particular sets out how the BID levy will be dealt with between the parties.

The appointment with the specialist consultancy to assist with conducting the ballot will need to be procured in accordance with the council’s contract rules.

Signed off by: One Legal – legalservices@onelegal.org.uk

1.3. Environmental and climate change implications

There are no associated environmental and climate implications for this report.

Signed off by: Maizy McCann, Climate Officer, Maizy.mccann@cheltenham.gov.uk

1.4. Corporate Plan Priorities

This report contributes to the following Corporate Plan Priorities:

- Ensuring residents, communities and businesses benefit from Cheltenham’s future growth and prosperity

1.5. Equality, Diversity and Inclusion Implications

If the ballot is successful, Cheltenham BID will deliver against its business plans to directly benefit businesses within its designated area. Successful re-ballot for 2026-2031 will see an investment into the BID area of at least £2.7 million which will be used to deliver the objectives set out in the business plan. The BID is responsible for delivery and will conduct its own direct assessment into equality impacts.

1.6. Performance management – monitoring and review

The Cheltenham BID chief executive and the council’s head of place marketing and inward investment will meet monthly to review ongoing activity including progress against delivery of the BID business plan.

The council's head of revenues and benefits will send regular reports to the BID to update on the collection of the BID levy payments.

A monitoring group will be set up consisting of at least one council officer, the relevant Cabinet member, and two or more Cheltenham BID representatives. This group shall meet at least twice per BID financial year in every year of the term of the BID.

2. Background

2.1. Cheltenham BID was established in July 2016 and was subject to a successful re-ballot in 2021 with the current term set to expire on 31 March 2026. The board of the Cheltenham BID Company has declared it wishes to proceed with a renewal ballot and notified Cheltenham Borough Council and the Secretary of State of its intention in accordance with the Business Improvement Districts (England) Regulations 2004. The BID is seeking a further operating period of five years, running from 1 April 2026 to 31 March 2031.

2.2. The Local Government Act 2003 and the Business Improvement Districts (England) Regulations 2004 state that the council has several responsibilities in the ballot process. The council must:

- Satisfy itself that the BID business plan (when issued) does not conflict to a material extent with its policies and that the levy payment structure does not place a disproportionate financial burden on any person or class of person.
- Provide a statement of existing baseline services the council provides within the BID area. This provides transparency to BID levy payers on the existing services delivered by the council which will not be funded from the BID levy. The Draft Baseline Agreement (Appendix 3) has been reviewed by the heads of all relevant council services.
- Approve an operating agreement to set out which businesses are liable to pay the BID levy, as well as the processes for the collection and enforcement, and the amount of levy to be collected. The Draft Operating Agreement (Appendix 4) has been reviewed by the heads of all relevant council services.
- Oversee the democratic process of the ballot. To deliver this, the council will commission the services of a suitable consultancy that provides election services to carry out the ballot on behalf of the council in accordance with the BID regulations.

2.3. The timetable for the ballot activity is set out below.

Activity	Timing
BID consultation with businesses within the BID zone, identified at https://cheltenhambid.co.uk/the-bid-zone/	April – May 2025 (also ongoing throughout 2025)
Notification to Secretary of State of intention to proceed to ballot	June 2025
Council to commission the ballot provision service	July 2025
Council to review the final BID business plan to ensure it does not conflict with any formal policy adopted by the council and provide feedback to the BID board	August 2025
Publication of notice of ballot and BID business plan launched	18 September 2025
Ballot period	2 – 30 October 2025
Announcement of ballot results	31 October 2025
Challenge period	To 28 November 2025
Final baseline and operating agreements to be signed by Cheltenham Borough Council and Cheltenham BID	December 2025
BID term starts	1 April 2026

2.4. Businesses that are subject to the levy may vote in the ballot. This determines whether the new term for the Cheltenham BID will go ahead. A successful vote is one that has a majority both in votes cast and in rateable value of votes cast.

2.5. The legislation allows for appeals to be made against the establishment of a BID. The Secretary of State can only consider an appeal if it appears that material irregularities have occurred during the ballot process. A request to appeal must be made in writing to the Secretary of State within 28 days of the result of the ballot being published. An appeal can only be made by the BID proposer, the BID Company, at least 5% of the number of persons entitled to vote in the BID ballot, or the relevant local authority.

3. BID Delivery in 2021-2026

3.1. Cheltenham BID is governed by a board composed of local business leaders and stakeholders who represent a diverse range of sectors including retail, hospitality, professional services, and local government, working collaboratively to enhance the town centre. The board includes the leader of the council and the council's head of construction.

3.2. Each term of a BID is covered by a business plan setting out priorities and key actions. For the 2021 – 2026 Cheltenham BID term, the priorities were:

- **Business support** including free and subsidised training for BID businesses, subsidised parking, networking events, and in-person support and visits to businesses.
- **Marketing and promotion** including support for tourism and marketing promotion in partnership with Marketing Cheltenham, wayfinding trails in shop windows around the town centre, and the Cheltenham Gift Card.
- **Town centre events** including Christmas lights switch on events, sector specific promotional events, and sponsorship of Cheltenham Festivals.
- **Townscape enhancements** including Cheltenham BID in Bloom, artwork on utility boxes in the town centre, the Tidy Up Cheltenham campaign and a successful graffiti tagging removal project.

3.3. The Cheltenham BID levy has raised over £2 million from businesses in the 2021 – 2026 term which has been invested into delivery of the priorities identified in the BID business plan for that period.

4. BID plans for 2026-2031

4.1. The draft BID business plan will be shared with the council in August 2025. In developing this plan, the BID has consulted with the local business community to gather feedback on their experiences with the BID to date and to identify business needs and priorities for the next term.

4.2. The BID's business plan for 2026-2031 will set out the following priorities:

- **Welcoming.** A town that's vibrant, inviting, and feels safe and welcoming for all.
- **Promoted.** Showcasing Cheltenham's best – its businesses, culture, and clean, thriving spaces.
- **Supported.** Helping businesses flourish with the right tools, voice, and a

well-maintained environment.

- **Connected.** Bringing businesses, visitors, and the community together in a safer, cleaner, and more accessible town.

4.3. During the re-ballot process, the BID has the opportunity to review the boundaries of the BID zone (the area in which businesses must pay a BID levy). In June, the BID board took the decision to extend their current boundary to both the east and west of the current area. Consultation and engagement with businesses in the extended zone is underway.

4.4. The BID may also use the re-ballot process as an opportunity to review the threshold based on rateable value at which BID levy becomes payable for businesses. For 2026-2031, the BID has chosen to increase this threshold from £7,500 to £15,000. This means that fewer businesses will be liable for the levy and this will, in particular, support smaller independent businesses.

5. Reasons for recommendations

5.1. The council has a statutory duty to facilitate Cheltenham BID's ballot in accordance with the Business Improvement Districts (England) Regulations 2004.

5.2. Cheltenham's town centre is a vibrant, welcoming place with a wide variety of retail, leisure and hospitality options available to visitors and residents. Vacancy rates are lower than the national average, and footfall is buoyant year round (though especially so during events). To maintain this positive position, it is vital that town centre partners are engaged with the council to promote the town and support businesses.

5.3. The expected investment of at least £2.7 million in BID levy funding between 2026 and 2031 will help strengthen the town centre's business community, contributing to continued economic growth and prosperity in Cheltenham.

5.4. Given the benefits that Cheltenham BID has delivered to the town in its previous terms, and the expected positive impact of delivery of the proposals set out in the 2026-2031 business plan, it is recommended that the council votes in support of the continuation of Cheltenham BID, as set out in the recommendations in this report.

6. Alternative options considered

6.1. The council could choose not to support a further term of the Cheltenham BID outside its statutory role. This would risk the BID's ballot outcome, and if this is unsuccessful, the town would lose the positive impacts expected from the delivery of the proposals set out in the 2026-2031 business plan,

including the additional investment in the town centre of at least £2.7 million from the BID levy contributions in the term.

7. Consultation and feedback

7.1. The BID business plan is being developed in consultation with the BID board and businesses in the BID zone.

7.2. Heads of service with direct involvement in BID activities have been engaged in the preparation of this report.

8. Key risks

8.1. The key risk associated with this report is that the council is unable to fulfil its statutory obligations in the BID ballot process. This is mitigated by the successful implementation of the actions set out in the report.

Report author:

Helen Mole, head of place marketing and inward investment,
helen.mole@cheltenham.gov.uk

Appendices:

1. Risk Assessment
2. Equality Impact Assessment
3. Draft Baseline Agreement 2025
4. Draft Operating Agreement 2025

Background information: N/A


Appendix 1: Risk Assessment

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
1	The council is not able to support the re-ballot process.	Helen Mole and Jayne Gilpin	4	1	4	Avoid the risk	Plan of action in place to ensure that processes are followed, and deadlines are adhered to.	Helen Mole and Jayne Gilpin	Action plan in place as set out through report

Appendix 2: Equality Impact Assessment

1. Identify the policy, project, function or service change

a. Person responsible for this Equality Impact Assessment

Officer responsible: Helen Mole	Service Area: Place marketing and inward investment
Title: Head of place marketing and inward investment	Date of assessment: June 2025
Signature: 	

b. Is this a policy, function, strategy, service change or project?

Other

If other, please specify: Decision

c. Name of the policy, function, strategy, service change or project

Cheltenham Business Improvement District

Is this new or existing?

**Already exists
and is being
reviewed**

Please specify reason for change or development of policy, function, strategy, service change or project

BID ballot renewal process

d. What are the aims, objectives and intended outcomes and who is likely to benefit from it?

Aims:

If the ballot is successful, Cheltenham BID will deliver against its business plans to directly benefit Cheltenham within its designated area.

Objectives:

The BID business plan sets out the following objectives for 2026-2031:

- **Welcoming.** A town that's vibrant, inviting, and feels safe and welcoming for all.

	<ul style="list-style-type: none"> • Promoted. Showcasing Cheltenham's best – its businesses, culture, and clean, thriving spaces. • Supported. Helping businesses flourish with the right tools, voice, and a well-maintained environment. • Connected. Bringing businesses, visitors, and the community together in a safer, cleaner, and more accessible town.
Outcomes:	As above
Benefits:	As above

e. What are the expected impacts?

Are there any aspects, including how it is delivered or accessed, that could have an impact on the lives of people, including employees and customers.

Yes

Do you expect the impacts to be positive or negative?

Positive

Please provide an explanation for your answer:

Successful re-ballot for 2026-2031 will see an investment into the BID area of at least £2.7 million in BID levy contributions which will be used to deliver the objectives set out in the business plan. The BID is responsible for delivery and will conduct its own direct assessment into equality impacts.

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Appendix 3: Draft Baseline Agreement 2025

Memorandum of Understanding between Cheltenham Borough Council (the 'Council') and Cheltenham BID Limited (company number: 10247399) (the 'Company') in respect of Baseline Service Provision in the BID Area 1 April 2026 to 31 March 2031

- 1.1. This Memorandum of Understanding is a statement of intention in respect of certain baseline services which the Council intends to provide at the date of signature.
- 1.2. The Memorandum of Understanding will run from 1 April 2026 until 31 March 2031.
- 1.3. The Memorandum of Understanding sets out the level of service which the Council intends to provide across a range of areas of activity affecting the BID area.
- 1.4. The Company, from time to time, may work independently or jointly with the Council to provide services which are complementary to those established in the Commitment ("complementary service(s)"), at its own cost.
- 1.5. The Council may, from time to time alter or cease this level of provision.

Intentions of the Council

At the time of this agreement, it is the Council's intention to provide the levels of service as set out below:

2.1. Town centre parking

Parking in the town centre is provided within off-street car parks owned by the Council, off-street privately owned car parks, and on-street parking managed by Gloucestershire County Council. A park and ride transport hub is also provided by Gloucestershire County Council at Arle Court, with shuttle services provided by private contractors to Gloucestershire County Council.

The Council recognises the importance of well-located car parking to support access to town centre retail, businesses and other services and will keep the number of spaces under review in the context of both the health of the High Street and the Council's wider climate change objectives.

2.2. Town centre events

The Council supports and promotes events and festivals in the town centre to boost footfall and support the local economy.

The Council coordinates the Cheltenham Safety Advisory Group to monitor and ensure safety and compliance at events.

The Council manages the booking of events within its green spaces; this includes managing any activities that may clash/conflict.

The Council's licensing team coordinates the delivery of markets in the town centre.

2.3. Town centre Christmas lights

The Council provides a grant to the Company in contribution towards the Christmas lights display in the town centre and switch-on event. The Company is responsible for sourcing product and contractors to install the lights, monitoring and ensuring maintenance and compliance, as well as managing the lights switch on event each year.

The details of the requirements of this grant will be set out in a separate grant agreement to be co-signed by the Council and the Company.

The Regent Arcade and The Brewery Quarter are responsible for their own Christmas displays and entertainment.

2.4. Tourism marketing and promotion

The Council's Marketing Cheltenham team supports the economy with a particular focus on promoting Cheltenham as a place to live, work, visit, study, and do business. This includes destination management activities, such as support for visitor economy businesses and engagement with national and international stakeholders, as well as

place marketing activities, such as tourism promotion.

The Marketing Cheltenham team is responsible for Visit Cheltenham, the official tourism brand for the town, with website, social media, printed material and marketing campaigns providing information to both visitors and residents.

The Company supports this activity via a service level agreement with the Council which sets out key actions and objectives for delivery by the Council's Marketing Cheltenham team. The service level agreement will run from 1 April 2026 to 31 March 2031 and will be subject to ongoing monitoring to ensure that objectives are met.

2.5. Town centre floral displays

The Council provides floral displays in its parks and gardens and within the town centre. This is delivered in a variety of ways, through planters, hanging baskets, or in formal planting within parks and gardens. The provision of planting reflects industry standards together with planting as a response to managing climate change and enhancing biodiversity.

The Company adds to this display with baskets and troughs on business premises. Details including location and maintenance will be agreed in advance by the Council and the Company.

2.6. Town centre street cleansing

The cleansing operations undertaken by the Council within the town centre are as follows and are undertaken each day including weekends.

Early morning cleansing operations – public land:

- Crews undertake litter collection of the streets, including the checking of shop fronts, paths and side streets. This usually takes the form of a manual litter-pick.
- Bins are serviced and bags replaced as required.
- This is followed by pavement/street sweeping activities which can be both manual and mechanical in nature. During mechanical sweeping, several different types of machinery are used, varying in size as appropriate.
- Jet washing operations are also undertaken, where appropriate to clear various issues such as bird droppings, spillages and other deposits.

Afternoon cleansing operations – public land:

- The afternoon operations mainly involve the collection of general litter and bin emptying although operatives also respond to any call out requests as appropriate.
- Areas are regularly inspected by a supervisor to ensure that sufficiently high

standards are maintained and to identify any issues relating to the cleanliness of the town centre area including removal of graffiti on non-private buildings.

- Programmed cleansing operations
- Manual and mechanical weed control activities take place during the year seeking to minimise the use of weed treatments to support biodiversity and the climate emergency.

The Council maintains the statutory minimum levels of cleansing services, which may require variation during events or severe weather. Issues identified by the Company may be reported to the Council for escalation via established reporting routes.

2.7. Town centre street furniture maintenance

The Council regularly inspect and maintain the areas of the public realm for which they are responsible, for example benches, cycle stands, pedestrian signs and public art. The Council has a Neighbourhood Team who operate across the Town Centre and will support in identifying and resolving maintenance issues. Issues identified by the Company may be reported to the Council for escalation via established reporting routes.

3. Review

A monitoring group will be set up so that the Council and the BID Company can jointly assess any aspect of the services provided across the BID area or examine potential for new or alternative means of provision and standards. The monitoring group will make recommendations to the Board and to the Council's representative where appropriate ahead of annual budget setting for each organisation.

The monitoring group will consist of at least the lead Council officer, relevant Cabinet member, and two Company representatives. It will meet at least twice per year.

If the Council is required to make changes to the current baseline (level of provision set out in this document) it should advise the Board of the proposed changes. If the Board have concerns or objections relating to the proposed changes that cannot be resolved through normal business practices, the Board will have the option to ask the monitoring group to assess the issue or matter raised.

Both parties will work collaboratively at all times to address any issues relating to the services provided. If the monitoring group is unable to find a positive resolution, the Council representative will be required to prepare a formal report for consideration at an appropriate Council forum (e.g. Cabinet Meeting).

The parties affirm to know, understand and agree to all articles of this Memorandum of Understanding as negotiated together.

COUNCIL REPRESENTATIVE

BID COMPANY REPRESENTATIVE

Signed:

Signed:

Name:

Name:

Position:

Position:

Date:

Date:

1 April 2026 to 31 March 2031

BID LEVY OPERATING AGREEMENT

Cheltenham Borough Council

And

Cheltenham BID Ltd

THIS Agreement is made on the [DATE]

BETWEEN

- (1) **CHELTENHAM BOROUGH COUNCIL** of The Promenade, Cheltenham, Gloucestershire, GL50 1PJ (“the Council”)
- (2) **CHELTENHAM BID LIMITED (Company No: 10247399)** whose registered office is situated at Cheltenham BID, First Floor, Isbourne House, 3 Wolseley Terrace, Oriel Road, Cheltenham GL50 1TH (“the BID Company”)

RECITALS

- A The Council is the billing authority for the purposes of the Local Government Act 2003 and is responsible for collecting the BID Levy and administering the BID Revenue Account which shall be used towards the operation of the BID within the area of the Local Authority and the funding of the BID Arrangements.
- B The BID Company is responsible for the operation of the BID and for using the BID Levy for the purposes of achieving the BID Arrangements.
- C The two parties wish to confirm the arrangements by which the BID Levy shall be collected together with general arrangements as to the relationship to be established for the duration of the BID.
- D The purpose of this Agreement is to:
- Establish the procedure for setting the BID Levy
 - Confirm the basis upon which the Council will be responsible for collecting the BID Levy
 - Set out the enforcement mechanisms for collection of the BID Levy
 - Set out the procedures for accounting and transference of the BID Levy
 - Provide for the monitoring and review of the collection of the BID Levy
 - Confirm the manner in which the Council expenses incurred in collecting the BID Levy shall be paid
- E. A Monitoring Group shall comprise representatives of each of the parties to this Agreement, namely the BID and the Council.

AGREED TERMS

1. Definitions

Bad or Doubtful Debts shall have the same meaning as further described in Part 2 of Schedule 3 of the Regulations.

Ballot Result Date means the date upon which a successful ballot result has been declared in favour of putting in place the BID Arrangements.

BID means the Business Improvement District which is proposed to be managed and operated by the BID Company.

BID Area means that area within which the BID operates as defined within the BID Proposal.

BID Arrangements means those arrangements to be put in place pursuant to the Regulations for the operation of the BID.

BID Financial Year means the financial year for the BID which runs from 1st April to 31st March annually.

BID Levy means the charge to be levied and collected within the BID Area pursuant to the Regulations and Appendix A to this Agreement.

BID Levy Payer(s) means the non-domestic rate payers responsible for paying the BID Levy.

BID Levy Rules means the rules contained in Appendix A to this Agreement.

BID Proposal means the plan voted for by the BID Levy Payers which sets out the objectives and projects of the BID.

BID Revenue Account means the account which the Council will set up in order to hold BID Levy payments before payment to the BID Company in accordance with regulations and accounting codes of practice.

BID Term means the period of five years from the Commencement Date.

Commencement Date means 1st April 2026.

Commercially Sensitive Information: means information of a commercially sensitive nature relating to the BID Company, its intellectual property rights or its business or which the BID Company has indicated to the Council that, if disclosed by the Council would cause the BID Company significant commercial disadvantage or material financial loss.

Contributors means the BID Levy Payers or other contributors making voluntary contributions to the BID.

Controller, Processor, Data Subject, Personal Data, Processing and Personal Data Breach has the meaning set out in the Data Protection Legislation.

Council Financial Year means the financial year for the Council which runs from 1st April to 31st March.

Data Protection Legislation means all applicable data protection and privacy legislation in force from time to time in the UK including the UK GDPR; the Data Protection Act 2018 (DPA 2018) (and regulations made thereunder) and the Privacy and Electronic Communications Regulations 2003 (SI 2003/2426) as amended and all other legislation and regulatory requirements in force from time to time which apply to a party relating to the use of personal data (including, without limitation, the privacy of electronic communications); and the guidance

and codes of practice issued by the Information Commissioner or other relevant regulatory

authority and applicable to a party.

Demand Notice shall have the same meaning ascribed to it as further set out in paragraph 3 of Schedule 4 of the Regulations.

EIR means the Environmental Information Regulations 2004 together with any guidance and/or codes of practice issued by the Information Commissioner or relevant government department in relation to such regulations.

FOIA means the Freedom of Information Act 2000, and any subordinate legislation made under the Act from time to time, together with any guidance and/or codes of practice issued by the Information Commissioner or relevant government department in relation to such legislation.

Information has the meaning given under section 84 of FOIA.

Monitoring Group means the group to be set up consisting of 1 representative from the Council who shall be a Council officer and 1 representative from the BID Company.

NNDR means National Non-Domestic Rates.

Operating Agreement means this Agreement entered into between the Council and the BID Company which sets out various procedures for the collection monitoring and enforcement of the BID Levy.

Public Meeting means a public meeting held pursuant to regulation 18(1)(a)(ii) of the Regulations.

Request for Information means a request for information or an apparent request under the Code of Practice on Access to Government Information, FOIA or the EIR.

Regulations means The Business Improvement Districts (England) Regulations 2004 and such amendments to those regulations which may be made by the Secretary of State pursuant to Section 48 of the Local Government Act 2003 (from time to time) and terms defined in the Regulations shall have the same meaning when used in this Agreement.

Single Instalment Due Date means the date the BID Levy will be payable, in one Lump sum, 14 days after the date of issue of the demand notice.

UK GDPR has the meaning given to it in section 3(10) (as supplemented by section 205(4)) of the Data Protection Act 2018.

Working day means Monday to Friday, excluding any public holidays in England and Wales.

2 Statutory Authorities

- 2.1 This Agreement is made pursuant to Part IV of the Local Government Act 2003 and Section 111 of the Local Government Act 1972 and all other enabling powers.

3 Commencement and Determination

- 3.1 This Agreement shall take effect on the Commencement Date.
- 3.2 This Agreement shall determine and cease to be of any further effect in the event that:
- (i) The Secretary of State declares void a BID ballot, renewal ballot, alteration ballot, or re-ballot
 - (ii) The Council exercises its veto and there is no successful appeal against the veto
 - (iii) The BID Term expires save where a renewal or alteration ballot is held and is successful in which event this Agreement shall continue for the duration of the new BID term
 - (iv) The Council exercises its discretion to terminate the BID Arrangements in exercise of powers under regulation 18 of the Regulations

4 Setting the BID Levy

- 4.1 As soon as reasonably practicable following the Ballot Result Date the Council shall:
- (i) Calculate the BID Levy for each BID Levy Payer in accordance with the BID Levy Rules; and
 - (ii) Confirm in writing to the BID Company the BID Levy payable by each BID Levy payer

5 The BID Revenue Account

- 5.1 As soon as is reasonably practicable following the Ballot Result Date the Council shall keep a BID Revenue Account in accordance with regulations and accounting codes of practice in force at the time and provide written confirmation to the BID Company.
- 5.2 As soon as reasonably practicable following the Ballot Result Date the BID Company shall provide the Council with details of its bank account into which the BID Levy shall be transferred from the BID Revenue Account and any other details which the Council may reasonably require.
- 5.3 Within 5 Working Days of the end of each calendar month the Council will provide to the BID Company a list of all the BID levy payments received in the calendar month and all refunds made in the calendar month and a summary report of the monies due, the monies received and the collection percentage rate.
- 5.4 The BID Company will invoice the Council for the levy received net of refunds made plus VAT each month and the Council will pay the BID Company a sum equal to the monies collected in the month net of refunds plus VAT and properly credited to the BID Revenue Account. The payment to be made within 20 Working Days of the month end.

- 5.5 The Council shall pay the levy to the BID Company in full. The Council shall invoice the BID Company for the agreed annual cost of collection of the BID levy to a maximum of 3% of the annual BID Levy income per annum.
- 5.6 After the end of the BID Financial Year, in addition to the monthly report the Council will send to the BID Company a detailed report summarising the total monies due for the BID Financial Year, the monies collected, any refunds made, monies still owed to the BID Company and the final balance for the current year. The Council will make payment of any sums owing to the BID Company or the BID Company will refund any sums owing to the Council within 30 days of the receipt of the report. Any monies received after the end of the BID Financial Year will be accounted for during the month in which they are received and paid over as set out in paragraph 5.4. In any reports the amounts relating to a previous BID Financial Year will be shown separately from the current BID Financial Year.
- 5.7 All sums will be subject to the addition of Value Added Tax ("VAT") where applicable under VAT legislation and regulations in force at the time.
- 5.8 The BID Company and the Council as appropriate will issue VAT receipts, where applicable under VAT legislation and regulations in force at the time.
- 5.9 The Council will estimate a sum by which the BID Levy income will be reduced each year by any provision for Bad or Doubtful debts but decision for final write-off of any bad debt is the responsibility of the BID Board.

6 Collecting the BID Levy

- 6.1 As soon as reasonably practicable following the Ballot Result Date the Council shall confirm in writing to the BID Company the anticipated date of the despatch of Demand Notices for the initial Chargeable Period and the anticipated Single Instalment Due Date.
- 6.2 The Council shall serve a Demand Notice on each BID Levy Payer and thereafter shall continue to calculate the BID Levy and serve a Demand Notice throughout the BID Term.
- 6.3 The Council shall maintain a list of those BID Levy Payers who have paid the BID Levy and those BID Levy Payers who have not paid the BID Levy and shall make the list available to the BID Company at the end of each calendar month.
- 6.4 The Council shall serve a Demand Notice or amended Demand Notice on a BID Levy Payer as soon as reasonably practicable after the Council receives notice of a change that affects liability for the BID Levy.
- 6.5 The Council shall use all reasonable endeavours to collect the BID Levy throughout the BID Term.
- 6.6 The Council is not liable to pay the BID Company any sums not collected and/or which are written off. The Council will use its sole discretion to determine whether a debt is

collectable and notify the BID accordingly. The BID Company will decide whether or not the debt is to be written off.

7 Procedures available to the Council for enforcing payment of the BID Levy

- 7.1 Procedures for the enforcement and recovery of the BID Levy will be in line with the Council's enforcement procedure for NNDR and the Regulations, subject to agreed exceptions, and the Council shall comply with these enforcement procedures (where appropriate) in enforcing payment of the BID Levy against BID Levy Payers.

8 Enforcement Mechanisms in the event that the Council fails to enforce collection of the BID Levy

- 8.1 In the event that the Council fails to enforce payment of the BID Levy pursuant to Clause 7 the BID Company shall be entitled to:

- (i) Require the Council to provide written confirmation of the action it is taking in relation to the sum which remains unpaid;
- (ii) Question whether the Council has failed to use the enforcement mechanisms available to it under this Agreement to recover the sum which remains unpaid; and
- (iii) Provide written notice requesting that a meeting of the Monitoring Group take place in order to achieve a solution and/or agree a strategy to recover the sum which remains unpaid such meeting to take place no later than 28 (twenty-eight) days from the date of the request.

9 Accounting Procedures and Monitoring

- 9.1 Within 21 Working Days of the end of the first quarter after the Commencement Date and every month thereafter, for the duration of BID Term the Council shall provide the BID Company with:

- (i) The rateable value for each BID levy Payer
- (ii) The amount of the BID Levy for each BID Levy Payer, the amount of the BID Levy collected for each BID Levy Payer
- (iii) Details of BID Levy Payers who have not paid the BID Levy
- (iv) Details of reminder notices issued
- (v) Details of any further action taken to recover any sum unpaid

- 9.2 Within one month of the start of each BID Financial Year the parties shall agree the dates when there will be meetings of the Monitoring Group and there will be at least two such meetings in every BID Financial Year throughout the term of the BID. Further meetings of the Monitoring Group may be arranged by written notice being given by either party.

9.3 At each meeting the Monitoring Group shall:

- (i) Review the effectiveness of the collection and enforcement of the BID Levy; and
- (ii) If required by either party, review and assess information provided by the parties.

9.4 Within 3 (three) months after the end of each BID Financial Year (for the duration of the BID Term) the BID Company shall provide an annual report to the Council which will include information on the progress of projects undertaken and project spend by area.

9.5 The BID Revenue Account will be subject to the normal internal and external audit arrangements of the Council and the Council will make available to the BID Company and its appointed auditors such information as requested by the Company and its appointed auditors and that they are able to request under legislation and regulation.

9.6 The BID Revenue Account will be subject to the normal internal and external audit arrangements of the Council and the Council will make available to the BID Company and its appointed auditors such information as requested by the Company and its appointed auditors and that they are able to request under legislation and regulation.

10 Termination

10.1 Where the Council is contemplating terminating the BID Arrangements under regulation 18(1)(a) of the Regulations it shall serve written notice on the BID Company and in addition to its obligations to hold a Public Meeting, shall meet with the BID Company as soon as is reasonably practicable to discuss and review the following:

- (i) The basis of the Council's concerns that the BID Company has insufficient funds to meet its liabilities for that period;
- (ii) The level of insufficient funds;
- (iii) Alternative means by which the insufficiency of the funds can be remedied in accordance with regulation 18(1) (a) (i) of the Regulations; and
- (iv) An appropriate time frame to resolve the issue.

10.2 Where the Council is contemplating terminating the BID Arrangements under regulation 18(1)(b) of the Regulations it shall, in addition to the consultation requirements contained in the aforesaid regulation 18(1)(b), serve written notice on the BID Company and shall meet with the BID Company as soon as is reasonably practicable to discuss and review the following:

- (i) The service it is no longer able to provide and the reasons why the service cannot be provided;
- (ii) The options available to the BID Company including alternative means of providing the services;
- (iii) Alternative services;

- (iv) The time frame in which the issue is to be resolved.

11 Freedom of Information

- 11.1 The BID Company acknowledges that the Council is subject to the requirements of the FOIA and the EIRs but this only applies to the BID in the context of funds provided by the Council. BID levy expenditure is not subject to these requirements. The BID Company shall, if necessary:
- (a) provide all necessary assistance and cooperation as reasonably requested by the Council to enable the Council to comply with its obligations under the FOIA and EIRs;
 - (b) transfer to the Council all Requests for Information relating to this Agreement that it receives as soon as practicable and in any event within 2 Working Days of receipt;
 - (c) provide the Council with a copy of all Information belonging to the Council requested in the Request for Information which is in its possession or control in the form that the Council requires within 5 Working Days (or such other period as the Council may reasonably specify) of the Council's request for such Information; and
 - (d) not respond directly to a Request for Information unless authorised in writing to do so by the Council.
- 11.2 The BID Company acknowledges that the Council may be required under the FOIA and EIRs to disclose Information (including Commercially Sensitive Information) without consulting or obtaining consent from the BID Company. The Council shall take reasonable steps to notify the BID Company of a Request For Information (in accordance with the Secretary of State's section 45 Code of Practice on the Discharge of the Functions of Public Authorities under Part 1 of the FOIA) to the extent that it is permissible and reasonably practical for it to do so but (notwithstanding any other provision in this Agreement) the Council shall be responsible for determining in its absolute discretion whether any Commercially Sensitive Information and/or any other information is exempt from disclosure in accordance with the FOIA and/or the EIRs.

12 Data Protection

- 12.1 The parties will comply with the applicable requirements of the Data Protection Legislation.
- 12.2 Each party shall only process Personal Data for the purposes of complying with and for the duration of this Agreement, unless a party is permitted or required to keep the Personal Data for a longer period by law.
- 12.3 Where the BID Company is processing Personal Data on behalf of the Council, the parties acknowledge that the Council is the Controller and the BID Company is the Processor. Both parties shall ensure that they each hold a record of processing as required by the Data Protection Legislation.
- 12.4 Where the BID Company is processing Personal Data on behalf of the Council, the Council will ensure that it has the necessary consents or can comply with another processing condition contained within the Data Protection Legislation and that it has the appropriate notices and privacy

policies in place to enable the lawful transfer of Personal Data to the BID Company for the duration of the Agreement and for the purposes of the processing as detailed in this Agreement.

12.5 Where the BID Company is acting as a Processor, the BID Company shall:

- a) act only on the Council's written instructions;
- b) have in place appropriate technical and organisational security measures against unauthorised or unlawful processing of Personal Data and against accidental loss or destruction of, or damage to, Personal Data. Such measures shall be appropriate to the harm that might result from the unauthorised or unlawful processing;
- c) ensure any staff who have access to the Personal Data are obliged to keep it confidential;
- d) assist the Council (at the BID Company's own cost) to respond to an individual's request to enforce their rights of subject access, rectification, erasure and any other rights conferred by the Data Protection Legislation;
- e) assist the Council (if requested) (at the BID Company's own cost) with respect to security, breach notifications, impact assessments and any investigations by a supervisory authority;
- f) notify the Council without undue delay in the event of a data security breach and where acting as a Processor shall assist with any investigation;
- g) maintain and keep up to date the data processing record referred to above;
- h) delete or return all personal data to the Council as requested at the end of the Agreement (unless already deleted in line with the Council's retention policy); and
- i) submit to audits and inspections and provide the Council with whatever information it needs to ensure that both parties are complying with their obligations under the Data Protection Legislation and inform the Council immediately if asked to do something that is likely to infringe the Data Protection Legislation or other law of the UK, EU or a member state;
- j) only process Personal Data relevant to this agreement from the relevant categories of individuals listed below:
 - 1. Council staff and members
 - 2. Members of the public
 - 3. Council customers
 - 4. Council contractors or other suppliers
- k) not appoint a third-party sub-processor without the prior written consent of the Council. The BID Company shall ensure that any third-party processor will enter into

an agreement incorporating the same or substantially similar terms contained herein in relation to the Data Protection Legislation;

- l) enter into a data transfer agreement, where this agreement will involve or require a transfer of any Personal Data from one country to a country outside the country of origin and if required by applicable law, that is consistent with the requirements of applicable law and ensures that:
 - 1. the individuals have enforceable rights and effective legal remedies in relation to any transferred Personal Data; and
 - 2. adequate levels of protection in relation to any Personal Data that is transferred.

12.6 The provisions of this clause shall apply during the continuance of the Agreement and indefinitely after its expiry or termination.

13 Force Majeure

13.1 Neither party shall be in breach of this Agreement nor liable for delay in performing, or failure to perform, any of its obligations under this Agreement if such delay or failure result from events, circumstances or causes beyond its reasonable control. In such circumstances the affected party shall be entitled to a reasonable extension of the time for performing such obligations. If the period of delay or non-performance continues for twelve weeks, the party not affected may terminate this Agreement by giving fourteen days' written notice to the affected party.

14 Equalities

14.1 The BID Company shall perform its obligations under this Agreement (including those in relation to the Services) in accordance with:

- (i) the Equality Act 2010 or other relevant legislation, or any statutory modification or re-enactment thereof (whether in relation to race, sex, gender reassignment, age, disability, sexual orientation, religion or belief, pregnancy, maternity or otherwise);
- (ii) the Council's equality and diversity policy as provided to the BID Company from time to time; and
- (iii) any other requirements and instructions which the Council reasonably imposes in connection with any equality obligations imposed on the Council at any time under applicable equality law.

15 Dispute Resolution

15.1 If a dispute arises between the Council and the BID Company in relation to any matter which cannot be resolved either party may refer such dispute to the dispute resolution procedure set out in Clause 15.2 below.

- 15.2 In the first instance each of the Council and the BID Company shall arrange for a senior representative to meet solely in order to resolve the matter in dispute. Such meetings shall be minuted and conducted in such manner and at such venue (including a meeting conducted over the telephone) as to promote a consensual resolution of the dispute in question.
- 15.3 If the meeting(s) referred to in Clause 15.2 does not resolve the matter in question then the parties will attempt to settle it by mediation in accordance with the Centre for Effective Dispute Resolution (“CEDR”) Model Mediation Procedure or any other model mediation procedure as agreed by the parties. In such circumstances the following shall apply:
- 15.3.1 to initiate a mediation the parties may give notice in writing (a “Mediation Notice”) to the other requesting mediation of the dispute and shall send a copy thereof to CEDR or an equivalent mediation organisation as agreed by the parties asking them to nominate a mediator;
 - 15.3.2 the mediation shall commence within 28 days of the Mediation Notice being served;
 - 15.3.3 neither party will terminate such mediation until each of them has made its opening presentation and the mediator has met each of them separately for at least one hour. Thereafter paragraph 14 of the Model Mediation Procedure will apply (or the equivalent paragraph of any other model mediation procedure agreed by the parties);
 - 15.3.4 neither party to the mediation will commence legal proceedings against the other until 30 days after such mediation of the dispute in question has failed to resolve the dispute provided that a party shall not be prevented from taking action to protect any limitation periods;
 - 15.3.5 the parties will co-operate with any person appointed as mediator providing him with such information and other assistance as he shall require and will pay his costs, as he shall determine or in the absence of such determination such costs will be shared equally.
- 15.4 This Clause 15 is without prejudice to the rights of the parties to apply for injunctive relief or to the rights of the parties in any future proceedings.

16 Confidentiality

- 16.1 Subject to Clause 11, the Council and the BID Company shall keep confidential and not divulge to any person without the prior written consent of the other party all information (written or oral) concerning the business affairs of the other nor any information which has been exchanged about the BID Levy Payers or Contributors or about other third parties which it shall have obtained or received as a result of operating the BID and this obligation shall survive the termination or lapse of the BID Arrangements.

17 Notices

17.1 Any notice or other written communication to be served or given to or upon any party to

this Agreement to the other shall be in writing and shall be sent to the address provided for above or such substitute address in England as may from time to time have been notified by that party upon 7 days' written notice.

17.2 A notice may be served by;

(a) Delivery to One Legal at the address below on behalf of the Council:

The Director of One Legal
Public Services Centre
Gloucester Road
Tewkesbury
GL20 5TT

(b) Delivery to the BID Chairman at the address of the BID Company specified above;

(c) Registered or recorded delivery post to such addresses;

(d) Electronic Communication (provided that it is in legible form and is capable of being used for subsequent reference) to such addresses.

17.3 Any notice shall be deemed to have been received:

if delivered by hand, on signature of a delivery receipt;

if sent by pre-paid first-class post or other next Working Day delivery service, at 10.00 am on the second Working Day after posting or at the time recorded by the delivery service;

18 Contracts (Rights of Third Parties)

18.1 The provisions of the Contracts (Rights of Third Parties) Act 1999 shall not apply to this Agreement.

19 Severance

19.1 If any provision or part-provision of this Agreement is or becomes invalid, illegal or unenforceable, it shall be deemed modified to the minimum extent necessary to make it valid, legal and enforceable. If such modification is not possible, the relevant provision or part-provision shall be deemed deleted. Any modification to or deletion of a provision or part-provision under this clause shall not affect the validity and enforceability of the rest of this Agreement.

19.2 If one party gives notice to the other of the possibility that any provision or part-provision of this Agreement is invalid, illegal or unenforceable, the parties shall negotiate in good faith to amend such provision so that, as amended, it is legal, valid and enforceable, and,

to the greatest extent possible, achieves the intended commercial result of the original provision.

20 Governing Law and Jurisdiction

- 20.1 This Agreement, and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims), shall be governed by, and construed in accordance with, English law, and the parties irrevocably submit to the exclusive jurisdiction of the courts of England and Wales.

Signed by the parties or their duly authorised representatives

Signed by

Name:

duly authorised for and
on behalf of

CHELTENHAM BOROUGH COUNCIL

Signed by

Name:

duly authorised for and
on behalf of

CHELTENHAM BID LTD

Appendix A

BID Levy Rules

1. The BID levy rate will be charged at 1.3%, (or 1.04% for tenants within service-charge centres), of the rateable value as at 1st March 2026 based on the 2023 rating list.
2. All new hereditaments entering the rating list after this date will be charged on the prevailing values for the date entered on the list.
3. The levy will be charged annually in advance starting on 1st April 2026. In the event of a change of occupation, refunds will be given based on the residual for that chargeable year and the new occupier will be charged from the point of occupation for the remainder of that chargeable year. No other refunds will be provided.
4. For each subsequent chargeable year, the levy will be charged as at 1st April based on the 2023 rating list values at 1st March 2026, or for new hereditaments, the date entered onto the list.
5. The BID levy may increase by an annual inflationary factor of up to 0.02% (e.g. the levy may increase to 1.32% from year 2, 1.34% from year 3 and so on). It will be at the Board's discretion whether to apply the inflation factor each year.
6. The BID levy will be applied to all businesses within the defined area with a rateable value £15,000 and above, provided they are listed on the National Non-Domestic rates list as provided by Cheltenham Borough Council.
7. Businesses who meet the criteria outlined above and who are located on the streets listed in the business plan will be included in the BID, and therefore will be legally required to pay the BID levy.
8. Non-retail charities with no trading income, arm or facilities, not-for-profit subscription and volunteer-based organisations will be charged at 1%.
9. Vacant properties will be liable to pay the BID levy with no void exemption. The registered business ratepayer, who may be the property owner, will be liable to pay the levy and in this event will be entitled to vote in the BID ballot.
10. Collection and enforcement regulations will be in line with the Operating Agreement and the BID Company Board will be responsible for any necessary debt write-off.
11. Cheltenham Borough Council, or their appointed agent, are the only authorised bodies able to collect the BID levy on behalf of the BID company.
12. VAT will not be charged on the BID levy.
13. The term of the BID will be five years from 1st April 2026 to 31st March 2031.

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Cheltenham Borough Council

Cabinet - 15 July 2025

Housing Service Anti-Social Behaviour Policy

Accountable member:

Cllr Flo Clucas, Cabinet Member for Housing and Customer Services

Accountable officer:

Caroline Walker, Director of Housing, Communities & Customer Service

Ward(s) affected:

n/a

Key Decision: No

Executive summary:

The purpose of this report is to present the revised Housing Services Anti-Social Behaviour (ASB) policy to Cabinet Housing Committee for review.

The policy has been written to provide clear information about what constitutes ASB, how agencies work together to tackle ASB and the service the tenant can expect from the Housing Services ASB Team and their key partners.

The reading aged of the policy has been assessed as 'mid-teens', predominantly due to the inclusion of legislation and legal terminology. As it is essential to include the relevant legislation, a proposed summary document has been drafted and included with this report (appendix 2) with the intention of providing an overview of the key aspects of the policy that is accessible to a person with a lower reading age.

Recommendations: That Cabinet:

- 1. approves adoption of the Housing Service Anti-Social Behaviour Policy**
-

1. Background

- 1.1 Further to the ASB service Improvement plan update provided to committee in April 2025, the revised Housing Services ASB Policy is now presented to committee for review.
- 1.2 The project to revise the policy has been focused on it talking to tenants and providing clear information around what constitutes ASB, how agencies work together to tackle ASB and the service the tenant can expect from the Housing Services ASB Team and their key partners.
- 1.3 By providing clear information in an accessible way our aim is also to increase tenant satisfaction with the ASB service by increasing knowledge about the service to reach a position where expectations and desired outcomes are realistic and proportionate to the ASB that is being reported.
- 1.4 The ASB team recognise that working in partnership with tenants and partners is key, and this is reflected in the consultation that has been carried out with internal and external partners to obtain feedback on the revised policy.
- 1.5 The feedback we have received has been very positive, particularly that received from a focus group held with tenants in November 2024 as part of ASB Awareness Week (see Appendix 3), and from our peers at Gloucester City Homes' ASB Team who are similar in their makeup and in the nature of the ASB reports received.
- 1.6 The requirement to meet the Regulator of Social Housing's consumer standard has been the other key focus of this revised policy.
- 1.7 The consumer standards relate directly to the delivery of ASB services, so the revised policy has naturally been based around them. The Neighbourhood and Community Standard requires landlords to work in partnership with appropriate local authority departments, the police and other relevant organisations to deter and ASB and hate incidents in the neighbourhoods where they provide social housing. The Tenancy Standard requires landlords to provide services that support tenants to maintain their tenancy and prevent unnecessary evictions. The Transparency, Influence and Accountability Standard requires landlords to be open with tenants and treat them with fairness and respect so they can access services, raise concerns, when necessary, influence decision making and hold their landlord to account.
- 1.8 One key area of expansion with the revised policy is around our approach to hate incidents / crimes in our communities which is understandably a key focus for the regulator and Housing Ombudsman alike.
- 1.9 The revised policy will form the basis of increased communication with our

tenants around our ASB service in general, but also in respect of specific themes / trends in ASB. As discussed at committee in April 2025 this workstream forms part of the wider ASB service improvement plan.

- 1.10 The reading age of the revised policy has been as 'mid-teens', predominantly due to the inclusion of legislation and legal terminology. As it is essential to include the relevant legislation within the policy, a proposed summary document has been drafted and included with this report (**Appendix 2**) with the intention of providing an overview of the key aspects of the policy that is accessible to a person with a lower reading age – this again will form part of the communication aspect of the ASB service improvement project.

2. Reasons for recommendations

Cabinet Housing Committee require oversight of the revised Housing Services ASB Policy to provide them with assurances that its content meets with legislative requirements, the relevant corporate priorities and crucially that it is supporting our overall compliance with the Consumer Standards.

3. Consultation and feedback

3.1 Internal

- Safeguarding & Equality Manager
- Environmental Health Team
- One legal

3.2 External

- Tenant panel – **See appendix 3**
- Gloucestershire Police – Local Policing Team & Hate Crime Lead
- Gloucester City Homes - Peer Review

Report author:

Caroline Walker, Director of Housing, Communities & Customer Service.

Nick Such Tenancy Services Manager

Appendices:

Appendix 1 – Housing Services ASB Policy

Appendix 2 - Housing Services ASB Policy – Summary document

Appendix 3 - Equality Impact Assessment

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Cheltenham Borough Council Housing Services - Anti-Social Behaviour Policy

Version control

Document name: Housing Services - Anti-Social Behaviour Policy

Version: 1.0

Responsible officer

Caroline Walker , Director of Housing , Customer Services and Communities

Approved by:

Next review date: June 2026 (or in the event of legislative changes)

Retention period:

Revision history

Revision date	Version	Description
date		

Consultees

Internal

- Cabinet Housing Committee
- Safeguarding & Equality Manager
- Environmental Health Team

External

- Tenant panel
- Gloucestershire Police – Local Policing Team & Hate Crime Lead
- Victim Support
- GARAS
- Gloucester City Homes (Peer review)

Distribution

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1. Introduction and purpose of the policy

1.1. This policy sets out the way in which the Council delivers our housing related ASB service, by working with tenants, internal council teams and partner agencies. The purpose of this policy is to:

- Ensure that ASB is tackled effectively within our housing stock, using a variety of approaches and tools.
- Ensure tenants are aware of the service available from the housing ASB Team and understand the evidence needed to achieve successful outcomes.
- Work with partners to ensure tenants and the communities in which they live are safe.

2. What is Anti-Social Behaviour (ASB)

2.1. The ASB, Crime & Policing Act 2014 defines ASB as;

- (a) conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,
- (b) conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
- (c) conduct capable of causing housing-related nuisance or annoyance to any person.'

2.2. Common ASB reports:

Noise related nuisance
Drug smells, use or apparent drug dealing
Verbal abuse and intimidation
Animal related nuisance
Damage, rubbish dumping and item storage in communal areas
'Cuckooing' – where a resident's property may have been forcibly taken over for criminal purposes or for advantage to be taken
Hate related incidents – where a person is targeted due to a protected characteristic
Domestic Abuse & Coercive Control
Storing or selling of stolen goods

2.3. The above lists what is commonly reported to us, however the list is not exhaustive, as what an individual considers to be 'anti-social' can vary greatly, dependent on tolerance levels and views of certain behaviours.

2.4. Consideration will be given to all reports of ASB, and we encourage tenants to report ASB so that an appropriate responses can be assessed.

2.5. We have a duty to prioritise the most serious reports and use our resources in the best way, taking a harm-centred approach, therefore priority will always be given to reports with the following characteristics:

- Serious risk to person or property (usually relating to Domestic Abuse or Hate Crimes)
- Serious violence or threats of serious violence
- Breaches of existing Injunction Orders or Suspended Possession Orders
- Serious disruption to the community
- Where victims are considered to be particularly vulnerable
- Violence or threats of violence to our staff or contractors.

3. What we cannot investigate from a housing perspective

3.1. ASB can be very wide-ranging, what is anti-social or nuisance behaviour will vary between individuals, dependent on their own resilience, tolerance level, morals and opinions. Sometimes something can cause a nuisance to an individual, however it does not necessarily mean it meets a threshold where action can be undertaken by the council, or by other partners.

3.2. We will always take into consideration the impact of ASB on individuals and try to support tenants as far as possible, balanced against whether the behaviour is in breach of tenancy conditions, civil laws or criminal thresholds.

3.3. We take great care not to unfairly label individuals as 'anti-social' unless there is sufficient evidence and threshold met to show that they are indeed causing a nuisance deliberately.

3.4. Below is a list of some reports that we generally will not investigate as ASB:

Reported Issue	Examples
Noise issues created by children	Children running/jumping/crying
Noise created by a 'clash of lifestyle'.	Persons getting up early for work/coming home late/Family household vs. single person household
Noise created by normal household activity (unless late at night)	Vacuuming/DIY/Washing machine use
Civil disputes between neighbours	Parking disputes/boundary disputes
Cats	Roaming/Fouling

Disputes over communal areas	Communal lounge or kitchen usage or facilities/personal garden equipment usage
Feeding of birds	Use of bird tables of feeders attracting birds
Youths congregating (unless there is specific associated anti-social activity)	Group standing around talking/socialising
Social media related disputes (unless as part of a wider harassment issue)	Infrequent or one-off online comments

3.5. It is important to highlight that any **criminal incidents** must be reported to Police in the first instance, the general types of offences referred to are assaults, drug dealing, criminal damage, threats to kill. We cannot investigate a criminal matter in place of the Police.

3.6. Where the alleged criminality may have implications on an individual's tenancy, if they are convicted of the offence, we work in partnership with the Police to share information and ensure all tenancy related aspects are considered.

4. How we work in partnership to tackle ASB

4.1. The overall function of the housing ASB Team is to tackle incidents of ASB that involve tenants, whether the ASB is perpetrated by, or against, tenants and occurs inside, or within the locality of, their home.

4.2. In tackling ASB across Cheltenham it is vital that partnerships exist between tenants and those agencies that are responsible for finding solutions to, or enforcing, ongoing nuisance and ASB issues.

4.3. It can be confusing to know who to contact if you are affected by ASB incidents in some way. The below table details the partners that exist across Cheltenham, that are there to support and help residents in the tackling of ASB:

Partner	Main Responsibilities	Contact
Tenants	Report ASB witnessed and work with partners to help provide evidence.	
Police	Lead on investigation into criminal incidents.	999 (emergency) or 101
Housing ASB Team	-investigate ASB that affects tenants and is a potential breach of tenancy conditions -Issues that occur in, or in the locality of, council-owned housing	0800 408 0000 asbteam@cheltenham.gov.uk Customer Portal
CBC Neighbourhood Team	-Environmental ASB in public areas, such as fly-tipping, dog fouling and graffiti	01242 262626
CBC Environmental Protection Team	-Noise nuisance (potential statutory nuisance)	envhealth@cheltenham.gov.uk 01242 262626
Crimestoppers	-UK charity taking anonymous reports of crime.	0800 555 111

3.5. Often, criminal or anti-social incidents will interlink and involve the services of several partners.

Partnership working includes the following multi-agency approaches:

- Safer Gloucestershire Partnership
- Cheltenham Community Safety Partnership
- Multi-Agency Problem Solving (MAPS) Forum
- Cheltenham Safer Communities meeting
- Cheltenham Locality Multi-Agency Child Exploitation (MACE) meeting

3.6. in addition, ASB practitioners also regularly hold case meetings to share information and work together where needed to tackle specific issues.

3.7. We also hold specific information sharing agreements with partners, and data is treated in line with GDPR requirements, to ensure proportionality, and that information shared is specific and relevant to the investigation.

3.8. The below examples give details of how we have worked in partnership in a practical way, in relation to common issues and reports:

Example 1 – CBC Housing ASB Team received concerns from the local community relating to drug dealing within one of the flats that we manage. This information was passed on to Police as intelligence. Police subsequently executed a warrant and found illegal drugs at the property. The resident was arrested and criminally convicted for possession with intent to supply illegal drugs. Housing ASB Team requested the details of the criminal case through our information sharing agreement with the Police. We then used the evidence to obtain possession of the property due to the nature of the conviction also being a serious breach of tenancy.

Example 2 – CBC Housing ASB Team received a noise related complaint. We asked the complainant to keep an incident log and capture audio samples through the Noise App and we made the resident allegedly making excessive noise aware of the concerns. After two weeks, the noise incidents continued. We referred the details to the CBC Environmental Health Team, who conducted noise monitoring. A statutory noise nuisance was proven through the monitoring, and a Noise Abatement Notice served upon the household.

Example 3 – Reports were received by Police, SOLACE and CBC Housing ASB Team in relation to nuisance behaviour from a male resident, who was being abusive and threatening to members of the community. The property was council-owned. Police, SOLACE and the CBC Housing ASB Team shared the evidence and report details that we had received, and each provided statements of evidence in undertaking Injunction proceedings. The Court subsequently granted an Injunction Order with Power of Arrest in respect of the offender.

5. How to report ASB incidents to us

5.1. CBC is committed to ensuring that our ASB service is accessible to all and that it is easy to report any ASB incidents or concerns to us, in a variety of ways.



By telephone - to our Contact Centre on freephone number **0800 408 000**. The Contact Centre lines are open between **8am – 5pm Monday to Friday**. After this time, you can make reports to our out of hours provider through the same telephone number.



By Email – to asbteam@cbh.org This inbox is checked daily during office hours (8am – 5pm).



Customer Portal – You can register and log in to the My CBH Customer Portal using your tenancy reference number. There is facility to report ASB as part of the range of self-service options available.



CBH Website – Access the 'Do it online' section and you can complete a form to provide the details of your ASB concern.



Face-to-face – You can speak to a member of the ASB Team through an arranged visit or office meeting. Simply call via our Contact Centre, or email us, to request an appointment.



In writing – to our offices at:

- Hesters Way Resource Centre, Cassin Drive, Cheltenham, GL51 7SU
- Oakley Resource Centre, 113 Clyde Crescent, Cheltenham, GL52 5QJ
- Municipal Offices, Promenade, Cheltenham, GL50 9SA

Anonymous reporting

We value your privacy and respect your decision to remain anonymous when reporting ASB to us. However, if you submit a report anonymously, we may not be able to address your concerns or provide updates on the situation fully.

Sharing your identity with us will help us work together towards finding a solution.

Rest assured that we will never disclose your personal information to anyone involved in the case without your consent.

6. What action do we take & what can you expect from us

6.1. When receiving an ASB report, we will contact the tenant within **1 working day for urgent matters**:

- Hate Incidents
- Domestic Abuse
- Serious Violence

6.2. For all other reports, we will contact the tenant within 5 working days.

6.3. The ASB issue will be dealt with by a specific, named ASB Officer who is responsible for a neighbourhood.

6.4. We have a duty to ensure that we do not unfairly label tenants as anti-social without reasonable evidence. Where an ASB incident has occurred that may require further detail or evidence provision, we will open a **Triage Action**. Within this action, we will ask the tenant to document any further incidents over a two-week period. We will then contact the tenant within that two-weeks to assess the next steps. Where no or minimal further issues have occurred, we are likely to close the Triage Action. Where there is evidence of further issues, we will open an ASB Investigation case.

6.5. Where there is evidence of a persistent ASB issue that requires intervention from us, we will open an ASB Investigation Case. When a case is opened we will do the following:

- Complete a **Risk Assessment** based on the details of the ASB and the tenant's personal circumstances and needs.
- Agree an initial **Action Plan** with the tenant as to how we will investigate and look to resolve the ASB issue.
- Contact the tenant on a **Fortnightly** basis to check in and update regarding the progress of the investigation. We will agree with the tenant the preferred method of contact.

6.6. It is vital that an ongoing relationship exists between the housing team and the tenant in the gathering of evidence, as any legal action, including possession proceedings, have to be presented to the County Court.

6.7. Our aim is to try and resolve ASB issues without the use of legal actions. Some examples of non-legal measures that we may use are:

- Warnings – written or verbal
- Formal interviews
- Use of practical measures to reduce the ASB e.g. headphones

- Support based interventions
- Mediation
- Acceptable Behaviour Contracts

6.8. Where we have attempted non-legal measures and the ASB is evidenced to be continuing, we can then consider legal options, which are commonly:

- Anti-Social Behaviour Injunction
- Extension of Introductory Tenancy
- Demotion of Tenancy
- Possession Proceedings

6.9. Dependent on the severity of the ASB, and/or where certain criminal offences have occurred in or around our properties, legal enforcement may happen without the non-legal steps, however generally, the non-legal measures are the most usual and appropriate.

6.10. Where ASB issues are resolved, we will agree with you that a Triage Action or ASB Investigation case can be closed.

6.11. Where a Triage Action or an ASB Investigation Case is closed, you will receive a short survey from us in order for you to be able to rate the service you have received. This information is vital in allowing us to improve our services.

7. Supporting tenants & supportive interventions

7.1. We are committed to delivering our ASB service in a person-centred way, being as flexible as possible around the needs of tenants, working to reduce harm and promote longer term wellbeing.

7.2. When discussing an ASB issue, we will also ask a tenant about any support in place or any unmet support needs. As part of investigating the ASB issue, we will also work with tenants to ensure access to support where possible.

7.3. We do this by ASB Officers referring to agencies, such as Victim Support, to provide tenants with extra care and contact around the ASB issue, or we may involve the councils housing service Tenancy Investment staff to meet with tenants, provide advice and help to create a support network with the tenant, where required, to provide longer-term support.

7.4. As part of our response to ASB issues, we also look at the needs of the tenant causing the ASB issue.

7.5. Where an unmet support need may be a contributory cause to the ASB, for example poor mental health, we will work to get this support need met, working with our partner agencies. Where needs can be met, this often reduces or resolves the ASB issue.

7.6. The court expects all vulnerability or support related factors to have been taken into account prior to any case being brought before the court. We also have a duty to actively try to prevent homelessness.

8.0. Hate crime & hate incidents

Our position:

8.1. CBC strives to ensure that tenants feel as safe as possible in their homes, and we are committed to supporting persons that may be subjected to hate crimes or hate incidents.

We are also committed to taking the strongest possible action against any tenants that may be committing criminality, or causing distress, based on any hate related motivations and therefore breaching their tenancy conditions in the most serious way.

8.1 Whilst any hate crime or incident should be reported to the Police in the first instance, CBC have strong links with the Police and will work together where a criminal incident has occurred that will also constitute a serious tenancy breach.

8.2 We will also work to ensure that the victims of hate crimes or incidents are signposted to specialist support.

What is a hate crime?

8.3 A hate crime is defined as a criminal offence which is perceived by the victim, or any other person, to be motivated by hostility or prejudice towards an individual based on a protected characteristic that the victim has, or is perceived to have.

What is a hate incident?

8.4 Hate incidents refer to incidences that are motivated by specific protected characteristics, or perceived to be motivated by specific protected characteristics, but do not constitute a criminal offence.

What are the protected characteristics ?

- Age
- Race
- Religion or Belief

- Gender Reassignment
- Sex
- Sexual Orientation
- Disability
- Marriage of Civil Partnership
- Pregnancy or Maternity

Contacts for support around hate crimes & hate incidents

8.5 The below are some of the specialist agencies that provide hate crime or hate incident support:

- Victim Support – 0800 077 8460
- Stop Hate UK – 0800 138 1625
- Equality Advice & Support – 0808 800 0082
- Galop (LGBTQ+ victims & survivors of abuse and violence) – 0800 999 5428
- On Your Side (for persons who identify as East and Southeast Asian) – 0808 801 0393

9 Consultation

9.1 This policy has been subject to an Equality Impact Assessment to help ensure that CBC is meeting the requirements of the public sector Equality Duty (introduced in 2011 under the Equality Act 2010) in respect of the ASB services we offer.

10 ASB Case Review

10.1 ASB Case Review's give victims, or victims' representatives, the right to ask local agencies to review how they have responded to previous ASB complaints. As well as considering what further actions might be taken where the behaviour persists

10.2 It is not a complaints procedure. Its purpose is to offer a 'safety net' for vulnerable victims and to help avoid individuals being passed between agencies without resolution.

10.3 Subject to meeting the threshold (listed below), anyone who is affected by ASB can ask for a Case Review. A Case Review can also be requested by someone acting on behalf of the victim, whether this is a family member, a carer, or councillor or MP, although written consent will be needed if it is not the victim.

- 10.4 Any victim or victim's representative (written consent is required), can activate an ASB Case Review if the criteria, or threshold, for submitting an ASB Case Review application is:
- Three or more reported incidents of anti-social behaviour, including hate incidents, to relevant agencies
 - The incidents occurred within a six month period and were reported within a month of each incident happening
 - The anti-social behaviour is ongoing
- 10.5 Within Gloucestershire, case reviews are managed by the Office of the Police & Crime Commissioner (OPCC). To apply for an ASB Review, the below link takes you to the application process on the OPCC website:
<https://www.gloucestershire.police.uk/advice/advice-and-information/asb/dp/request-asb-case-review/>
- 10.6 The legislation states that the following 'relevant bodies' must attend an ASB case review panel:
- District/city council
 - Police
 - Health
 - Social housing providers
- 10.7 In Gloucestershire we also invite Solace (Solace – joint Police/Council ASB Team), Gloucestershire's Fire and Rescue Service, the Youth Support Team, Probation and any other agency as appropriate. Importantly, the victims (and / or their representatives) are invited to attend the ASB case review.

11 Feedback & Learning

- 10.1 As an organisation we are committed to obtaining feedback from service users, to identify specific learning from casework and embed changes to policy and procedures with a culture of continual service improvement.
- 10.2 Where a Triage Action or an ASB Investigation Case is closed, tenants will receive an SMS text survey to rate the service you received. This information is vital to improve our services.
- 10.3 Feedback on ASB case management is also received through our quarterly customer satisfaction telephone survey.

12 Accessibility Statement

12.1 Cheltenham Borough Council (CBC) is committed to ensuring its Housing Services Anti-Social Behaviour (ASB) Policy is accessible and inclusive for all members of the community. This statement outlines our approach to accessibility, with a focus on compliance with relevant legislation, including the Equality Act 2010.

12.2 CBC recognises its statutory responsibilities under the Equality Act 2010, specifically the Public Sector Equality Duty (PSED), which requires public bodies to:

- Eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

12.3 In accordance with this, the ASB Policy and related services have been subject to an Equality Impact Assessment to:

identify and mitigate any potential disadvantages to tenants with protected characteristics.

- Are delivered in a person-centred, harm-focused, and trauma-informed manner, with flexible responses tailored to the needs of each tenant .
- Actively seek to reduce barriers to access for all, including those with disabilities, language or literacy needs.
- Include specialist support and signposting where required, particularly for victims of Hate Crime, Domestic Abuse, or residents with additional vulnerabilities.
- Are continually reviewed and informed by feedback from a wide range of stakeholders, including tenants and safeguarding professionals.

12.4 We ensure that tenant can report ASB in a variety of accessible ways, including:

- Telephone, email, and online portal.
- In-person visits and home appointments.
- Alternative formats on request (e.g., large print, translated materials);
- Language or British Sign Language (BSL) interpreters where required.
- Support for third-party or representative reporting.

13.5 Supporting Inclusive Practice

Our staff receive training on equality and safeguarding. We work proactively with specialist agencies to ensure that support is in place for those experiencing ASB who may be disproportionately affected due to a protected characteristic under the Equality Act 2010, including:

- Age

- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

13.5 Continuous Improvement

We are committed to continuous improvement and encourage all tenants to provide feedback on the accessibility and inclusiveness of ASB services. This is achieved through satisfaction surveys, tenant forums, and feedback from partner agencies.

This policy or related documents is available in alternative formats on request.

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Cheltenham Borough Council**Anti-Social Behaviour (ASB) Policy****Summary Document**

What Is This Leaflet About?

This summary explains how Cheltenham Borough Council (CBC) deals with Anti-Social Behaviour (ASB) in council housing. It tells you what ASB is, what CBC can do, and how you can get help.

✕ What Is Anti-Social Behaviour (ASB)?

ASB is behaviour that:

- Harasses, alarms, or upsets people
- Causes a nuisance or disturbance
- Makes communities feel unsafe

Examples of ASB:

- Loud noise or shouting
 - Drug use or dealing
 - Threats or verbal abuse
 - Vandalism or fly-tipping
 - Hate crimes
-

☒ What Isn't ASB?

Some things are not considered ASB, such as:

- Children playing
- Normal daily noise
- Disagreements over parking or gardens
- Cats roaming
- Occasional social media arguments

For serious crimes like assault or drug dealing, **call the Police** first (999 in emergency, 101 otherwise).

😊 Who Handles ASB?

CBC works with other organisations to tackle ASB:

- **Police**

- **Environmental Health**
 - **SOLACE** (Police & Council team)
 - **Support services and charities**
-

How To Report ASB

You can report ASB to CBC:

- **Call:** 0800 408 0000
- **Email:** asbteam@cheltenham.gov.uk
- **Online:** Through the customer portal

CBC will respond:

- **Urgent cases (e.g. hate crime):** within 1 working day
 - **All others:** within 5 working days
-

What Happens After You Report?

- You'll be assigned an ASB Officer
 - You may be asked to record incidents (log or app)
 - If the problem continues, an investigation will start
 - CBC may use:
 - **Warnings**
 - **Mediation**
 - **Support services**
 - **Legal action** (e.g., court orders or eviction)
-

Support For Everyone

CBC supports both:

- **Victims** (help, referrals, emotional support)
 - **Offenders** (help with problems like mental health or addiction)
-

Hate Crime

CBC will take strong action against any tenant who commits hate-related offences. Victims will be supported and referred to expert services.

ASB Case Review

If you report ASB 3 or more times in 6 months and nothing changes, you can ask for a **Case Review**.

- All agencies will review your case
- It's not a complaint, it's a way to get results

Apply at:

gloucestershire.police.uk/asb-case-review

Feedback Matters

After your case is closed, you'll get a survey to rate our service. Your feedback helps us improve.

Need Help or More Info?

Contact CBC's ASB Team:

- **Phone:** 0800 408 0000
 - **Email:** asbteam@cheltenham.gov.uk
 - **Website:** cheltenham.gov.uk
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Equality Impact Assessment

Introduction

An Equality Impact Assessment (EqIA) is a method for assessing the effects or impacts of a council policy or function on removing barriers to equality.

The Equality Act 2010 includes a public sector equality duty which requires public authorities to try and eliminate discrimination; advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it and promote equality and good relations across a range of protected characteristics.

The protected characteristics are:

Age	Disability	Gender Reassignment
Marriage and civil partnership	Pregnancy and maternity	Race
Religion or belief (including lack of belief)	Sex	Sexual orientation

An EqIA should be completed with the full range of protected characteristics considered during the initial stages of developing new strategies, policies, functions or services, prior to starting a procurement exercise and before decisions are made.

Examples of when an EqIA should be completed are:

<ul style="list-style-type: none"> Any proposals to introduce or add to a service 	<ul style="list-style-type: none"> Any proposals to adopt policy priorities, strategies and plans
<ul style="list-style-type: none"> Any proposals to remove, reduce or alter a service 	<ul style="list-style-type: none"> Changes to staffing structure where groups of employees are likely to be negatively affected
<ul style="list-style-type: none"> Any new policies or changes to policies 	<ul style="list-style-type: none"> Any proposals in relation to procured or commissioned services

Stage 1 - Equality Screening

Whenever a policy/service or function is reviewed, changed, developed or removed an initial equality impact assessment stage 1 will need to be undertaken. This is a screening template and will help establish whether a full assessment is needed. This should be done at an early stage of the process so that it is part of policy development.

Stage 2 – Equality Impact Assessment

This is the full EqIA and seeks to identify the equality considerations that have been taken into account including any mitigating actions proposed and ensures decisions are based on evidence. The EqIA will need to be agreed with the appropriate Head of Service or Director and should be included on the decision making report, along with commentary on the assessment in the main body of the report.

STAGE 1 – Equality Screening**1. Identify the policy, project, function or service change****a. Person responsible for this EqlA**

Officer responsible: Nick Such

Service Area: Housing

Title: Tenancy Services Manager

Date of assessment: 24.05.2025

Signature:

b. Is this a policy, function, strategy, service change or project?

Policy

If other, please specify:

c. Name of the policy, function, strategy, service change or project

Housing Services ASB Policy

Is this new or existing?

**Already exists and is
being reviewed****Please specify reason for change or development of policy, function, strategy, service change or project****Policy has been reviewed as part of a wider service improvement project and in line with the consumer standards requirement and customer feedback.****d. What are the aims, objectives and intended outcomes and who is likely to benefit from it?**

Aims:

- To ensure ASB is tackled effectively in council-owned housing.
- To support residents and promote safe, peaceful neighbourhoods.
- To respond to ASB in a fair, proportionate, and harm-centred way.
- To provide a service that considers the needs of both victims and perpetrators.

Objectives:

- Provide clarity on what ASB is and how to report it.
- Define the role of Housing Services and its partnerships.
- Describe how cases are managed and what support is available.
- Promote early intervention, fairness, and access to resolutions.

Outcomes:

- Reduced incidence of ASB in council housing.
- Improved resident satisfaction and safety.
- Equitable access to services for all protected groups.
- Better outcomes for vulnerable residents..

Benefits:

- Improved neighbourhood relations and resident wellbeing.
- Clearer guidance for staff and residents.
- More effective use of resources.
- Compliance with statutory duties including the Equality Act 2010.

e. What are the expected impacts?

Are there any aspects, including how it is delivered or accessed, that could have an impact on the lives of people, including employees and customers.

Yes

Do you expect the impacts to be positive or negative?

Positive

Please provide an explanation for your answer:

The policy takes a person-centred and harm-based approach and includes proactive support and safeguarding mechanisms.

However, the enforcement aspect of the policy, must be carefully managed through a process of proportionality assessment and legal advice so that it disproportionately impact residents with mental health conditions or other vulnerabilities.

If your answer to question e identified potential positive or negative impacts, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

f. Identify next steps as appropriate

Stage Two required

Yes

Owner of Stage Two assessment

Nick Such

Completion date for Stage Two assessment

24th May 2025

Please forward this completed form to [add email address] and move on to Stage 2 if required.

STAGE 2 – Full Equality Impact Assessment

2. Engagement and consultation

The best approach to find out if a policy etc, is likely to impact positively or negatively on equality groups is to look at existing research, previous consultation recommendations, studies or consult with representatives of those equality groups.

a. Research and evidence

List below any data, consultations (previous, relevant, or future planned), or any relevant research, studies or analysis that you have considered to assess the policy, function, strategy, service change or project for its relevance to equality.

Consultation carried out with a panel of tenants that included ASB service users, non ASB service users, persons who have been recorded as being both victims and perpetrators and also a member of the Syrian refugee community and member of the LGBTQIA community who has experienced housing based ASB.

b. Consultation

Has any consultation be conducted?

Yes

Describe the consultation or engagement you have conducted or are intending to conduct. Describe who was consulted, what the outcome of the activity was and how these results have influenced the development of the strategy, policy, project, service change or budget option. If no consultation or engagement is planned, please explain why.

Consulted with internal teams (Environmental Health, Safeguarding), external partners (Police, Victim Support, Tenant Panel), and considered customer feedback from ASB focus group. Findings helped shape policy aims and prioritisation of high-harm cases.

3. Assessment

a. Assessment of impacts

For each characteristic, please indicate the type of impact (positive – contributes to promoting equality or improving relations within an equality group, neutral – no impact, negative – could disadvantage them).

Please use the description of impact box to explain how you justify the impact and include any data and evidence that you have collected from surveys, performance data or complaints to support your proposed changes

Protected Characteristic	Specific Characteristic	Impact	Description of impact	Mitigating Action
AGE	Older people (60+)	Positive	Targeted support available through agencies like Victim Support; prioritisation of vulnerable residents	Maintain strong referral pathways and include Age in risk assessments
	Younger People (16-25)	Positive	Support needs of young tenants considered; policy enables Acceptable Behaviour Contracts and youth intervention	Maintain partnership with Youth Support Team
	Children (0-16)	Neutral	Indirectly affected via household ASB; not service users directly	Ensure risk assessments consider children in households
DISABILITY A definition of disability under the Equality Act 2010 is available here . <i>See also carer responsibilities under other considerations.</i>	Physical disability	Positive	Service user with sensory impairment may struggle to report ASB / provide evidence through traditional methods.	Multiple reporting methods Use of advocates Use of alternative reporting methods – Dictaphones etc. Home visits Special requests in court proceeding
	Sensory Impairment (sight, hearing)	Positive	Service user with sensory impairment may struggle to report ASB / provide evidence through traditional methods.	Multiple reporting methods Use of advocates Use of alternative reporting methods – Dictaphones etc. Home visits Special requests in court proceedings
	Mental health	Positive and negative	Enforcement activity could disproportionately impact residents with mental health conditions or other vulnerabilities.	Maintain emphasis on early intervention and mental health referrals Enforcement action is carefully managed through a process of proportionality assessment and legal advice so that it disproportionately impact residents with mental health conditions or other vulnerabilities.
	Learning Disability	Positive	Service user with learning difficulties may struggle to report ASB / provide evidence through traditional methods and understand processes.	Maintain staff training in equality and safeguarding. Maintain links with social care and specific learning disabilities team at GCC

				Use of advocates Provision of alternative reporting methods and evidence gathering tools Special request in court proceedings
GENDER REASSIGNMENT		Neutral	equality principles apply	Clear signposting and our service provision is gender-inclusive. Maintain links with Police Hate Crime lead to ensure ongoing knowledge of trends / best practice.
MARRIAGE & CIVIL PARTNERSHIP	Women	Neutral	No specific impact identified	
	Men	Neutral		
	Lesbians	Negative		
	Gay Men	Neutral		
PREGNANCY & MATERNITY	Women	Positive	Recognition that Impact of ASB on pregnant women may be greater and carry a higher risk.	Include pregnancy in case risk assessments
RACE* Further information on the breakdown below each of these headings, is available here . For example Asian, includes Chinese, Pakistani and Indian etc	White	Choose an item.		
	Mixed or multiple ethnic groups	Positive	Strong links with GARAS and Hate Crime policy sections support ethnic minorities Policy has a Clear statement on accessibility & hate crime and access to support	Strong links with GARAS and Hate Crime policy sections support ethnic minorities Translation of policy and other documents into most prevalent languages as identified by QL reporting
	Asian	Choose an item.		
	African	Choose an item.		
	Caribbean or Black	Choose an item.		
		Choose an item.		

RELIGION & BELIEF** A list of religions used in the census is available here	See note	Positive	Recognition of how practicing religion belief can lead to clashes of lifestyle.	Strong links with GARAS with regard to refugee communities that provides opportunity for expert advice and education around specific religious practices and beliefs.
SEX (GENDER)	Men	Positive	Policy and service is gender inclusive	Clear signposting to services and community groups
	Women	Positive	Policy and service is gender inclusive.	Clear signposting to services and community groups, Ongoing engagement with violence against women and girls forum
	Trans Men	Positive	Policy and service is gender inclusive	Maintain links with Police Hate Crime lead and local groups to ensure ongoing knowledge of trends / best practice.
	Trans Women	Positive	Policy and service is gender inclusive	Maintain links with Police Hate Crime lead and local groups to ensure ongoing knowledge of trends / best practice.
SEXUAL ORIENTATION	Heterosexual	Positive	Policy is inclusive of all sexual orientations with a Clear statement on accessibility & hate crime and access to support	
	Lesbian	Positive	Clear statement on accessibility & hate crime and access to support	Continue engagement with LGBTQ+ organisations & Police Hate Crime lead
	Gay	Positive	Clear statement on accessibility & hate crime and access to support	Continue engagement with LGBTQ+ organisations Police Hate Crime lead
	Bisexual/Pansexual	Positive	Clear statement on accessibility & hate crime and access to support	Continue engagement with LGBTQ+ organisations Police Hate Crime lead
Other considerations				
Socio-economic factors (income, education, employment, community safety & social support)		Positive	ASB processes are person centred and holistic allowing for recognition of other potential factors relating to ASB that is being reported	Consider wider debt housing and welfare needs when working with victims and perpetrators of ASB and continue appropriate referrals
Rurality		Neutral		

i.e. access to services; transport; education; employment; broadband				
Other (e.g. caring responsibilities)		Neutral		

* To keep the form concise, race has not been included as an exhaustive list, please augment the list above where appropriate to reflect the complexity of other racial identities.

** There are too many faith groups to provide a list, therefore, please input the faith group e.g. Muslims, Buddhists, Jews, Christians, Hindus, etc. Consider the different faith groups individually when considering positive or negative impacts. A list of religions in the census is available [here](#)

DRAFT

4. Outcomes, Action and Public Reporting

a. Please list the actions identified through the evidence and the mitigating action to be taken.

Action	Target completion date	Lead Officer
Translation of ASB policy and other key documents into most prevalent languages within our customer bases	End of Q4 2025/26	N.Such
Incorporate pregnancy into ASB risk assessment	July 2025	N.Such

b. Public reporting

All completed EqIA's are required to be publicly available on the Council's website once they have been signed off. EqIA's are also published with the papers for committee and full council decisions.

Please send completed EqIA's to [email address]

5. Monitoring outcomes, evaluation and review

The Equalities Impact Assessment is not an end in itself but the start of a continuous monitoring and review process. The relevant Service or Lead Officer responsible for the delivery of the policy, function or service change is also responsible for monitoring and reviewing the EqIA and any actions that may be taken to mitigate impacts.

Individual services are responsible for conducting the impact assessment for their area, staff from Corporate Policy and Governance will be available to provide support and guidance, please email xxxx if you have any questions.

6. Change log

Name	Date	Version	Change

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Cheltenham Borough Council

Cabinet – Date 15th July 2025

Revocation of 2020 Air Quality Management Area

Accountable member:

Cllr Victoria Atherstone, Cabinet Member Safety and Communities

Accountable officer:

Bernadette Reed, Public and Environmental Health Manager

Ward(s) affected:

All

Key Decision: No

Executive summary:

Under Section 82 of the Environmental Act 1995 (as amended) this authority is required to review its local air quality. In 2020 a small area of the town (from the junction of Gloucester Road, Tewkesbury Road and High Street, through Poole Way and along Swindon Road to the junction of St George's Street) did not meet the air quality objective for nitrogen dioxide as laid down in Regulations. This required the area to be declared an Air Quality Management Area (AQMA), and hence an Air Quality Action Plan (AQAP) was developed to improve air quality in this area.

A review of the action we are taking, and our supporting monitoring data is submitted annually to Defra through the Annual Status Report. Monitoring data from in, and around, the AQMA demonstrates the relevant air quality objectives have been achieved for 5 consecutive years and the AQMA should be revoked. Revoking the AQMA will make the AQAP obsolete. Since 2023, where an authority does not have a current, declared an AQMA, and thus no AQAP, they must develop an Air Quality Strategy (AQS).

We are proposing to submit an order to Defra to revoke the current AQMA and subsequently produce an AQS. An AQS will cover the whole borough and a range

of pollutants including fine particulates, ensuring that air quality remains a high-profile issue. There is scope for the AQS to be an ambitious document that aims for positive changes affecting a wide section of the public.

Recommendations: That Cabinet:

- 1. authorises the revocation of the existing 2020 AQMA based on the information provided at Annex 3;**
 - 2. subject to recommendation 1, delegates authority to the Head of Public Protection, in consultation with the Cabinet Member Safety and Communities, to take the necessary steps to revoke the AQMA;**
 - 3. authorises production of an Air Quality Strategy.**
-

1. Implications

1.1 Financial, Property and Asset implications

No financial implications at this stage

Signed off by: Ela Jankowska Finance Business Partner
ela.jankowska@cheltenham.gov.uk

1.2 Legal implications

Under s83 Environment Act 1995, the AQMA can be revoked where the air quality standard and objectives are being achieved and are likely throughout the relevant period to be achieved. The Council must still have a local air quality action plan ‘the purpose of securing that air quality standards and objectives are achieved’. The action plan must set out in writing how the Council will exercise its functions to secure that air quality standards and objectives are secured and maintained, including any particular measures with deadlines.

Signed off by: Rachael Baldwin, Lawyer, Rachael.baldwin@onelegal.org.uk

1.3 Environmental and climate change implications

The principle that the AQMA is being revoked is associated with positive environmental and climate change implications, as this is a result of the NO₂ levels being below the relevant objective level of 40ug/m³, set by The Air Quality Standards Regulation.

Within the newly devised strategy, it provides the Council with an opportunity to broaden the scope of works, to cover a wider geographical area in the borough,

instead of focusing solely on the AQMA. It also allows the potential to consider further enhanced and beneficial actions and projects, to improve air quality, which will have wider associated positive climate impacts.

When the Air Quality Strategy is devised and presented to Council, it will be assessed using the Climate Impact Assessment tool.

Signed off by: Maizy McCann, Climate Officer, Maizy.mccann@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
- Ensuring residents, communities and businesses benefit from Cheltenham's future growth and prosperity

1.5 Equality, Diversity and Inclusion Implications

Screening assessment see Appendix 2

1.2 Performance management – monitoring and review

Under section 82 of Part IV of the Environment Act 1995 we must undertake periodic review and assessment of air quality within our area. The results of this review and assessment are set out in our Annual Status Report (ASR).

In June each year the ASR is submitted to Defra for their appraisal. It contains information on policy and actions to improve air quality, our actions to reduce particulate matter (PM) and NO₂, a summary of air quality monitoring data over the last 5 years (with a particular focus on the past year's data).

This year it will also contain the technical information to justify revoking the AQMA. Future ASRs will report on actions taken against any future air quality strategy.

Actions against the new air quality strategy will be key performance indicators (KPI) and progress reported on a quarterly basis.

2 Background

2.1 The authority has actively monitored levels of air pollution under the umbrella of "Local Air Quality Management" for about 30 years. This has involved using a wide range of different types of monitoring equipment which have changed and advanced significantly over the years. Currently we monitor levels of NO₂ at 44

sites across the town using low-cost NO_x tubes and verify the accuracy of this data using a real-time NO₂ monitor in Swindon Road. We also monitor levels of particulates at a site in Gloucester Road, Benhall which was initiated in Nov 2022.

2.2 Local Authorities are required to declare an Air Quality Management Area (AQMA) where results of monitoring, or levels predicted through monitoring show levels of pollution in excess of a nationally specified objective level. In the case of NO₂ the relevant objective level set by The Air Quality Standards Regulations 2010 is 40ug/m³, averaged over a 12 month period. Once declared the authority is required to produce an Air Quality Action Plan (AQAP), which should aim to reduce levels of that pollutant to a legal level as quickly as possible.

2.3 In the case of Cheltenham, levels of NO₂ were found to be in excess of the guideline level in a small area at the junction of High St / Bath Rd, leading to the declaration of an AQMA in 2008. This was replaced by a borough-wide AQMA in November. In 2020 Council decided to revoke the whole-borough AQMA to reflect improvements in NO₂ levels across the town, and replace it with a smaller AQMA covering a discrete area of properties fronting on to High Street from Tewkesbury Road to Poole Way, Poole Way, and Swindon Road from Poole Way to St Georges' Street. Properties in this area were found from measurements and detailed monitoring to be in excess of the annual NO₂ limit.

2.4 Monitoring of NO₂ levels through the AQMA and at other sites around the town has now demonstrated that the entire town, including properties within the AQMA, falls below the NO₂ limit, and has done by a considerable margin since 2020 when the initial COVID lockdowns made huge changes to commuting habits. Levels of NO₂ have continued to slowly reduce since 2022, largely due to new commuting practices and the expansion in the use of cleaner vehicles, including hybrids and electric vehicles.

2.5 The improvements in monitored levels mean that the authority is required to revoke the AQMA, which is no longer relevant or required. This will subsequently require the preparation of a Borough-wide Air Quality Strategy which can address a variety of pollutants, including airborne particulates.

3 Reasons for recommendations

3.1 The Air Quality Strategy is a new type of document required since 2023 from local authorities with no AQMA. So far few have been completed or published and it is expected that preparing a wider strategy may require the involvement of specialist consultants, similar to the production of the 2023 AQAP.

3.2 Our monitoring has demonstrated that the air quality objectives have been met and will continue to be met. We have confidence in this sustained improvement in

air quality. After 3 years or more of compliance, the AQMA should be revoked. We have provisionally discussed this with Defra and have been advised that as our data shows five consecutive years of compliance with the annual average NO₂ objective, the authority should consider starting the revocation process.

3.3 Unless there are concerns that there may be any exceedances in the AQMA where monitoring is not present, there should be no requirement for modelling as the monitoring data shows a long-term trend of compliance. The current AQMA is relatively small, with numerous NO₂ monitoring locations so failures in un-monitored areas are unlikely.

3.4 The data to support this recommendation is provided at Appendix 3

4 Alternative options considered

4.1 There are few options available, given the data obtained. If the AQMA is not revoked now, it is likely that DEFRA will give negative feedback to the 2025 Annual Status Report which summarises AQ activity over the calendar year 2024, and requires the authority to revoke the AQMA.

5 Consultation and feedback

5.1 An initial e-mail enquiry to Defra confirms the action to revoke the AQMA is appropriate, and produced this response:

Thank you for sending across your monitoring data from within your AQMA.

As your data shows five consecutive years of compliance with the annual average NO₂ objective, you should look to begin the revocation process.

Unless there are concerns that there may be any exceedances in the AQMA where monitoring isn't present, there should be no requirement for modelling as the monitoring data shows a long-term trend of compliance.

If you need any further support throughout the revocation process, please don't hesitate to contact us.

Kind Regards,

LAQM Helpdesk Team

5.2 GCC Response from Scott Macaulay-Lowe, Public Health Manager:

GCC Public Health notes the data confirming monitored levels of NO₂ at the Air Quality Management Area (AQMA); High Street Cheltenham, have been below

40ug/m3 for the last 5 years consecutively, and understands that subsequently, under DEFRA guidelines, the AQMA can be revoked. We welcome the continued work by the district in supporting air quality initiatives and education, in doing so, recognising the importance of air quality as a determinant of health and the associated health impacts; and following the revocation of the AQMA, we would welcome the opportunity to continue to work with CBC on all matters related to air quality and health

6 Key risks

- 6.1 Where air quality objectives are met, we have a duty to revoke the AQMA. Not doing so undermines local air quality management and is contrary to Defra technical and practice guidance which poses a reputational risk to the Authority.
- 6.2 Not revoking the AQMA when required means we are not focusing on the main areas and pollutants of concern, and so are potentially putting public health at risk.
- 6.3 The proposed Air Quality Strategy and the additional actions required within it needs to be suitably resourced.
-

Report author:

Gareth Jones, Senior Environmental Health Officer (Environmental Protection)

Gareth.jones@cheltenham.gov.uk

Appendices:

1. Risk Assessment
2. Equality Impact Assessment – Screening
3. Air Quality Monitoring data summary to support revocation 2024

Background information:

2020 AQMA declaration, report to Overview & Scrutiny Committee January 2020:

<https://democracy.cheltenham.gov.uk/ieListDocuments.aspx?CId=267&MID=2991#A118631>

ASRs 2019 -2024:

https://www.cheltenham.gov.uk/downloads/download/693/air_quality_reports

[CBC air quality action plan 2024 \(2\).pdf](#)

Appendix 1: Risk Assessment

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
1	Where air quality objectives are met we have a duty to revoke the AQMA. Not doing so undermines local air quality management and is contrary to Defra technical and practice guidance which poses a reputational risk to the Authority.	Head of Public Protection	3	3	9	avoid	Revoke the current AQMQ Replace with a Borough wide air quality strategy	PEH Manager	End Dec 2025 Jan 2026
2	Not revoking the AQMA when required means we are not focusing on the main areas and pollutants of concern, and so are potentially putting public health at risk.	Head of Public Protection	4	3	12	avoid	Replace AQMA with an air quality strategy which gives more flexibility to focus on what matters across the borough including planning transport and wider public health initiatives	PEH Manager	Jan 2026
3	The proposed strategy and the additional actions required within	Head of Public Protection	4	3	12	avoid	Ensure each element of the strategy is suitably	PEH manager	Jan 2026

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
	it need to be suitably resourced	n					resourced in terms of competent work force and finance to deliver projects		

Appendix 2: Equality Impact Assessment (Screening)

1. Identify the policy, project, function or service change

a. Person responsible for this Equality Impact Assessment

Officer responsible: Bernadette Reed

Service Area: Public Protection

Title: Public and Environmental Health Manager

Date of assessment: 29/05/25

Signature:



b. Is this a policy, function, strategy, service change or project?

Policy

If other, please specify:

c. Name of the policy, function, strategy, service change or project

Revocation of Air Quality Action Plan and subsequent replacement with Air Quality Strategy

Is this new or existing?

Is changing

Please specify reason for change or development of policy, function, strategy, service change or project

Defra require that where a Local Authority does not have an Air Quality Management Area, with an associated Air Quality Action Plan, it must specify what proactive measures they will/are taking/ to improve air quality by way of an Air Quality Strategy.

d. What are the aims, objectives and intended outcomes and who is likely to benefit from it?

Aims:

To comply with Defra requirements of revoking an AQMA where the evidence exists to demonstrate it is appropriate to do so

Objectives:	To demonstrate that air quality have been met in accordance with Local Air Quality Management Policy guidance PG 22 and Technical guidance TG22 To submit the revocation order to Defra To put in place an air quality strategy
Outcomes:	To produce an air quality strategy that is in accordance with current guidance.
Benefits:	More strategic approach to delivering outcomes Fulfil statutory requirements Closer collaboration with County Public Health partners. Closer integration with climate change mitigation measures and adaptations. Early preventative action. Increased flexibility to respond to changes.

e. What are the expected impacts?

Are there any aspects, including how it is delivered or accessed, that could have an impact on the lives of people, including employees and customers.

No

Do you expect the impacts to be positive or negative?

No impact expected

Please provide an explanation for your answer:

This stage is about revoking the AQMA. We continue to fulfil our Local Air Quality Management function so this change in policy will not change this. We will produce our Annual Status Report which contains all our activities and monitoring data which will continue. We are intending to replace our action plan with a strategy due to our monitoring data demonstrating that this is the appropriate course of action. The strategy will ensure that air quality remains high on our agenda and is flexible to respond to any changes in monitoring data. Any actions identified in our strategy may have an impact and an equality impact assessment will be carried out at this stage.

If your answer to question e identified potential positive or negative impacts, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

f. Identify next steps as appropriate	
Stage Two required	No
Owner of Stage Two assessment	
Completion date for Stage Two assessment	

Please move on to Stage 2 if required ([intranet link](#)).

Summary of 2020 monitoring data in and around AQMA:

Levels of NO₂ within the AQMA and across the town dropped drastically during the covid restrictions of 2020-22 due to the numbers of journeys being made dropping considerably. This period has subsequently produced significant changes in commuting practices, including people working from home more, and with more flexible hours of attending a workplace. Thus, many people find a way to avoid the most congested times to drive, if they have to drive at all.

Over the same period there have been considerable improvements in the vehicle fleet in use nationally and around the town. Atmospheric NO₂ comes from a variety of sources, but the chief cause of the excess levels in the AQMA has been the use of fossil-fuel powered vehicles and particularly diesel engines. Since 2020 the technology used in diesels has improved, so engines are more efficient and are more likely to have NO₂ reducing technologies in use. There have also been increases in the use of hybrid and electric powered vehicles.

Monitoring of NO₂ levels have been carried out at 6 locations in the AQMA, and numerous other sites around the edges of the AQMA over the period and many years prior. Results of this monitoring are shown in Table 1 and Figure 1, below:

Table 1 – NO₂ results in AQMA 2012-2024

Year	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
2 Gloucester Road	35.9	40.4	41.7	46.5	43.2	45.4	41.2	43.1	32.0	31.0	33.0	30.0	27.0
2 Swindon Road	40.3	39.2	38.8	37.9	38.2	39.4	35.6	39.2	23.5	26.0	30.0	26.0	23.0
422 High Street	49.8	50.9	46.5	47.3	45.5	49.9	45.2	46.5	33.4	34.0	36.0	32.0	30.0
48 Swindon Road									21.6	23.0	23.0	22.0	19.0
New Rutland/Swindon rd	43.3	41.2	42.1	42.4	40.8	41.6	37.9	40.3	30.3	30.0	32.0	30.0	27.0
Co-location - 1	34.5	37.1	35.1	34.6	32.9	36.0	32.6	36.1	24.7	25.0	27.0	26.0	24.0
Co-location - 2	35.0	36.5	34.0	35.2	34.2	36.9	33.3	33.8	25.3	25.0	27.0	26.0	23.0
Co-location - 3	34.7	35.3	34.1	34.0	32.8	36.2	32.8	35.8	24.1	25.0	27.0	25.0	24.0
Co-location Ave	34.7	36.3	34.4	34.6	33.3	36.4	32.9	35.2	24.7	25.0	27.0	25.7	23.7

Table 1 contains data from the 6 monitoring points in the AQMA and shows that no sites were within 10% of the 40ug/m³ limit, which is sometimes used as a measure of “marginal compliance”.

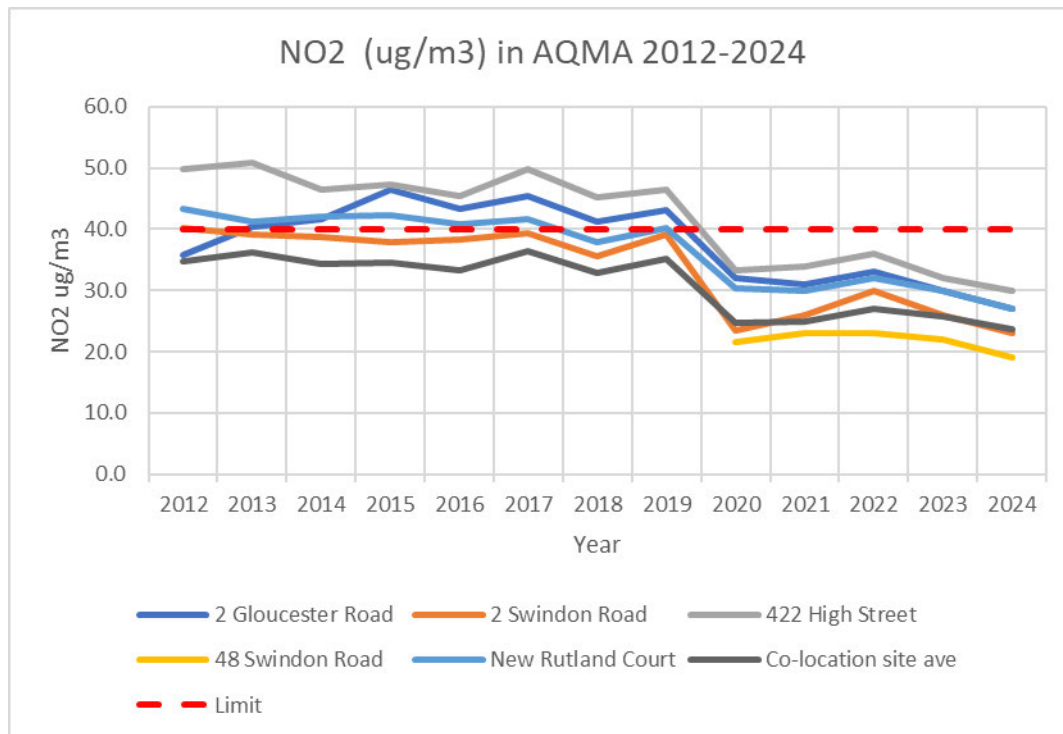
Figure 1 – NO2 results in AQMA 2012-2024

Figure 1 demonstrates the step change through 2020-22, and then the continued decline in levels of NO₂ since. This pattern of monitoring results is quite common across the UK, and the proposed action to revoke the AQMA is being taken by many authorities all over the country.

Officers from the Environmental Protection team have already discussed this proposed revocation of the AQMA with DEFRA, who have approved this course of action. This action has also been discussed with GCC Public Health who have agreed it should be pursued.

It should be noted that revoking the AQMA will not lead to a reduction in air quality monitoring, or activity to improve air quality. The future need not to focus efforts on one pollutant, in once small area will allow CBC to take wider action to improve air quality across the borough. There is an emerging consensus in air quality circles that more attention should be given to levels of airborne particulate matter, known as PM_{2.5} or PM₁₀. These fine particles come from a wide range of sources, including road vehicles with engines of all types, industrial sources, agriculture and domestic combustion. Initial monitoring of PM levels at Benhall suggests there is currently no need for AQMA to be declared in relation to PMs, but action should be taken to continue reducing levels as far as possible.

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Cheltenham Borough Council

Cabinet – Tuesday 15 July 2025

Council – Monday 21 July 2025

Corporate Plan Update, End of Year Performance Report and Corporate Plan Refresh

Accountable member:

Leader of the Council, Councillor Rowena Hay

Accountable officer:

Gareth Edmundson – Chief Executive

Ward(s) affected:

All

Key Decision: No

Executive summary:

The corporate plan is a key document that sets out the council's priorities and objectives and how success will be measured. The plan allows the council to set resources against agreed priorities and provides the framework to help prioritise future opportunities. The current corporate plan runs from 2023 to 2027 and this report presents a review of 2024/25, the second year of the plan.

An end of year performance report is also presented, which sets out performance against key strategic performance indicators individual service areas have been monitoring in 2024/25. These have been linked to the key priorities in the corporate plan. Note, these do not include housing services, which have been reported on separately in 2024/25.

The second-year review of the Corporate Plan 2023-2027 brings the current version of the corporate plan to a close. With the integration of housing services

back into the council to create a new, larger organisation, the corporate plan has been reviewed and refreshed. This report therefore also presents the refreshed corporate plan, which will run from 2025 to 2028. At the same time, the strategic performance indicators have been reviewed. These have also been updated to better reflect the priorities and activities in the refreshed plan and are now included within the plan.

Recommendations:

Recommendations for Cabinet: That Cabinet:

1. **notes the corporate plan review and end of year performance report.**
2. **approves the refreshed Corporate Plan 2025 to 2028.**

Recommendations for Council: That Council:

1. **notes the corporate plan review and end of year performance report.**
 2. **endorses the refreshed Corporate Plan 2025 to 2028.**
-

1. Implications

1.1 Financial, property and asset implications

There are no direct implications arising from the report. Any finance, property or asset implications will be assessed as part of the delivery of the individual actions contained in the refreshed Corporate Plan.

Signed off by: Gemma Bell, Director of Finance and Assets,
gemma.bell@cheltenham.gov.uk

1.2 Legal implications

There are no specific legal implications arising from the report recommendations. Legal support is provided, where necessary, for the individual actions arising from the plan.

Signed off by: One Legal – legalservices@onelegal.org.uk

1.3 Environmental and climate change implications

A climate change impact assessment has been completed for the refreshed Corporate Plan 2025 to 2028 and is attached at Appendix 6. In the main, because the plan is a strategic document, the actual environmental and climate change implications won't be known until the individual actions in the Plan are delivered.

However, a judgement has been made, where possible, about the impacts of delivering the actions set out in the plan.

Signed off by: Maizy McCann, Climate Officer, Maizy.mccann@cheltenham.gov.uk

1.4 Corporate plan priorities

This report contributes to all the priorities in the current Corporate Plan:

- Making Cheltenham the Cyber Capital of the UK
- Working with residents, communities and businesses to help make Cheltenham #netzero by 2030
- Increasing the number of affordable homes through our £180m housing investment plan
- Ensuring residents, communities and businesses benefit from Cheltenham's future growth and prosperity
- Being a more modern, efficient and financially sustainable council

Once the refreshed Corporate Plan 2025 to 2028 has been approved, all future Cabinet reports will refer to the updated priorities. Equality, diversity and inclusion implications

A full equality impact assessment of the refreshed corporate plan has been undertaken and is attached at Appendix 5. Whilst the plan is a strategic document and the true impact will depend on delivery of the individual actions, it has been judged that, overall, the plan will deliver benefits to all the age groups identified in the assessment and impact positively on mental health and on socio-economic factors. It is not possible to judge the impact on other specific groups until the individual actions are delivered.

1.5 Performance management – monitoring and review

A formal performance report will be presented to Cabinet on an annual basis and the leadership team and Cabinet will monitor progress as required through the year.

2 Introduction

2.1 The corporate plan is a key document that sets out the council's priorities and objectives and how success will be measured. The plan allows the council to set resources against agreed priorities and provides the framework to help prioritise future opportunities.

2.2 This report sets out:

- (i) A review of progress against the current Corporate Plan 2023 to 2027. This will be the second annual review and will close the current version of the Corporate Plan. The reasons for this are set out in section 5 below.
- (ii) An end of year performance report on the strategic performance indicators service areas have been monitoring in 2024/5, together with an end of year commentary. Note, these do not include housing services, which have been reported on separately in 2024/25.
- (iii) A refreshed corporate plan, which will run from 2025 to 2028.

2.3 Together, these documents provide a review of progress and performance to the end of 2024/25 and set the direction of travel for future years.

3 Corporate Plan 2023 to 2027 – year two review

3.1 Appendix 2 presents the full review report of progress made over the second year of the plan.

3.2 Highlights include:

- Progress made on the Golden Valley development, including a fully developed outline application for the innovation centre, pre-application discussions with developers which could bring forward over 2,400 homes and a social strategy which is already being implemented.
- £120,000 awarded to business for decarbonisation grants and cost of decarbonisation audits for a number of Cheltenham Zero members supported.
- Continued improvements to social housing to increase energy efficiency and deliver some low carbon heating and securing further grant funding to continue this work.
- Delivery of the new Changing Places toilet at Montpellier Gardens.
- Completion of a built facilities strategy and playing pitch strategy, which has been used to inform an overarching action plan for sports provision.
- £295,000 of the Household Support Fund allocated to local providers through the Facing Hardship Group.
- New digital applications launched to support customer interaction with the council.

4 End of year performance report for 2024/25

4.1 The end of year performance report at Appendix 3 sets out the key strategic performance indicators service areas have been monitoring for the year 2024/25.

4.2 Overall, performance has been good, but there are some areas where performance could be improved. Some examples of performance are given below:

- Income from the pest control service and from car parking exceeded target, but income at the Cemetery & Crematorium was lower than forecast.
- The number of new affordable homes delivered in the borough was strong. The council did not deliver any new build affordable homes in 2024/25 due to delay in the completion of a development, but it is expected this will begin to deliver new homes in the first quarter of 2025/26.
- The number of homelessness preventions and reliefs was significantly off target due to prevention options dwindling, notably as a result of the private rented sector becoming increasingly unaffordable. But the number of households in CBC owned temporary accommodation continued to remain manageable.
- VisitCheltenham website sessions were down, but this is part of a global trend which has been attributed to the growth of AI in search engines, reducing the need for users to click through to websites.
- The shared building control service has performed well, gaining more of the total market share than target.
- Staff shortages and difficulties with recruitment have caused issues in some areas. Planning enforcement remains a difficult area, but the picture for planning conservation has improved through the year with several successful recruitments.
- ICT systems were robust and reliable and responses to ICT incidents (which were few) by the ICT service were consistently above target. This is vitally important to the smooth running the council's business and ensuring the council is able to deliver good quality services to its customers.

5 Refreshed Corporate Plan 2025 to 2028

5.1 The decision in 2023 to bring housing services back into the Council provided

an opportunity to review the current corporate plan and ensure the priorities and activities going forward reflect the council's additional responsibilities not only as a housing provider, but as landlord to the tenants and leaseholders who live in the council's properties. It was also an opportunity to reflect on progress made against the corporate plan over the last two years and the broader changes that have taken place at a national level.

5.2 As a result, the key priorities and activities have been refreshed to set the direction of travel to 2028.

- The council's five key priorities for the next three years are:Key priority 1: Securing our future
- Key priority 2: Quality homes, safe and strong communities
- Key priority 3: Reducing carbon, achieving council net zero, creating biodiversity
- Key priority 4: Reducing inequalities, supporting better outcomes
- Key priority 5: Taking care of your money

5.3 Most council activities contribute in some way to these priorities, but the Corporate Plan 2025 to 2028 has been streamlined to focus on a number of key strategic activities which will be essential to deliver if significant progress is to be made against the priorities over the next three years.

5.4 For each of the five priorities there are aims, specific actions and supporting (strategic) performance indicators. The actions are ones over which the council has significant control. This brings greater accountability and transparency to the Plan, enabling the council to be more clearly held to account on delivery.

5.5 The refreshed corporate plan is presented in full at Appendix 4.

6 Reasons for recommendations

6.1 Cabinet and Council are asked to note the review report and performance report to acknowledge the progress that has been made against the Corporate Plan 2023 to 2027.

6.2 Cabinet is asked to approve the refreshed Corporate Plan 2025 to 2028 to set the direction of travel for the council for the next three years and Council is asked to endorse this.

7 Alternative options considered

7.1 None. A refresh of the corporate plan was needed to reflect the changes the council has undergone as a result of the integration of housing services.

8 Consultation and feedback

8.1 Early on in the review and refresh of the Plan, consultation was undertaken with Cabinet to refresh the key priorities. The more detailed aims, actions and performance indicators have been developed in consultation with the Leadership Team and the Leader. No further consultation has been undertaken as this is a refresh of an existing plan to cover the next few years.

9 Key risks

9.1 It is vital the corporate plan is refreshed to ensure it reflects the activities of the council in light of the reintegration of housing services. The activities also need to be measurable and ones over which the council has significant control, otherwise it will not know if it has been successful in making progress against the priorities and customers and the wider community will also not be able to hold the council to account.

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Appendices:

1. Risk Assessment
2. Corporate Plan 2023 to 2027 – year two review
3. End of year performance report 2024/25
4. Corporate Plan 2025 to 2028
5. Equality Impact Assessment
6. Climate Change Impact Assessment

Background information:

Corporate Plan 2023 to 2027.

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 corporate plan is not refreshed, then it will not accurately reflect the activities of the organisation.	Chief Executive	4	3	12	Reduce	Ensure corporate plan is refreshed and kept under review	Leadership team	15/07/25
	If actions and indicators in the refreshed corporate plan are not measurable then the organisation will not know if it has been successful in delivering the corporate plan priorities.	Chief Executive	4	3	12	Reduce	Ensure actions and indicators in the corporate plan are measurable.	Leadership team	27/06/25
	If actions and indicators in the refreshed corporate plan are not measurable then the council cannot be held to account by its citizens over progress against the key priorities.	Chief Executive	4	3	12	Reduce	Ensure actions and indicators in the corporate plan are measurable.	Leadership team	27/06/25

	If the council does not have significant control over the actions in the refreshed corporate plan then it will be more difficult to make progress against the key priorities and for the council to be held accountable for the progress.	Chief Executive	4	3	12	Reduce	Ensure actions in the corporate plan are ones over which the council has significant control	Leadership team	27/06/25
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Corporate Plan 2023-2027 – year two review

Key Priority 1: Enhancing Cheltenham's reputation as the cyber capital of the UK

Key Priority 2: Working with residents, communities and businesses to help make Cheltenham net zero by 2030

Key Priority 3: Increasing the number of affordable homes through our £180m housing investment plan

Key Priority 4: Ensuring residents, communities and businesses benefit from Cheltenham's future growth and prosperity

Key Priority 5: Being a more modern, efficient and financially sustainable council

Council officers have collated the below information on progress made over the second year of the council's Corporate Plan 2023-2027.

Key Priority 1 – Enhance Cheltenham’s reputation as the cyber capital of the UK

Golden Valley Development: National Cyber Innovation Centre	The Local Planning Authority has had proactive and extensive pre application with applicant HBD. Outline application now fully developed and scheduled for consideration by Planning Committee 4 th July 2025. The National Cyber Innovation Centre now renamed <i>IDEA</i> forms a major part of the first phase of the Golden Valley development. Golden Valley is also part of the wider Gloucester, Cheltenham and Tewkesbury Joint Core Strategy West Cheltenham strategic allocation and collectively through the live applications proposes 138,570 sqm of employment (Use Class E). <i>IDEA</i> will be the focal point of the Golden Valley campus, providing an open and collaborative space for government, academia and industry to co-locate, network and share knowledge. <i>IDEA</i> and wider Golden Valley campus will provide flexible and dedicated office and lab space to suit a variety of needs.															
Golden Valley Development: increasing the supply of new homes	<p>Proactive pre application with developers presenting applications across the West Cheltenham Strategic allocation which will collectively bring forward, if approved 2,484 new homes. Applications will be presented to Planning Committee for consideration Summer/Autumn 2025. The Local Planning Authority has worked extensively with the applicants and the schemes presented will be supported by a collaborative masterplan and infrastructure delivery plan. The applicants have worked within the context of both the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy and the Golden Valley Supplementary Planning Document.</p> <table><tr><th>Developer</th><th>Application reference</th><th>No. new homes</th></tr><tr><td>St Modwens</td><td>22/01817/OUT(CBC) 22/01107/OUT (TBC)</td><td>1,100</td></tr><tr><td>HBD (north)</td><td>23/01874/OUT</td><td>443</td></tr><tr><td>HBD (south)</td><td>23/01875/OUT</td><td>576</td></tr><tr><td>NEMA</td><td>24/01268/OUT</td><td>365</td></tr></table>	Developer	Application reference	No. new homes	St Modwens	22/01817/OUT(CBC) 22/01107/OUT (TBC)	1,100	HBD (north)	23/01874/OUT	443	HBD (south)	23/01875/OUT	576	NEMA	24/01268/OUT	365
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HBD (south)	23/01875/OUT	576														
NEMA	24/01268/OUT	365														
Golden Valley Development: developing and delivering an ambitious social value plan	We revised our Social Value Strategy in 2024/2025 to a more streamlined version with a defined set of actions which we have started to implement. These include working with Jam Coding, a provider of computer education, to deliver sessions to local primary schools in some of our more deprived wards. We have also incorporated a section within the construction tender process to ensure social value will be embedded in the delivery of their contract.															
Expanding local cyber eco-system through Minster Exchange (MX)	We promote the use of MX and encourage, and support events held there. We are working with the MX workspace operator to increase the number of companies in the local cyber tech sector to occupy space there.															

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Supporting cyber-tech skills of young people	See above on Jam Coding. We are also working with the University of Gloucestershire and the county council to develop a skills hub to promote the development of cyber skills for young people.
Supporting the DataFace project to help train the next generation workforce in cyber and tech industries	The council has utilised a UK Shared Prosperity Fund grant to support the DataFace project which enables young people to tell stories they care about through gathering and presenting data. In 2024-25, 2,588 learners have been engaged with the project.
Making connections with cyber businesses	We work with our development partner HBD and their innovation advisers Plexal to target and actively approach cyber businesses of different sizes. This is further supported through our attendance at Cyber UK, the government's flagship cyber security event.

Key Priority 2 – Working with residents, communities and businesses to help make Cheltenham net zero by 2030

Publicly accessible electric vehicle (EV) charging points	<p>Works are progressing and are on track. EV charging points are now available in the following locations:</p> <ul style="list-style-type: none"> • 10 installed at Bath Terrace car park • Arle Court Park and Ride has 100 7kW EV charging points and 4 rapids • St George's car park – 10 x 7kW EV charging points (public access weekend only) • 42 EV charging points have been installed on-street with other locations being explored
Working with residents, communities, businesses, public and voluntary sectors, including Gloucestershire County Council, to take forward the actions set out in the 'Climate Emergency Action Plan: Pathway to Net Zero'	<p>Cheltenham Zero initiative:</p> <ul style="list-style-type: none"> • January Net Zero New Year event held in January 2025. • Approximately 180 members signed up. <p>Retrofit engagement:</p> <ul style="list-style-type: none"> • 37 homeowner visits planned • 1 major event: Future Fit Homes in February. <p>School COP (Conference of the Parties) climate change event hosted at Municipal Offices.</p> <p>Climate Leadership Gloucestershire collaborations with Gloucestershire County Council.</p>
Implement changes to continue to reduce fuel use in our waste,	Measures have been implemented to increase fuel & route efficiency in the waste fleet. Vehicles continue to use hydrotreated vegetable oil (HVO) instead of diesel, reducing carbon emissions, and vehicles due for replacement are, where possible, being replaced with EV if under 3.5T. Telematics and other initiatives are still in place to ensure we are using the minimum amount of fuel.

recycling, parks and gardens services	The introduction of the Litterlotto app supports bin day notifications to mobile phones helping residents remember their bin day and reduce the number of missed bins thereby saving fuel.
Taking forward climate emergency investment opportunities through the £10m green deal fund	A number of projects have been approved for funding from the Green Deal fund to replace lighting and insulation at our council owned leisure centre, including heat retention pool covers, upgraded pool plant and air handling system, to reduce our energy consumption and save costs.
Embedding the Climate Change Supplementary Planning Document in planning decision making process	<p>The Climate Change Supplementary Planning Document (SPD) is a core document in supporting the consideration of planning applications and influencing early engagement through pre application engagement. Considered as best practice for Gloucestershire and influencing wider planning theme action plan through Climate Leadership Gloucestershire. The Council is leading on bringing climate change and planning teams together on a countywide basis to further embed best practice as part of this action plan. This included leading on a county wide workshop for both officers and lead Members with the support of the Town and Country Planning Association. The action plan arising was presented to Climate Leadership Gloucestershire April 2025.</p> <p>Metrics from the SPD have been incorporated into the Local Validation Checklist which was updated and approved by Cabinet 18th February 2025.</p> <p>The Climate team is liaising directly with major development teams and external developers to discuss meeting these targets.</p> <p>To support the wider implementation of the Climate Change SPD and recognising the importance of trees to Cheltenham, of which the council manages 183 sites and across these 5,751 trees, a tree strategy is in preparation. This will be a first of its kind for the borough and county, and will provide a valuable resource that maps maturity, condition and diversity. Active engagement is taking place with communities, businesses with a stakeholder workshop taking place 10th July. Supplemented by a questionnaire that has been made available borough wide, this will input into the final draft of the strategy that will be presented to Cabinet November 2025. £10,000 UKSPF funding has been allocated to support the implementation of the tree strategy.</p>
Implement behaviour change initiatives to reduce waste, increase re-use and recycling	The council has introduced the Litterlotto app to support residents to increase recycling by understanding what they can recycle and provide mobile phone notifications for bin day reminders. Vehicle livery is being developed and rolled out to promote these messages.
Working with local amenity and friends of groups to enhance biodiversity in our public spaces, parks and gardens	<p>Replacing seasonal bedding planting with perennial planting that is beneficial for local biodiversity and uses less energy and water and reduces plant wastage.</p> <p>Rolling out new volunteer policy and encouraging established groups to become more independent, freeing up ranger time to nurture new volunteer groups.</p>
Reviewing our environmental services, in partnership with our service provider Ubico, and the way we commission these services	Work is slowly being completed by Ubico to support a review of these services. Toilet cleansing has been outsourced to reduce costs and improve quality and resilience.

Reducing energy consumption across council-owned buildings	Building Management System is increasing energy efficiencies. Work is underway to commission decarbonisation reports on each of our key operational buildings. These will be used to produce an action plan to reduce our Scope 1 emissions from council owned buildings.
Explore options for a modern and fit-for-purpose strategic waste facility	The Local Government Reorganisation has slowed this work, and partners will be meeting to clarify its future direction during 2025.
Developing an Ecology and Biodiversity Supplementary Planning Document	An ecologist was appointed to the planning team in 2024 to support driving this work inhouse and ensuring this is embedded as part of the work of the planning, green space and climate teams. This is now entitled Nature Recovery Supplementary Planning Document which is currently in draft format and will be presented to Planning & Liaison Member Working Group June 2025 ahead of consideration by Cabinet Summer/Autumn 2025 to approve the draft for the purposes of public consultation later this year.
Work with the CheltZero partnership to fund businesses to carry out carbon footprint reporting and develop carbon reduction plans	Zellar platform was available to Cheltenham Zero members to assist with carbon calculations and sustainability action plans. 120k awarded to businesses for decarbonisation grants. The Council has contributed 80% of the costs for Severn Wye Energy Agency to conduct decarbonisation audits for a number of Cheltenham Zero members.
Developing and delivering a town centre hub for safe bicycle parking	Utilising UK Shared Prosperity Funding and working in partnership with Gloucestershire County Council, four new lockable bike hubs have been confirmed and being deployed across Cheltenham town centre.
Working with Planet Cheltenham to develop the 'Retrofit Street' project	The Retrofit Street project has been progressed along with Future Fit Homes: <ul style="list-style-type: none"> • Number of households receiving support: 18 • Number of households supported to take energy efficiency measures: 13 • Number of people reached: 33017 • Number of local events or activities supported: 15
In partnership with the Department for Business, Energy & Industrial Strategy, undertake feasibility for launching two heat networks	The council has continued to work on potential heat network development in Cheltenham focussing on the Town Centre Heat Network option, supported via short term funding (until the end March 2025) from the Department for Energy Security and Net Zero (DESNZ) Heat Network Delivery Unit. Two workshops were held with key internal stakeholders to discuss and review technical issues and to consider potential commercial and financial options for future delivery of the network. Senior council officers attended the workshops and agreed that work on the next stage (DPD – detailed project development) should continue, subject to receiving further funding from DESNZ.
Removing reliance on generators for events	Work has been undertaken on the feasibility of implementing fixed power infrastructure in our Festival Gardens to reduce reliance on generators when events are run on these sites.

Taxi/private hire licensing policy	The council consulted on revisions to its taxi and private hire licensing policy to re-confirm the commitment to implement a fully carbon neutral licence fleet by 2030.
Air quality action plan	The council continues to deliver on its air quality action plan adopted in 2024. The action plan aims to ensure levels of NOx and PM1 and PM2.5 are below statutory levels. Annual data for monitoring locations around the borough continues to confirm that emission levels, predominantly, remained below the statutory levels. A review of the air quality action plan is due in 2025 in light of the aforementioned.
Schools air quality project	Our schools education project works with schools to educate, engage and upskill children and teachers on a range of air quality in schools topics e.g. stationary idling outside schools. Engagement includes children building their own air quality monitors to be deployed outside schools and these schools monitoring the data in order to implement measures to address poor air quality in and around the school.

Key Priority 3 – Increasing the number of affordable homes through our £180m housing investment plan

Increasing the supply of affordable housing	<p>During the 2024/25 financial year, 164 affordable homes were acquired or built across Cheltenham Borough with the council completing 29 affordable homes as part of our £180m housing investment plan.</p> <p>The council has secured 70 affordable homes through a Section 106 agreement at Swindon Farm, now called Regents Village, which are currently under construction and due for completion by September 2026. The council has acquired 6 affordable homes at Medway Court to help meet our housing needs by preventing these affordable homes from being sold on the open market by another affordable housing provider.</p> <p>The council has a current pipeline of 282 affordable homes over the current and four following financial years (up to 2028/29). This does not include the potential for the council to secure affordable housing on the northern and southern parcels of the Golden Valley development.</p> <p>A full review of affordable housing policies is underway as a key input into the Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan. Cheltenham officers are leading on this workstream.</p>
Taking a ‘fabric-first’ approach with improvements to existing homes	<p>The council continues to use funding received from the Government Social Housing Decarbonisation Fund (SHDF) Wave 2.1 and has improved 30 properties (23/24) and 42 properties in (24/25). Improvement works are continuing into 25/26 with an additional 115 properties.</p> <p>The council is part of a consortium which has secured new funding at the end of 24/25 under the Government’s WH:SHF (Warm Homes: Social Housing Fund) Wave 3. The council is to receive £3.68 million grant funding (to be matched by council co-funding, total</p>

	project cost £7.04 million) will be used to improve energy efficiency (fabric-first approach) and fit some low carbon heating. The project will aim to improve 425 properties to September 2028.
Maximising value for money and improving tenant, resident and community outcomes	In July 2024 the delivering of housing services returned to the council following 20 years of delivery of Cheltenham Borough Homes. The reintegration has already produced financial savings and identified areas where we can maximise resident and community outcomes, which we will now deliver via our housing improvement programme.
Commissioning services to reduce homelessness and strengthening pathways so that rough sleeping becomes brief, rare and non-recurring	<p>334 households' homelessness were prevented or resolved during 24/25, which is below our target of 400. Alongside this, the number of households owed a main homelessness duty, whilst within target, nevertheless increased from 62 households in 23/24 to 86 households for 24/25. This represents an ongoing upward trend since 2021/22 when only 16 households were owed a main homelessness duty.</p> <p>Despite these pressures, the council is still maintaining relatively manageable levels of households in temporary and emergency accommodation. As of 31st March 2025, there were 13 households in temporary accommodation, with a further 6 households in emergency bed and breakfast accommodation. Whilst these numbers are relatively low compared with pressures on temporary accommodation nationally, households are experiencing longer periods in emergency housing. The average length of stay for families in emergency accommodation is now 23 days, and for single people it is now 35 days – both have increased significantly in recent times, reflecting the challenges low income households in particular have in accessing private rented accommodation, and the need for us to continue to maximize the delivery of Social Rented housing in Cheltenham wherever possible.</p> <p>As of 31st March 2025, there were 3 rough sleepers in Cheltenham. During the course of the year, the end of quarter range has been between 3 and 7 rough sleepers at any one time. Significant partnership work continues to keep the number of rough sleepers to a minimum. This includes our recent recommissioning of a new Assertive Outreach Service, resulting in a new provider: Julian House who are now working alongside partners to seek to minimise rough sleeping in Cheltenham.</p>
Enabling development and regeneration opportunities to support more town centre living	<p>The council's planning and housing enabling teams worked closely with developers to deliver 20% affordable housing (29 affordable homes) at North Place, following a thorough viability assessment process, despite the developers facing significant financial challenges to deliver a viable site. This scheme is currently under construction.</p> <p>Vacant Units and Town Centre Land Use Efficiency Action Plan updated February 2025 with ongoing engagement with Cheltenham Business Improvement District (BID), agents and developers. Preparation of a Topic Paper – City and Town Centres that is further exploring the opportunities for town centre living, this will be published Summer 2025 as part of the ongoing engagement of the Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan. Feedback on this paper will help support policy development on the strategic and local plan. To support this the planning team are undertaking assessment on densities to inform development and design policies of the Strategic and Local Plan alongside an urban capacity study.</p> <p>Specialist retail consultants Nexus appointed to undertake a Retail Assessment (update) to inform the preparation of the Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan. This will help build the evidence base on retail need and demand and will have a close inter-relationship with the wider town centre uses, including housing.</p>

Key Priority 4 – Ensuring residents, communities and businesses benefit from Cheltenham’s future growth and prosperity

Boosting the local economy	
Developing our working relationship with Gloucestershire County Council to support high street improvements	Ongoing engagement with Gloucestershire County Council together with Cheltenham BID to seek positive alignment on outcomes to support improvements. Cross service activity including Marketing Cheltenham, Planning, Licensing and Environmental Health to ensure joined up conversations and outcomes.
Through Marketing Cheltenham, promote the town as a desirable place to live, work, visit, meet and invest	<p>Marketing Cheltenham continues to lead the delivery and support for the visitor economy in Cheltenham. The Visit Cheltenham brand’s social media audience has increased, and newsletter open rates have remained consistently higher than industry averages. The team has delivered four major seasonal campaigns, with significant engagement and positive interactions from members of the public and local businesses.</p> <p>The latest tourism statistics show that Cheltenham attracts around 2 million visitors each year who, in 2023, contributed £176,040,000 in visitor spend to the economy. In 2023, just over 3,000 people were employed in tourism related work, representing 5% of all employment.</p>
Developing a vision for the town centre	<p>Ongoing promotion of the town through Marketing Cheltenham. Work on the emerging Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan will help define the vision for the town centre. A new post – Urban Designer included within the growth bid for the planning team that was supported in the 2025/26 budget and has now been successfully recruited to. This new capacity will support this outcome.</p> <p>In addition, working with Cheltenham Civic Society and the Cheltenham Culture Board the preparation of a Heritage Strategy is underway supported by a steering group of key stakeholders. 2025-26 £10,000 UK Shared Prosperity Funding has been allocated to support this work.</p>
Continuing to develop and improve the cultural offer through the Culture Board, and support tourist attractions, cultural venues, and event organisers	Effective partnerships are in place with all key visitor attractions, culture venues and event organisers to support and promote their activities. Dedicated pages and promotions take place using the popular and established Visit Cheltenham brand, ensuring that visitors are aware of the many reasons to visit or live in Cheltenham.
Investing in Cheltenham Growth Hub to provide support for existing and start-up businesses	Cheltenham Growth Hub provides a valuable service to those thinking of starting a business or looking to grow and develop an existing business. For 2024-25 this work was funded by the UK Shared Prosperity Fund and further allocation made for continued funding 2025-26.

Supporting the promotion of Cheltenham as a place to do business with a focus on inward investment	<p>The Moving to Cheltenham brand continues to promote the town celebrating successes and highlighting opportunities for engagement, alongside marketing and engagement efforts for Golden Valley. The council's approach to tackling vacant units is a key intervention in supporting economic growth, regeneration and diversification within the high street. The council has actively engaged with the Gloucestershire Economic Strategy and the forthcoming Local Growth Plan for Gloucestershire, including facilitating direct engagement with Cheltenham businesses.</p> <p>Close and active engagement with Cheltenham BID.</p>
Support for people who are furthest from the labour market with individually tailored advice on how to move into, or closer to, the labour market	<p>UK Shared Prosperity Funding 2024-25 was used in partnership with Gloucestershire County Council to deliver targeted engagement activities with this demographic, enabling support with interviews, training and access to the labour market.</p>
Continue to build relationships with local, regional and national visitor economy stakeholders	<p>Tourism officers are actively engaged on the executive board for the Cotswolds Plus Local Visitor Economy Partnership. This has ensured an excellent ongoing relationship with visitor economy stakeholders such as VisitBritain and VisitEngland. In addition, regional destination management activity has included trade representation overseas and the provision of free training and support for local businesses.</p>
Reviewing core infrastructure across the town	<p>We have invested in the refurbishment of Montpellier Gardens public toilets – delivering a new Changing Places toilet, creating parity between male and female toilets and establishing new family changing facilities. This means a beautiful, listed building is now fit for purpose and accessible to all.</p> <p>June 2025, the Secretary of State for Transport granted development consent for the M5 Junction 10 Improvements Scheme. This is a major milestone that paves the way for delivering significant transport and economic benefits for Cheltenham and wider Gloucestershire. Specifically, it facilitates the strategic allocations at Northwest and West Cheltenham as allocated through the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy.</p>
Enhancing Cheltenham's cultural and sporting offer	
Supporting the Cheltenham Trust's re-opening of the Wilson Art Gallery & Museum	<p>The Wilson continues to enjoy healthy visitor numbers – this year, the Wilson received just over 94,000 visitors. In terms of participation and engagement, the Wilson had nearly 52,000 engagement interactions including 34,000 people benefitting from the Museum take-away loans service.</p>
Supporting, in partnership with others, the refurbishment of the museum galleries in the Victorian wing	<p>The council contributed £47k to the refurbishment project – on top of £200k from the Department for Culture, Media and Sport (DCMS) and £100k from the Friends of the Wilson. The capital works have now been completed and the Wilson team have now secured £192k additional funding to carry out an intensive programme of community engagement – called the BIG museum project that will determine how the Wilson can best utilise the collections to tell the story of Cheltenham. In addition, the council has recently agreed an updated collections development policy.</p>
Working with partner organisations to develop a sports strategy for Cheltenham,	<p>Good progress has been made. Following the production of an over-arching vision for sports and physical activity in July 2023, the council commissioned two specific studies to inform the next steps – the built facilities strategy and the playing</p>

to improve and further develop sport provision	pitch strategy. These studies were endorsed by Cabinet in 2024 with a result that an over-arching action plan has now been produced endorsed by Cabinet May 2025. This has three broad themes: investment into infrastructure, supporting communities to be more active and collaboration to create active and inclusive communities. A steering group to support the delivery of the action plan is being established and £12,500 UK Shared Prosperity Funding allocated 2025-26 to commission detailed pitch assessments of the five council-owned sites that need investment to identify improvements required to sustain the level of activity and ensure these are accessible to all.
Playing an active role in Cheltenham's Culture Board	We have continued to work with and support Cheltenham Culture Board which continues to provide cultural leadership. In the last 12 months, the board has worked with the Holst Birthplace Museum to secure £30k from Arts Council England for the Holst 150 programme, facilitated productive discussions with Arts Council England and provided a forum for productive relationships. A facilitated activity took place with the Culture Board May 2025 to review ways of working and delivery against the Culture Strategy.
Helping our communities	
Working with partner organisations to support our residents and communities with the cost-of-living crisis	We have worked with the Facing Hardship Group to refine its terms of reference so that it provides a forum for the coordination, oversight and implementation of collaborative solutions to mitigate the impacts of poverty in Cheltenham. Via the Facing Hardship Group, the council has allocated £295k worth of Household Support fund to local providers (including #feedcheltenham and CBC Housing Services) so that they can deliver direct support to those made vulnerable by the cost of living crisis.
Through No Child Left Behind, continuing to raise awareness of issues affecting children	In 2024/25 No Child Left Behind (NCLB) restructured itself to establish a strategic group, chaired by the Cabinet Member, that is responsible for the longer-term direction of the programme. By the end of the year, a total of 105 organisation had signed up to be part of NCLB via the community agreement. Other elements of the NCLB programme included securing £41k to commission detached youth work that operated from September 24 to March 25 in St. Pauls, the Moors and the town centre and undertaking a comprehensive engagement programme with local young people via the St. Giles Trust. This in turn led to the launch of a year of youth action at the NCLB showcase event at the end of January 2025.
Evaluate options of how we can support the Big Local and Saracens FC to take forward the development of a new sustainable community facility in St Peter's and the Moors	In 2024/25, the council has continued to work with Saracens FC, Petersfield Partnership, the St. Peters and the Moors Big Local Partnership to bring forward feasible plans for a new sports and community hub. The hub building, to be funded from Local Trust funding, council funding and a range of other sources, will deliver much needed community facilities and act as base for the Endeavour (Clear Hold Build) project. The planning application for the revised hub building was submitted in March 2024, and it is hoped that Petersfield Partnership are able to gain all the necessary permissions in order that the building can start on site in Quarter 2 of 2025/26.
Maximising further benefit from the Cheltenham Lottery	The Cheltenham Lottery has 103 good causes signed up and is raising £39.5k annually for good causes.
Working in partnership to ensure a safe night-time economy	Cheltenham retained its Purple Flag Accreditation in 2024 and has recently retained accreditation for 2025.

Exploring opportunities to establish a crowdfunding platform to help support local community initiatives	Conversations have taken place but at this stage the platform is not financially viable. However, we are continuing to explore options for the future.
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Key Priority 5 – Being a more modern, efficient and financially-sustainable council

Introducing new digital services to make it easier for our customers to interact with the council 24/7 and 365 days a year.	<p>Netcall: Netcall is the council's low-code development platform, which enables different applications to be designed and built in-house to support customer interaction with the council. To date the platform has reached a milestone of 143,500 completed cases across all developed applications and, in the last twelve months, a number of new applications have been launched, including:</p> <ul style="list-style-type: none"> • Missed collections – an application enabling customers to log their own missed collections, which creates an alert in the Ubico waste management system. • Customer receptacle ordering – customers can order and pay for their receptacles order, which creates an alert in the Ubico system for delivery. • Freedom of Information (FOI) – a self-service FOI case management system enabling customers to log their own FOI requests and providing the information governance team with a streamlined allocation and response management solution. <p>Bereavements Services have recently launched a new case management system which has introduced a self-service client portal for funeral directors, a self-service public genealogy portal for customers to research family history and explore significant historical data. financial integration to streamline invoice management and processing and document management and 3D mapping capabilities. Improvements have also been made to other internal systems and processes to adopt new legislative updates, increase return on investment and deliver efficiencies. The adoption of new systems and other changes are all designed to improve services for customers.</p>
Identifying opportunities that will help regeneration and provide a financial return	<p>We have progressed with the implementation of our Strategic Asset Management Strategy to identify assets surplus to the council's needs, generating capital receipts which have been used to fund investment in other activities outlined in the corporate plan.</p> <p>We have identified a number of sites owned by the council such as Arle Nursery, for development. Many of these are progressing through the planning process and will deliver new homes which will increase our council tax base and the funding available for investment.</p>
Ensuring value for money for the taxpayer by identifying	<p>We have undertaken a review of our pest control team to transform the service into one which better serves the needs of our customers whilst increasing the income generated for investment into wider council services.</p>

commercial opportunities to increase net income	<p>We have continued to review our commercial property portfolio to ensure that our assets are delivering value for money for council taxpayers and generating returns which can support the funding of wider council activities.</p> <p>We have implemented a car parking permit scheme for local businesses to maximise the use of our car parks, generating additional revenue to fund wider council services.</p> <p>We have reviewed our fees and charges on an annual basis to ensure that our services continue to provide value for money.</p>
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End of year performance – March 2025

Key performance indicator	Key priority	Reporting frequency	Target(s)	Target dir.	Quarter 1	Quarter 2	Quarter 3	Quarter 4	RAG status	End-of-year commentary/notes
Corporate services & HR										
Percentage Council IT systems uptime / availability	KP5	Quarterly	99.80%	Up	99.954	99.545	99.993	99.994	Green	System availability has been consistently above target through the year, demonstrating that council systems are robust and stable.
Average time taken to respond to an ICT incident (hours)	KP5	Quarterly	2 hrs	Down	00:00:00	00:21:00	00:05:00	00:00:00	Green	No incidents were reported in Q4. When an incident has been reported, the response time has been consistently above target.
Number of days per employee lost to short term sickness	KP5	Quarterly	3.7 days (per employee per year)	Down	0.59	0.83	0.87	0.95	Green	3.24 days per employee per year lost to short term sickness – whilst still below average, the trend has been to increase.
Number of days per employee lost to long term sickness	KP5	Quarterly	4.4 days (per employee per year)	Down	0.54	0.98	1.49	1.4	Green	4.41 days per employee per year lost to long term sickness – whilst only slightly above average the trend has been to increase. We have put an emphasis on the recording of data to managers this year, so this trend is likely to be a consequence of that. We still have an ongoing issue with accuracy of data and the lack of ability to intervene early due to the systems we are using. A shift to a new system is proposed and will give us more accurate data and the ability to reduce levels of sickness with early intervention.
% employee turnover for rolling year	KP5	Quarterly	15%	Down	16.15	15.48	13.56	13.17	Green	Below average for the sector, some turnover to be expected especially with the merging of services. Retention expected to improve as we moved towards a steadier state post TUPE.
Public protection & environmental health										
Licensing financial performance	KP5	Monthly	Income exceed expenditure	Up	Exp = £71088 Income = £79984	Exp = £70419 Income = £91929	Exp = £70149 Income = £137523	Exp = £70640 Income = £90403	Green	

Key performance indicator	Key priority	Reporting frequency	Target(s)	Target dir.	Quarter 1	Quarter 2	Quarter 3	Quarter 4	RAG status	End-of-year commentary/notes
Performance against statutory deadlines (percentage of licensing applications processed within statutory deadlines)	KP5	Quarterly	100% of all application types with a statutory deadline attached	Up	88%	75%	100%	100%	Green	Q1 & Q2 attributed to staffing challenges with licensing team and additional markets licensing admin strain. Improvement in Q3 largely due to staffing issues resolved. The licensing team is now fully staffed and training has gone well. Robust procedures in place to ensure that statutory timescales are met.
Delivery of the Air Quality Action Plan (AQAP)	KP2	Annual	Annual progress update	N/A						Levels of NO2 within the Air Quality Management Area (AQMA) have been below objectives for 5 years and so AQMA will be revoked in line with Defra requirements. The AQAP will be replaced with an Air Quality Strategy. Air Quality education officer post successful recruitment to cover maternity leave. County Council funded project has commenced on stationary idling. Real time monitoring of PM 2.5 and PM 10 at Gloucester Rd. All data for annual status review is now being collated and submitted to consultants and will be reported to Defra by deadline of end June 2025.
Achieve Purple Flag re-accreditation	KP4	Annual	Purple flag retained	N/A	N/A	N/A	N/A	Application submitted 24/01/25	Green	Notified in May that Purple Flag retained for 2025 for tenth consecutive year.
Private sector housing										
Number of adaptations completed within Government guidance – stage 3	KP3, KP5	Annual	95% within the required 6 months	Up	100%	100%	100%	100%	Green	Stage 3 is the grant application to grant approval stage. Once we receive a full and valid application, approval is made as soon as possible but always within the statutory time frame.
Households made safe	KP3, KP4	Quarterly	100% of dwellings with identified Cat 1 hazard where hazard	N/A	100% 32 dwellings made safe - 8 with Cat 1 hazard	100% 36 dwellings made safe - 8 with Cat 1 hazard.	100% 56 dwellings made safe - 8 with Cat 1 hazard.	100% 93 dwellings made safe - 3 Cat 1 hazards	Green	

Key performance indicator	Key priority	Reporting frequency	Target(s)	Target dir.	Quarter 1	Quarter 2	Quarter 3	Quarter 4	RAG status	End-of-year commentary/notes
			removed/reduced							
Housing strategy & homelessness										
Number of Rough Sleepers	KP3, KP5	Quarterly	5	Down	7	3	4	3	Green	
Number of Households in Bed & Breakfast	KP3, KP5	Quarterly	5 pq	Down	5	5	9	6	Amber	Increased pressure on emergency accommodation due in part to void turnaround challenges in our council-owned accommodation. Whilst numbers in B&B remain relatively low, thanks to local initiatives to provide alternatives to B&B, time spent in emergency accommodation for single people and for families has increased on average to 35 days and 23 days respectively.
Number of Households in Temporary Accommodation	KP3, KP5	Quarterly	20 pq	Down	11	16	14	13	Green	Numbers in council owned temporary accommodation continue to remain manageable, largely due to homeless families being directly matched into permanent accommodation as these properties become available.
Number of homelessness preventions and reliefs	KP3, KP5	Quarterly	400 pa	Up	78	81	105	70	Red	Total = 334. Significantly off target, as prevention options continue to dwindle, notably as a result of the private rented sector becoming increasingly unaffordable.
Main homelessness duty accepted	KP3, KP5	Quarterly	96 pa	Down	21	23	18	23	Green	Total = 85. Within target, but higher than 23/24, reflecting the ongoing challenges in managing homelessness.
Number of affordable homes delivered	KP3, KP5	Quarterly	115 pa	Up	18	58	33	55	Green	Total = 164. Very strong delivery of affordable compared with previous years, thanks in the main to Bromford Housing, which has delivered 115 of the 164 new affordable homes this year. CBC provided 29 affordable homes via open market acquisitions. 93 of the total 164 affordable homes were delivered as rented homes (64 no social rent, 29 no affordable rent).

Key performance indicator	Key priority	Reporting frequency	Target(s)	Target dir.	Quarter 1	Quarter 2	Quarter 3	Quarter 4	RAG status	End-of-year commentary/notes
Customer services, information governance and pest control										
75% of all calls to be answered within 60 seconds	KP5	Quarterly	75%>	Up	-	Circa 84%	92%	84%	Green	<p>The 60 second KPI was introduced mid-way through Q2, therefore no data for Q1 and Q2 is a best estimate.</p> <p>For April 2025/26 the percentage will be increasing to 90% of calls in 60 seconds which is best practice in the sector and in line with CBC Housing Services Contact Centre.</p>
Number of maladministration judgements by Local Government and Social Care Ombudsman (LG&SCO) against the council	KP5	Quarterly	0	N/A	0	0	0	0	Green	
Number of GDPR data incidents	KP5	Quarterly	25 pa	Down	6	5	4	4	Green	Total = 19.
Pest control revenue against target	KP5	Quarterly	£38,246	Up	£37,097	£55,868	£55,953	£56,679	Green	<p>Pest control has performed extremely well again in 2024/25 year with a continued rise in income and over £10,000 deferred income being carried forward in 2025/26 the next financial year. The team have worked hard to expand our commercial contracts as well as providing services for our in-house partners in Greenspace, Property and Housing.</p>
Communities, wellbeing & partnerships										
Number of No Child Left Behind (NCLB) members against target	KP4, KP5	Quarterly	90	Up			105	105	Green	<p>Significant growth in sign-ups to the NCLB community agreement this year. NCLB now has 105 partners including 25 schools and 21 business organisations.</p>

Key performance indicator	Key priority	Reporting frequency	Target(s)	Target dir.	Quarter 1	Quarter 2	Quarter 3	Quarter 4	RAG status	End-of-year commentary/notes
£TCT Surplus	KP4. KP5	Annual (April)	£10,000 - £50,000 Amber/ £50,000+ Green	Up	N/A	N/A	N/A	Forecast 300k deficit	Red	Due to presence of RAAC, the teaching pool and splashpad were closed at the beginning of April and reopened on 15 April, plus then full closure of changing village between 20 May and 19 July. Majority of TCT deficit occurred at Leisure At in first 9 months of year: Variance against budget in all pool revenue P1-9 - £228,000 Variance against budget gym memberships P1-9 -£ 57,000 Hire of changing rooms for RAAC +£ 84,000
Finance & assets										
Cumulative percentage of savings achieved against the agreed budget	KP5	Quarterly	Q1: 25% Q2: 50% Q3: 75% Q4: 100%	Up	68%	70%	73%	73%	Red	The year end outturn report will be presented to the July Cabinet and Council meetings and the position on the annual savings will be included. A number of savings were delayed due to timing issues but significant underspends in other areas has meant we have delivered the 2024/25 revenue budget without further draw on general balances.
Percentage of vacant space available in our investment properties at each reporting date	KP5	Quarterly	20%	Down	4.52%	4.52%	4.33%	5.16%	Green	A number of tenants have exercised their break-clauses terminating their lease agreements. 3.93% of vacant space is within Ellenborough House alone.
Proportion of assets which have been reviewed against the indicators in the Asset Management Strategy	KP5	Annual - March	25%	Up	N/A	N/A -	N/A -	47%	Green	
Percentage of the planned maintenance programme completed	KP5	Annual - March	100%	Up	N/A	N/A	N/A	100%	Green	As a team we worked collectively together to ensure all planned maintenance tasks were complete by December, we are aiming for the same again this coming financial year.

Key performance indicator	Key priority	Reporting frequency	Target(s)	Target dir.	Quarter 1	Quarter 2	Quarter 3	Quarter 4	RAG status	End-of-year commentary/notes
Car parks										
Parking fee income against budget	KP5	Quarterly	Q1: £1,048,167 Q2: £1,094,031 Q3: £1,245,281 Q4: £1,099,800	Up	1,091,596	£1,082,412	£1,270,755	£1,130,086	Green	Parking income at the end of Q4 exceeded budgeted income and parking income for the year is above the budgeted level.
Revenues & benefits										
Percentage council tax collection rate against target	KP5	Quarterly	Q1: 29.60% Q2: 57.15% Q3: 84.70% Q4: 98.35%	Up	29.60%	57.15%	84.18%	98.18%	Green	The annual collection rate is just below the target and the 2023/24 level but 98.14% is still a very good result in the backdrop of a cost-of-living crisis. The council tax team continue to work with those customers struggling to pay to maximise any entitlement to benefits or discounts and secure a payment plan. Robust recovery action will continue against those avoiding payment.
Percentage business rates collection rate against target	KP5	Quarterly	Q1: 36.00% Q2: 60.30% Q3: 84.00% Q4: 98.40%	Up	36.00%	60.30%	84.20%	97.22%	Green	The annual collection rate is below the target and the 2023/24 level. One large business continuing to avoid payment has significantly impacted the collection rate. However, 97.22% is still a very good result. The business rates team continue to work closely with businesses struggling to pay and robust recovery action will continue against those avoiding payment.
Cemetery & crematorium										
Income generated against budget	KP5	Quarterly	Q1: £617,863 Q2: £682,772 Q3: £697,086 Q4: £783,279	N/A	£678,186	£590,131	£653,277	£682,397	Red	Income targets down due to estimated cremation numbers being lower than forecast.

Key performance indicator	Key priority	Reporting frequency	Target(s)	Target dir.	Quarter 1	Quarter 2	Quarter 3	Quarter 4	RAG status	End-of-year commentary/notes
Elections & registration										
% of households registered to vote	KP4	Quarterly	90%	Up	91%	91%	90%	90%	Green	
Building control										
Overall Market share between Cheltenham and Tewkesbury	KP5	Quarterly	60% target market share based on a regional average	up	66	63	63	73	Green	Market share has increased significantly in Q4 to 73% which equates to the service receiving 331 from a possible 454 application during that period. 123 applications will be controlled by our competitors. Overall, during 2024-25, the service has received 1,147 applications from a possible 1,723 which equates to 67% market share. The service is clearly continuing to remain competitive whilst developing new statutory obligations from the Building Safety Regulator.
Applications determined in statutory time period	KP5	Quarterly	100%	N/A	97	93	92	100	Green	In Q4, 72 applications were deposited for approval with full plans and 100% performance has been achieved which has been as a result of great team effort and dedication.
Dangerous structures actioned within 2 hours of normal working hours (9am till 5pm).	KP5	Quarterly	90%	up	71	58	88	93	Green	Below target performance in Q1 and Q2 was reviewed. As a result, a new officer was appointed, and suitable training was delivered across the team to introduce more resilience and robustness by increasing the number of team members able to respond to dangerous structures. Performance against target in the latter half of the year improved as a result.
Major developments & regeneration										
Number of affordable units delivered to the Housing Revenue Account (HRA) per annum through the acquisitions programme	KP3	Quarterly	25 pa	Up	2	5	7	16	Green	10 former Right to Buy properties purchased as part of the buyback programme in the Q4 period. An additional 6 flats were acquired through a stock rationalisation at Medway Court, Whaddon Rd from housing provider LiveWest increasing the total number of homes to 16 during Q4. This resulted in the overall delivery of 30 homes exceeding the target of 25 properties per annum.

Key performance indicator	Key priority	Reporting frequency	Target(s)	Target dir.	Quarter 1	Quarter 2	Quarter 3	Quarter 4	RAG status	End-of-year commentary/notes
Number of new build affordable homes delivered per annum	KP3	Quarterly	20 pa	Up	0	0	0	0	Red	Regent's Village handover delayed until Q1 or Q2 2025/26. This development will deliver 70 Affordable homes over the next couple of years. The first 10 are now due to be handed over in Q1 or Q2 2025/26.
Golden Valley: number of engagement events delivered or attended per annum focused on local businesses, local community or schools and academia	KP1, KP4	Annual	4	Up	7	4	15	11	Green	<p>The Golden Valley team has leveraged this stage of the planning process to gain strong visibility and promote key milestones and strategic pillars. We have actively engaged with relevant stakeholders and industry partners to strengthen connections and raise awareness of the project's progress and objectives. A strong focus has been in the education sector and promoting our social value pillars.</p> <p>Senior team members have been included in numerous panels at events to share their expertise and discuss Golden Valley in more detail. Provide opportunities for questions to be raised which has enabled the team to understand public perception better and address any concerns via comms and engagement outputs.</p>
Number of potential occupiers met per annum for the Golden Valley Development who do not currently have a significant presence in Cheltenham	KP1, KP4	Annual	2	Up	3	2	3	0	Green	Potential companies met through specific meeting and follow up contact. This will be continued in 2025/26 initially through meetings at the Cyber UK Conference in Manchester in May 2025 and then through the Front Door Working Group activity which also includes our development partner HBD and their innovation advisers Plexal.
Number of community engagement activities taking place per annum which are relevant to the Golden Valley and surrounding areas	KP4	Annual	2	Up	2	10	5	3	Green	The Golden Valley team successfully hosted three public consultation sessions, providing valuable opportunities for community engagement and feedback. In addition, a quarterly community newsletter was launched in Q4, now regularly distributed to a wide range of local community groups to keep them informed of the latest progress and developments across the Golden Valley project.

Key performance indicator	Key priority	Reporting frequency	Target(s)	Target dir.	Quarter 1	Quarter 2	Quarter 3	Quarter 4	RAG status	End-of-year commentary/notes
Marketing Cheltenham										
Visit Cheltenham website sessions	KP4	quarterly	15% increase	Up	-8.7	-2.07	-2.01	-11.80%	Red	Whole year = -5.7% fewer website sessions (visits) than 2023-24. AI overviews now directly answer queries at the top of the search results page, meaning there is often no need to click through to the website itself. Average global reduction in website sessions of around 30%. Therefore a 5.7% reduction is a much better outcome than might have been anticipated.
Generate commercial income	KP5	quarterly	£647,850 pa	Up	£70,885	£69,804	£210,090	£270,270	Amber	Commercial income generated = £621,049. Contribution to income from UK Shared Prosperity Fund project of £23,304 means that final figure for income to Marketing Cheltenham is £644,353.
Monitor the number of town centre vacant units	KP4	annual	Compare to national average = 14% for 24-25	Down	8.10%	7.80%	7.20%	8.00%	Green	Compared to the national average, Cheltenham's vacancy rate of 8% shows that the town centre is performing well. There are still key streets with higher vacancies – most notably the Boots corner end of the Prom. Work is underway to fill some of these units and there is some movement.
Greenspace development										
Income from café and concessions contracts against target	KP5	quarterly	£21,000	N/A	£5250	£5250	£5250	£5250	Green	Parks outlets continued to thrive in high quality, valued Green Flag parks.
Percentage of parks entered for Green Flag Park award achieving award	KP2, KP4	Annual – September	100%	N/A	N/A	N/A	7	N/A	Green	All parks that were entered successfully retained the prestigious Green Flag award. The award scheme is one of the quality indicators used by The Times newspaper that saw Cheltenham positioned as the second most desirable place to live in the Country. Seven entered and seven retained – Pittville Park, Sandford Park, Springfield Park, Winston Churchill Memorial Gardens, Hatherley Park, Montpellier Gardens, Naunton Park

Key performance indicator	Key priority	Reporting frequency	Target(s)	Target dir.	Quarter 1	Quarter 2	Quarter 3	Quarter 4	RAG status	End-of-year commentary/notes
Income from land hire fees	KP5	Annual	100% of land hire income is received	Up	N/A - Annual	N/A - Annual	N/A - Annual	£46,905	Amber	Down against previous year, although previous year contained four one off events, organised by the Cheltenham Trust that have not been repeated Total income for 2023/24 = £52,038
Development management & enforcement and conservation										
Percentage of all major applications determined in time (13 weeks or 16 weeks if EIA – unless otherwise agreed).	KP5	quarterly	75%	Up	100%	86%	100%	50%	Green	Performance dipped in Q4 due to the highly sensitive nature of the statistics in this category. We only have a very small number of major applications and therefore a relatively small number of overdue decisions can cause performance to drop significantly – by 50% in this case.
Percentage of all minor applications, householders applications and other applications determined in time (8 weeks - unless otherwise agreed)	KP5	quarterly	80%	Up	92%	88%	90%	92%	Green	These represent the majority of our applications and where resources are therefore focussed – hence consistent performance here and the consistency of the team in maintaining high level outputs on caseloads.
Percentage of all applications determined within time (unless otherwise agreed)	KP5	quarterly	80%	Up	92%	88%	90%	91%	Green	Overall consistence in performance.
Percentage of enforcement cases actioned within 20 working days of being first registered.	KP5	quarterly	80%	Up	83%	86%	43%	35%	Red	Recent poor performance reflects the worsening staffing and recruitment situation in Enforcement. We only have a single enforcement officer (two in the structure) and throughout the last six months we have struggled to recruit. Successful appointment made in May; this will greatly support this service, focus on backlog and moving to a more positive position in service.
Percentage of conservation comments returned to the case officer within 21 days of consultation	KP5	quarterly	70%	Up	29%	21%	56%	67%	Amber	The uplift in performance over the last six months reflects our successful recruitment of three conservation officers in late 2024. Previously we were entirely reliant on a single agency officer for several months and performance significantly dropped as a result. The backlog built up over that period is now being managed together with proactive work now being picked up.

Key performance indicator	Key priority	Reporting frequency	Target(s)	Target dir.	Quarter 1	Quarter 2	Quarter 3	Quarter 4	RAG status	End-of-year commentary/notes
Planning policy										
Publication of a housing land supply position statement showing a deliverable supply of housing sites	KP3	annual	annual	N/A					Red	<p>Cheltenham Borough Council do not have a five-year housing land supply. A housing delivery action plan presented to Cabinet 10 June 2025. This will contain measures about how to try to improve the housing land supply.</p> <p>The biggest challenge for Cheltenham is that 50% of our housing land supply is provide by the strategic allocations at Northwest and West Cheltenham, the progress of these schemes coming forward have been significantly delayed by the M5 Junction 10 improvements scheme uncertainties. On 4 June the Secretary of State for Transport granted development consent for an all-movements junction — a major milestone in facilitating Cheltenham’s housing delivery.</p> <p>29th May Elms Park (North West Cheltenham) planning application approved.</p> <p>4th July HBD South (West Cheltenham) planning committee scheduled with planning committees 1 be scheduled Autumn to facilitate decision making on wider West Cheltenham planning applications.</p>
Up to date Local Development Scheme maintained	KP1, KP2, KP3, KP4, KP5	annual	annual	N/A					Green	<p>Cheltenham Borough Council, Gloucester City Council and Tewkesbury Borough Council have all agreed a new Local Development Scheme. This sets out that the Strategic and Local Plan (SLP) will be submitted to the Secretary of State for examination by December 2026 in order for the Plan to be considered under the current local plans system</p> <p>Revised Local Development Scheme agreed by Cabinet on 18 February 2025.</p>
Environmental services										
Collection accuracy – waste and recycling	KP2, KP5	Quarterly	99%	Up	99%	99%	99%	99%	Green	

Key performance indicator	Key priority	Reporting frequency	Target(s)	Target dir.	Quarter 1	Quarter 2	Quarter 3	Quarter 4	RAG status	End-of-year commentary/notes
Residual waste per household	KP2, KP5	Quarterly	Annual target 397 kg/hh	Down	101kg/hh	97kg/hh	97kg/hh	95.81kg/hh	Green	Cumulative annual target reached was 392 kg/hh
NI 192 – recycling rate %	KP2 & KP5	Quarterly	Target is 55% until 2025	Up	51.95%	50.96%	51.47%	48.64%	Red	



Cheltenham Borough Council Corporate Plan 2025 to 2028

Introduction

Cheltenham is a world-renowned cultural destination; our town is rated one of the best places to live and it is also the UK's capital of cyber and security.

We want everyone who lives and works in our town to benefit from Cheltenham's successes, and for all our residents and communities to thrive, not just survive, so that our town continues to be a fantastic place to live, work and visit.

Our decision in 2023 to bring housing services back into the council has given us an opportunity to review our existing Corporate Plan and ensure our priorities and activities going forward reflect our additional responsibilities not only as a housing provider, but as landlord to the tenants and leaseholders who live in our properties.

We are setting a higher standard for ourselves, and our town, to build a better future for everyone in Cheltenham, but we also recognise that pressures such as the cost of living impact our residents, businesses and communities. So, we will continue to work alongside our partners in the months and years ahead to deliver practical support and, as a council, we will aim to provide an excellent service to everyone, regardless of need or access to technology. We will also continue to invest in partnerships and services that will strengthen the long-term financial stability of Cheltenham.

This corporate plan sets out five key priorities, which we will be our focus over the next three years. Recently, the prospect of devolution and local government reorganisation has come to the fore. We will not ignore this, but it will not distract us from delivering what we have set out in this plan, and we will remain focused on delivering a better future for everyone in Cheltenham.

The principles that will guide our priorities

The delivery of our priorities is based around six principles. We will:

1. Help all our communities to benefit and prosper from our strong local economy
2. Work together with everyone in our networks to improve our borough and support our residents to be healthy, our communities to be strong and our businesses to thrive
3. Be commercially minded to keep costs down and our council financially stable, so we always provide value for money to the taxpayer
4. Use data and research to drive improvement, listening carefully to our residents, communities and businesses to underpin informed decisions
5. Ensure the climate emergency agenda is at the forefront and integral to all our decision-making
6. Be risk aware, rather than risk averse

Our key priorities

Over the next three years we will focus on five key priorities:

- Key priority 1: Securing our future
- Key priority 2: Quality homes, safe and strong communities
- Key priority 3: Reducing carbon, achieving council net zero, creating biodiversity
- Key priority 4: Reducing inequalities, supporting better outcomes
- Key priority 5: Taking care of your money

The council delivers both statutory and discretionary services and all contribute in some way to our key priorities. However, there are a number of major activities which will be essential to deliver if we are to make significant progress. We have identified these below and will track and report on our progress against these activities on an annual basis.

Key priority 1: Securing our future

As the home of GCHQ, we will build on Cheltenham's place as the capital of cyber and security to generate growth. Our mission will be to work in partnership to create good jobs and productivity growth that will make everyone in Cheltenham better off and also deliver benefits for Gloucestershire and the wider region.

We will play our part in breaking down barriers. Through our partnerships and social value programmes, we will bring opportunity for all and support our residents to develop the skills and talent they need to benefit from our growing tech and security industry.

What we will do over the next three years

Our aims:

Moving forward with the delivery of the Golden Valley development is essential to creating lasting growth for our borough. We want local people to have access to good jobs, skills and training opportunities, which will ultimately support all our local businesses.

We are also ambitious about maximising the social value benefits from this development. With our partners we are already delivering social value activities, but we have further plans to ensure we secure social value benefits into the long term.

We also want to support our wider local economy and will continue to work with Cheltenham BID, our businesses, and our partners in the hospitality and tourism sectors, to promote Cheltenham as a place to live, work, visit, meet, and invest.

Our actions:

- By the end of year 1 of this plan we will begin the phase 1 construction process of the Golden Valley development, which will deliver the Innovation Centre, Mobility Hub and infrastructure.
- By the end of year 1 of this plan we will agree clear social value targets with the main contractor for phase 1 construction, which we will track and report on.
- By the end of year 1 of this plan we will commence marketing parcels of land to housing developers to bring forward the residential element.

- In year 1 of this plan, we will work in partnership with Gloucestershire County Council and other authorities to develop a Local Growth Plan for Gloucestershire and, in future years, we will support with delivery of the objectives and outcomes.
- By the end of year 2 of this plan we will create a Social Value Charter, which will form part of the lease for all Golden Valley occupiers and tenants.
- By the end of year 3 of this plan we will commence construction of other commercial buildings on the development.
- We will continue to promote Cheltenham as a vibrant and attractive destination for visitors and for businesses through our dedicated Visit Cheltenham and Moving to Cheltenham websites.
- We will deliver a range of activities in partnership with Cheltenham BID and others to support the local economy.

Supporting key performance indicators:

- Employment rate
- Jobs created through Golden Valley development
- Innovation Centre tenants with no previous presence in Cheltenham
- Social value benefits – activities delivered; value quantified where possible
- Direct visitor spend
- Vacancy rates in council-owned investment properties

Key priority 2: Quality homes, safe and strong communities

We will make best use of our existing housing stock, deliver more homes and increase the number available for social rent. We will ensure these homes are matched to local housing needs to reduce homelessness and rough sleeping.

We will ensure that all Cheltenham Borough Council homes are high quality and safe, aiming to set the standard by which all local housing providers and private landlords should follow.

As one team, we will create a new integrated offer alongside partners to build positive connections with all our communities, make people feel safer and improve our neighbourhoods, public spaces and town centre.

What we will do over the next three years

Our aims:

Everyone should expect to live in a decent and safe home, and for our tenants and leaseholders, we will ensure we deliver this through our housing improvement programme and our housing investment plan.

Our housing improvement programme will deliver on our mission for housing services; *“Together with our tenants we provide safe, secure and well-maintained homes that help everyone reach their potential”*, ensure we meet our obligations as a social housing landlord and achieve the five consumer standards introduced by the Regulator for Social Housing. These standards are the:

Safety and Quality Standard: we must provide safe and good-quality homes for our tenants and good quality landlord services.

Transparency, Influence and Accountability Standard: we must be open with tenants and treat them with fairness and respect.

Tenancy Standard: we must ensure a fair allocation and letting of homes and manage our tenancies well.

Neighbourhood and Community Standard: we must engage with partners, which may include the Police, voluntary sector and charities, so that our tenants can live in safe and well-maintained neighbourhoods and feel safe in their homes.

Competence and Conduct Standard: all our social housing staff should have the skills, knowledge and experience to provide tenants with a quality and respectful service.

The council currently owns over 5,000 residential properties which are mix of social rented, leasehold and shared ownership homes. We know we need to have a full understanding of all our properties, and are undertaking a comprehensive stock condition survey programme, so we can make improvements where needed and provide the standard of housing our tenants and leaseholders deserve.

We also know that more affordable homes are needed for local people. To help meet this need we will continue delivery of our housing investment plan and develop a housing asset management strategy to ensure the homes we provide meet future needs. As part of this, we will aim to achieve an average of 35% affordable housing from all qualifying residential development brought forward across the borough.

We will ensure that our partnership working to deliver the neighbourhood and community standard brings benefits for everyone who lives in Cheltenham, so that all our residents can live in safe neighbourhoods, feel safe in their homes and feel safe to enjoy everything Cheltenham has to offer. We will also set standards through the Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan to ensure quality homes, safe and strong communities are delivered into the future.

Our actions:

- By the end of year 1 of this plan we aim to put all the requirements in place to be C2 compliant under the housing regulator's consumer standards ratings
- By the end of year 1 of this plan we will complete a stock condition survey of all our residential properties.
- In year 2 of this plan, we will complete development of our first housing asset management strategy.
- By the end of year 3 of this plan all senior housing staff will achieve a relevant housing qualification.
- By the end of this plan, we will complete our housing improvement programme and aim to have all the requirements in place to achieve a C1 rating.
- Over the next three years we will continue our housing investment plan and will deliver a net gain in the number of council properties available for rent, ensuring new homes reflect local needs.

- Over the course of this plan, we will develop the Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan in line with the published local development scheme timetable.
- Over the course of this plan, we will work with other parties including developers, government departments and agencies (e.g. Homes England) to achieve our aim of delivering an average of at least 35% affordable housing from qualifying residential development in the borough.
- We will retain our Purple Flag status for managing our evening and nighttime economy.

Supporting key performance indicators:

- Tenant and leaseholder satisfaction
- Housing complaints
- Percentage of council homes meeting the decent homes standard
- Number of households on the housing waiting list
- Main homelessness duty accepted
- Affordable homes delivered as a percentage of all qualifying residential development in the borough
- Level of antisocial behaviour

Key priority 3: Reducing carbon, achieving council net zero, creating biodiversity

We will continue to decarbonise council buildings, homes and the way we work, striving to achieve net zero by 2030. We will maximise opportunities to retrofit our council homes and buildings to reduce carbon, make them warmer and reduce the cost of bills.

And we will provide support to our residents and businesses to help them to do the same.

We will drive increased biodiversity in our borough and fully utilise our planning system to encourage developers to enhance our natural environment, mitigating the impact of new buildings.

What we will do over the next three years

Our aims:

As a town, we are rightly proud of all our parks and green spaces. We have many different wildlife habitats in our borough, some of which are significant and protected spaces, and the town also has a long and distinguished history of tree cover. It is vital we manage our spaces to protect and enhance biodiversity and approach development in a way which leaves the natural environment in a measurably better state.

Our Climate Emergency Action Plan sets our overall roadmap for reducing carbon emissions to achieve net zero and we will continue to deliver actions identified in the plan. In particular, we have opportunities through the Golden Valley development and our housing investment programme to deliver new low and zero carbon buildings in our borough. We also have an outline decarbonisation plan for retrofitting our social housing and will explore external funding options to make progress on this.

The integration of our housing services also means our fleet of vehicles has grown significantly, and we will look at how we can reduce the carbon emissions associated with this.

Our actions:

- By the end of year 1 of this plan we will publish our first Biodiversity Duty report.
- By the end of year 1 of this plan we will prepare a tree strategy, which will establish policies for the management of tree stock owned by the council, feed into local planning policy and help deliver against our climate commitments.
- By the end of year 1 of this plan we will produce an action plan for Suitable Alternative Natural Greenspace, meeting our obligations to the Cotswolds Beechwoods Special Area of Conservation.
- By the end of year 2 of this plan we will complete construction of the Innovation Centre at Golden Valley, which will be a low carbon building. As tenants move in, we will monitor operational carbon emissions and track this against our zero-carbon goal.
- By the end of year 2 of this plan we will complete decarbonisation assessments of the key operational buildings owned by the council.
- In years 2 and 3 of this plan we will report on the actions we have taken to fulfil our biodiversity duty.
- We will fulfil our biodiversity net gain (BNG) obligations within the planning system.
- We will use our housing investment programme to build low or zero carbon new homes.
- We will accelerate retrofit of our social housing as funding becomes available.
- Over the term of this plan, we will transition the council's fleet to electric vehicles where there are viable options and explore interim measures where viable options are not currently available.

Supporting key performance indicators:

- Biodiversity Net Gain (BNG) secured
- Council carbon footprint
- Number of operational properties assessed for decarbonisation
- Percentage of council housing stock retrofitted with carbon reduction measures
- Percentage of electric vehicles within fleet

Key priority 4: Reducing inequalities, supporting better outcomes

We will use our sport, leisure, arts and cultural assets to provide opportunities for everyone to be happier, healthy and more active.

We will build on our heritage as a globally recognised cultural and festival town to encourage more people to take part in culture.

We will invest in our leisure and sports facilities to broaden participation.

We will work together with our NHS, social care and police partners encouraging greater investment in activities that reduce pressure on our health system and reduce the incidence of crime and disorder.

What we will do over the next three years

Our aims:

Opportunities to be healthy and active should be available to everyone, whether that's through simply spending time in our green spaces or through participation in sport, leisure or culture.

Our leisure and culture assets and services are our key vehicle for providing accessible opportunities for everyone and we need to safeguard these for the future.

To effect meaningful change more broadly on the inequalities agenda, and to ensure we support work on prevention of crime and disorder, we know that we must continue to work with both our public sector partners, and with other organisations through No Child Left Behind.

We also have a role to play in supporting groups and organisations working to make a practical difference within their local communities.

Our actions:

- In year 1 of this plan, we will review and revise our policies for managing the community assets owned by the council.
- Over the next three years we will develop a long-term strategy for leisure and culture and start the process of re-procuring our leisure and culture services to safeguard these services for the long term.
- Over the next three years, we will track the level of investment made by our partners in our services and initiatives.
- Over the next three years we will continue to provide grant funding, agreeing clear measures of success with grant recipients to ensure this funding is directed to best effect.

Supporting key performance indicators:

- Level of investment made in our leisure and culture assets and services by us and by funding bodies
- Donations and sponsorship received by the No Child Left Behind initiative
- Number of programmes and initiatives supported by No Child Left Behind
- Global visitor numbers to our leisure and culture assets
- Number of concession memberships taken out at Leisure@
- Free participation events held by our leisure and culture service provider

Key priority 5: Taking care of your money

We will always strive to deliver high quality services that meet your needs as efficiently as possible.

We will continue to look for ways in which we can capitalise on innovation or new technology to improve customer experience and make your money go further.

We will take a commercial and prudent approach to managing our budgets and investments to ensure we remain financially stable and resilient and to secure the long-term financial sustainability of our funding and budgets.

What we will do over the next three years

Our aims:

Ensuring we balance our budgets and work towards becoming a financially sustainable council is essential to the delivery of this priority.

We will also make sure that the Community Infrastructure Levy (CIL) we collect from new developments in Cheltenham, which is ringfenced by national legislation for infrastructure, is spent wisely on both local neighbourhood schemes and broader strategic schemes.

We recognise, too, that the prospect of local government reorganisation means we must take account of this in some of our decision-making.

Our actions:

- By the end of year 1 of this plan we will complete the sale of the Municipal Offices and our share of Gloucestershire Airport, generating capital receipts for investment in service delivery.
- Over the course of this plan, we will reduce the budget gap year-on-year over the medium-term financial strategy period.
- By the end of this plan, we will relocate to alternative accommodation, which improves services for residents and is more efficient to run.
- By the end of this plan, we will rebuild the Housing Revenue Account balance back to the target of £1.5m.
- We will continue to work with our partners Gloucester and Tewkesbury, through the Community Infrastructure Levy Joint Committee, to ensure funding is appropriately allocated to both neighbourhood and strategic schemes. We will also oversee the schemes and be responsible for appropriate monitoring and governance of the funding awarded.
- We will engage with all our Gloucestershire partners on progressing the aim of moving to a new operational depot site to deliver waste and recycling and other environmental services.

Supporting key performance indicators:

- Annual level of general balances
- Percentage savings achieved against agreed budget
- Business rates collection rate
- Council tax collection rate
- Rent and service charge collection rates
- Operating margin of the Housing Revenue Account
- Number of initiatives supported by the Community Infrastructure Levy

Our overall measure of success

Our overall measure of success is how our residents feel about Cheltenham, the council and our services. So, we will run a residents survey in the first year of this plan and again at the end to help us assess how well we have done.

Our plan on a page

Our corporate plan priorities

Securing our future

Create good jobs and grow productivity that will make everyone better off and also deliver benefits for Gloucestershire and the wider region

Use partnerships and social value programmes to support skills and talent development so our residents can benefit from our growing tech and security industry

Promote Cheltenham as a place to live, work, visit, meet and invest to support our wider local economy

Quality homes, safe and strong communities

Make best use of our housing stock, deliver more homes and increase the number available for social rent

Match delivery to local housing needs to reduce homelessness and rough sleeping

High quality, safe homes, setting the standard for all local housing providers and landlords to follow

Make people feel safer and improve our neighbourhoods, public spaces and town centre

Reducing carbon, achieving council net zero, creating biodiversity

Continue to decarbonise council buildings, homes and the way we work, striving to achieve net zero by 2030

Maximise opportunities to retrofit council homes and buildings to reduce carbon, make them warmer and reduce cost of bills

Drive increased biodiversity

Utilise our planning system to enhance our natural environment, mitigating the impact of new buildings

Reducing inequalities, supporting better outcomes

Use our sport, leisure, art and cultural assets to provide opportunities for everyone

Build on our heritage as a cultural and festival town to encourage more people to take part in culture

Invest in our leisure and sport facilities to broaden participation

Work together with NHS, social care and police partners and encourage investment in activities that reduce pressure on health system and incidence of crime and disorder

Taking care of your money

Deliver high quality services efficiently that meet customer needs

Look for ways to capitalise on innovation or new technology to improve customer experience

Take a commercial and prudent approach to manage budgets and investments

Remain a financially stable and resilient council

Secure long-term financial sustainability of funding and budgets

Aims, actions and indicators to measure success

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Equality Impact Assessment

Introduction

An Equality Impact Assessment (EqIA) is a method for assessing the effects or impacts of a council policy or function on removing barriers to equality.

The Equality Act 2010 includes a public sector equality duty which requires public authorities to try and eliminate discrimination; advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it and promote equality and good relations across a range of protected characteristics.

The protected characteristics are:

Age	Disability	Gender Reassignment
Marriage and civil partnership	Pregnancy and maternity	Race
Religion or belief (including lack of belief)	Sex	Sexual orientation

An EqIA should be completed with the full range of protected characteristics considered during the initial stages of developing new strategies, policies, functions or services, prior to starting a procurement exercise and before decisions are made.

Examples of when an EqIA should be completed are:

<ul style="list-style-type: none"> Any proposals to introduce or add to a service 	<ul style="list-style-type: none"> Any proposals to adopt policy priorities, strategies and plans
<ul style="list-style-type: none"> Any proposals to remove, reduce or alter a service 	<ul style="list-style-type: none"> Changes to staffing structure where groups of employees are likely to be negatively affected
<ul style="list-style-type: none"> Any new policies or changes to policies 	<ul style="list-style-type: none"> Any proposals in relation to procured or commissioned services

Stage 1 - Equality Screening

Whenever a policy/service or function is reviewed, changed, developed or removed an initial equality impact assessment stage 1 will need to be undertaken. This is a screening template and will help establish whether a full assessment is needed. This should be done at an early stage of the process so that it is part of policy development.

Stage 2 – Equality Impact Assessment

This is the full EqIA and seeks to identify the equality considerations that have been taken into account including any mitigating actions proposed and ensures decisions are based on evidence. The EqIA will need to be agreed with the appropriate Head of Service or Director and should be included on the decision making report, along with commentary on the assessment in the main body of the report.

1. Identify the policy, project, function or service change

a. Person responsible for this EqIA

Officer responsible: Gill May

Service Area: Corporate Services

Title: Organisational Performance Lead

Date of assessment: 04/06/25

Signature: G S May

b. Is this a policy, function, strategy, service change or project?

Other

The Corporate Plan sets the overarching priorities, policy and performance framework for the Council.

c. Name of the policy, function, strategy, service change or project

Corporate Plan 2025 to 2028

Is this new or existing?

Already exists and is being reviewed

Please specify reason for change or development of policy, function, strategy, service change or project

The current Corporate Plan 2023 to 2027 has been reviewed and refreshed to incorporate the council's new housing responsibilities and to reflect progress made against the corporate plan over the last two years and the broader changes that have taken place at a national level.

d. What are the aims, objectives and intended outcomes and who is likely to benefit from it?

Aims:

The corporate plan sets the overarching priorities, policy and performance framework for the council. The overall aim of the plan is to contribute towards building a better future for everyone in Cheltenham through the delivery of five key priorities. It sets out a number of key activities which will be essential to deliver to make progress against these priorities. Aims and actions are set out under each of the key priorities.

Objectives:

The five key priorities are:

1. Securing our future
2. Quality homes, safe and strong communities
3. Reducing carbon, achieving council net zero, creating biodiversity
4. Reducing inequalities, supporting better outcomes
5. Taking care of your money

Outcomes:

Each key priority has a set of actions associated with it and key performance indicators. Together these form the outcomes of the plan which will contribute to the overall aim.

Benefits: The activities set out within the plan are wide-ranging and will deliver benefits for the local economy, residents, communities and the environment.

e. What are the expected impacts?

Are there any aspects, including how it is delivered or accessed, that could have an impact on the lives of people, including employees and customers.

Yes

Do you expect the impacts to be positive or negative?

Positive

Please provide an explanation for your answer:

The plan sets out key activities which, together, are designed to deliver positive benefits for Cheltenham Borough as a whole, across the local economy, residents and communities, and the environment.

If your answer to question e identified potential positive or negative impacts, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

f. Identify next steps as appropriate

Stage Two required

Yes

Owner of Stage Two assessment

Gill May

Completion date for Stage Two assessment

11/06/25

2. Engagement and consultation

The best approach to find out if a policy etc, is likely to impact positively or negatively on equality groups is to look at existing research, previous consultation recommendations, studies or consult with representatives of those equality groups.

a. Research and evidence

List below any data, consultations (previous, relevant, or future planned), or any relevant research, studies or analysis that you have considered to assess the policy, function, strategy, service change or project for its relevance to equality.

The Corporate Plan 2025 to 2028 is a refresh of the Corporate Plan 2023 to 2027 and is designed to cover the next few years, it is not a new plan. Consultation and engagement were undertaken during the drafting of the 2023 to 2027 Plan with a variety of groups and organisations including community groups, parish councils and public sector partners.

In addition, the Corporate Plan 2025 to 2028 pulls together key activities which are being delivered by a range of service areas. It is expected that equality issues will be considered in the context of each of the activities as they are delivered.

b. Consultation

Has any consultation been conducted?

No

Describe the consultation or engagement you have conducted or are intending to conduct. Describe who was consulted, what the outcome of the activity was and how these results have influenced the development of the strategy, policy, project, service change or budget option.

If no consultation or engagement is planned, please explain why.

The Corporate Plan 2025 to 2028 is a refresh of an existing plan, for which consultation was undertaken in 2022/23. Whilst not a direct consultation about the corporate plan, a residents' survey is planned during the first year of the plan and again at the end. This will provide insight into a range of topic areas and may influence the way in which individual corporate plan activities are delivered.

3. Assessment

a. Assessment of impacts

For each characteristic, please indicate the type of impact (positive – contributes to promoting equality or improving relations within an equality group, neutral – no impact, negative – could disadvantage them).

Please use the description of impact box to explain how you justify the impact and include any data and evidence that you have collected from surveys, performance data or complaints to support your proposed changes

Protected Characteristic	Specific Characteristic	Impact	Description of impact	Mitigating Action
AGE	Older people (60+)	Positive	<p>Key priority 2 sets out several activities including a housing improvement programme, a housing asset management strategy and progressing the Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan to ensure homes meet future needs and that communities are safe. These programmes and plans will consider the needs of older people.</p> <p>Key priority 4 includes providing accessible opportunities for everyone to be healthy and active through the council's leisure and culture assets and green spaces.</p>	
	Younger People (16-25)	Positive	<p>The actions described above, under key priorities 2 and 4, will also consider the needs of younger people.</p> <p>Key priority 1 includes actions to deliver social value. Social value activities will include supporting younger people into employment through skills development and apprenticeships and the Golden Valley development will provide job opportunities.</p>	
	Children (0-16)	Positive	<p>Key priority 1 includes actions to deliver social value. Social value activities will include supporting children to equip them with skills that will help them with future job opportunities.</p> <p>The actions described above, under key priorities 2 and 4, will also consider the needs of children and families.</p> <p>In addition, under key priority 4, the council will continue to work with other</p>	

			organisations through the No Child Left Behind initiative, which aims to help all younger people thrive.	
DISABILITY A definition of disability under the Equality Act 2010 is available here . <i>See also carer responsibilities under other considerations.</i>	Physical disability	Neutral	The corporate plan is a strategic document and does not contain actions aimed at specific groups. The equality impact of individual activities within the plan will be assessed as they are delivered.	
	Sensory Impairment (sight, hearing)	Neutral	As above.	
	Mental health	Positive	Key priority 4 includes providing accessible opportunities for everyone to be healthy and active through the council's leisure and culture assets and green spaces, which will also support mental health.	
	Learning Disability	Neutral	The corporate plan is a strategic document and does not contain actions aimed at specific groups. The equality impact of individual activities within the plan will be assessed as they are delivered.	
GENDER REASSIGNMENT		Neutral	As above.	
MARRIAGE & CIVIL PARTNERSHIP	Women	Neutral	As above.	
	Men	Neutral	As above.	
	Lesbians	Neutral	As above.	
	Gay Men	Neutral	As above.	
PREGNANCY & MATERNITY	Women	Neutral	As above.	

RACE* Further information on the breakdown below each of these headings, is available here . For example Asian, includes Chinese, Pakistani and Indian etc	White	Neutral	As above.	
	Mixed or multiple ethnic groups	Neutral	As above.	
	Asian	Neutral	As above.	
	African	Neutral	As above.	
	Caribbean or Black	Neutral	As above.	
		Neutral	As above.	
RELIGION & BELIEF** A list of religions used in the census is available here	See note	Neutral	As above.	
SEX (GENDER)	Men	Neutral	As above.	
	Women	Neutral	As above.	
	Trans Men	Neutral	As above.	
	Trans Women		As above.	
SEXUAL ORIENTATION	Heterosexual	Neutral	As above.	
	Lesbian	Neutral	As above.	
	Gay	Neutral	As above.	
	Bisexual/Pansexual	Neutral	As above.	
Other considerations				
Socio-economic factors (income, education, employment, community safety & social support)		Positive	Actions under Key priorities 1, 2 and 4 will support: <ul style="list-style-type: none"> future employment opportunities through the Golden Valley development and associated social value activities with the potential for increasing incomes 	

			<ul style="list-style-type: none"> • delivering skills workshops in schools • housing improvements to lower running costs and increase disposable income • partnership working to improve community safety • grants to organisations working within local communities to improve the lives of residents 	
Rurality i.e. access to services; transport; education; employment; broadband		Neutral		
Other (e.g. caring responsibilities)		Neutral		

* To keep the form concise, race has not been included as an exhaustive list, please augment the list above where appropriate to reflect the complexity of other racial identities.

** There are too many faith groups to provide a list, therefore, please input the faith group e.g. Muslims, Buddhists, Jews, Christians, Hindus, etc. Consider the different faith groups individually when considering positive or negative impacts. A list of religions in the census is available [here](#)

4. Outcomes, Action and Public Reporting

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- a. Please list the actions identified through the evidence and the mitigating action to be taken.

Action	Target completion date	Lead Officer
No actions identified as these will be determined as individual activities are delivered.		

- b. Public reporting

All completed EqIA's are required to be publicly available on the Council's website once they have been signed off. EqIA's are also published with the papers for committee and full council decisions.

5. Monitoring outcomes, evaluation and review

The Equalities Impact Assessment is not an end in itself but the start of a continuous monitoring and review process. The relevant Service or Lead Officer responsible for the delivery of the policy, function or service change is also responsible for monitoring and reviewing the EqIA and any actions that may be taken to mitigate impacts.

Individual services are responsible for conducting the impact assessment for their area, staff from Corporate Policy and Governance will be available to provide support and guidance, please email if you have any questions.

6. Change log

Name	Date	Version	Change

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Corporate Plan 2025 to 2028



Key

	Significant and/or long-term positive impact identified. No changes needed.
	Slight or short-term positive impact identified. No changes needed but could be reviewed to improve.
	Not applicable or no cause for concern.
	Slight or short-term negative impact identified. Review to identify possible improvements.
	Significant and/or long-term negative impact identified. Changes needed before proceeding.

This summary of the CIAT should be used to aid your decision making. Please note that red/amber segments simply mean that mitigations and changes should take place not that the project cannot go ahead.

Environmental	Scores	Justification	Recommendation
GHGs	-4	It is important to note that reducing carbon, achieving council net zero is a key priority, placing importance on the mitigation of greenhouse gases at the forefront of our major activities as a council. However, the overall impact is difficult to determine. The Strategic and Local Plan will include policies to reduce GHGs and activities such as the housing improvement programme and retrofit should deliver a reduction in GHGs, but the corporate plan includes actions relating to new construction, such as the Golden Valley development and new affordable housing. Whilst the aim is to build low or zero carbon buildings, on balance, it is concluded that, due to the scale of construction, there could be an overall increase in GHGs as a borough and as such the refreshed net zero priority within the corporate plan reflects this.	0
Air quality	0	In terms of indoor air pollution, in order to meet the Housing Regulator's consumer standard for safety and quality the council must provide safe and good-quality homes. This will be achieved through the housing improvement programme and will ensure any damp or mould in our housing stock is tackled as a priority. The Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan will also address air pollution, as will the Golden Valley development, but it is not possible to determine the overall impact.	0
Sustainable Transport	0	The impact on sustainable transport will be determined by the delivery of the individual actions set out in the corporate plan.	0

Land use change	0	The actions identified in the corporate plan will lead to land use change, but whether this has a positive or negative impact will be determined by the delivery of the individual actions and the balance that is achieved between the actions under key priorities 1, 2 and 3.	0
Biodiversity	8	Creating biodiversity is a priority and the actions include ensuring the council fulfils its biodiversity duty, fulfils its biodiversity net gain obligations within the planning system, prepares a tree strategy and produces an action plan for suitable alternative natural greenspace. On that basis, it is concluded that there is the opportunity to significantly improve biodiversity.	0
Soil and waterway health	0	Impact on soil and waterway health will be determined by delivery of the individual actions within the corporate plan, notably construction of the Golden Valley development.	0
Climate Change Adaptation	2	Impact on climate adaptation will be determined by delivery of the individual actions set out in the corporate plan. However there are opportunities in the construction of the Golden Valley development, the housing investment programme, retrofit of social housing and the tree strategy, so it is concluded there will be a positive impact on climate change adaptation.	0
Energy Use	-2	Impact on energy use will be determined by the delivery of the individual actions. The Innovation Centre at Golden Valley will be a low carbon building, the housing investment programme will be used to build low or zero carbon new homes, retrofitting of social housing will be undertaken (subject to funding) and the council will be making decarbonisation assessments of key operational buildings. These actions will deliver reductions in energy use and limit new energy use, however, due to the scale of construction, on balance, it is concluded there will be a slight increase in total energy use. However, the central government Clean Power 2030 Action Plan sets the expectation that the 2030 power system will see clean sources produce at least as much power as Great Britain consumes in total over the whole year. Therefore, whilst there will be an increase in electrical energy use, the system will be decarbonised.	0
Sustainable Materials	0	Use of sustainable materials will be determined by delivery of the individual actions, such as construction of the Golden Valley development and building of new homes through the housing investment plan.	0
Waste	-2	The impact on waste will be determined by delivery of the individual actions; however, it is concluded that the construction of the Golden Valley development and delivery of new homes is likely to lead to an increase in overall quantities of waste.	0

Social	Scores	Justification	Recommendation
Food	0	The actions in the corporate plan do not have a direct impact on food.	0
Health	2	The corporate plan aims to provide opportunities for everyone to be able to access leisure and culture opportunities. The council's leisure and culture assets are the key vehicle for achieving this and the plan includes an action to ensure these are safeguarded into the long term. The council will also work together with other partners to reduce pressure on the health system. Therefore, on balance, it is concluded that there will be an increase in positive health outcomes.	0

Housing	2	The corporate plan contains a number of actions, including improving the quality of social housing stock, the provision of new affordable homes and retrofitting properties to reduce energy use. All of these actions will make a positive impact.	0
Education	2	Under key priority 1, there are actions to drive longlasting social value benefits out of the Golden Valley development and this will include outreach work with schools and other educational institutions (it is already happening). The creation of a social value charter will ensure benefits continue to be delivered beyond the end of the corporate plan. In addition, the Golden Valley development is likely to offer opportunities such as apprenticeships. On balance, therefore, it is concluded there will be an increase in the availability of learning opportunities.	0
Community	4	The impact on the built community will depend on delivery of individual actions set out in the corporate plan, but there are wide-ranging opportunities through the Golden Valley development, the Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan, the council's biodiversity duty and the housing improvement plan, so it is concluded delivery of the corporate plan will have a positive impact on the built community.	0
Culture	2	The corporate plan includes actions to develop a long-term strategy for the council leisure and culture assets and to start a re-procurement of the services to safeguard these into the long term and to review and revise policies for managing council-owned community assets. Whilst the scale of the impact is difficult to quantify, as it will be determined by the services delivered, on balance it is concluded that there will be an increase in social or cultural resources.	0
Accessibility	0	The actions contained in the corporate plan do not, in themselves, have a negative impact on accessibility. Accessibility will ultimately be determined by the way in which the actions are delivered, but there are significant opportunities to improve accessibility.	0
Local Economy and Jobs	8	Delivery of the Golden Valley development will create a significant number of jobs from construction through to occupation and beyond. The impact of Golden Valley will also be much broader than the development itself and will impact the whole borough. The corporate plan also includes actions to continue promoting Cheltenham as a vibrant destination for visitors and businesses and to work with Cheltenham BID and others to support the local economy.	0
Safety	4	Under the housing improvement programme one of the standards the council is required to meet is the neighbourhood and community standard. The council will be working with partners to achieve compliance and aims to ensure this work brings benefits for everyone. The council is also committed to retaining Purple Flag status for managing the night time economy.	0
Equity	2	A full equality impact assessment has been completed and it is considered there will be benefits for all age groups and positive impacts on mental health and on socio-economic factors. The impact on other specific groups is neutral and will be determined by the delivery of the individual actions outlined in the plan.	0
Democratic Voice	0	The Corporate Plan 2025-2028 is a refresh of an existing plan; however, there is a commitment in the plan to undertake a residents survey in the first year and again at the end of the plan.	0

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Cheltenham Borough Council

Cabinet 15 July 2025

General Fund Revenue & Capital Outturn 2024/25

Accountable member:

Councillor Peter Jeffries, Cabinet Member for Finance and Assets

Accountable officer:

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

Ward(s) affected:

All

Key Decision: No**Executive summary:**

In accordance with financial rule A11.3, the Section 151 Officer is responsible for providing regular reports to the Cabinet on the Council's finances and financial performance. This report highlights the Council's financial performance and sets out the General Fund and Housing Revenue Account (HRA) revenue and capital outturn position for 2024/25. The information contained within this report has been used to prepare the Council's Statement of Accounts for 2024/25.

Financial rule B10.1 states that carry forward of planned underspend of revenue budgets into the following financial year will only be allowed with the agreement of the Section 151 Officer, in order to meet the needs of approved service delivery. Financial rule B10.3 states that all other carry forward requests, including budget underspends that have been carried forward in previous financial years, will be subject to full Council approval at the financial outturn meeting held after the year end.

The Council's Treasury Management Policy requires the Section 151 Officer to report to members annually, by the 30 September, on the treasury management activities and treasury management indicators for the previous financial year. This report also seeks to meet this requirement.

Recommendations: That Cabinet:

1. receives the financial outturn performance position for the General Fund, and notes that in delivering services in 2024/25, after the application of carry forward requests and following the use earmarked reserves, there was an underspend of £913 against the 2024/25 revised budget approved by Council on 21 February 2025.
 2. notes £420,144 of carry forward approved by the Section 151 Officer under delegated powers at Appendix 5.
 3. notes the annual treasury management report at Appendix 7 and note the actual 2024/25 prudential and treasury indicators.
 4. notes the capital programme outturn position as detailed in Section 7 of this report and Appendix 8, approve the carry forward of unspent budgets into 2025/26.
 5. notes the year end position in respect of Section 106 agreements and partnership funding agreements at Appendix 9.
 6. notes the outturn position in respect of collection rates for council tax and non-domestic rates for 2024/25 in Appendix 10.
 7. receives the financial outturn performance position for the Housing Revenue Account for 2024/25 in Appendix 11 and approves the carry forward of capital budgets from 2024/25 into 2025/26 as set out in Appendix 12.
-

1. Implications

1.1. Financial, Property and Asset implications

As detailed throughout this report.

Signed off by: Gemma Bell, gemma.bell@cheltenham.gov.uk, 01242 264124

1.2. Legal implications

As detailed in the body of the report, the Council has adopted and complied with the CIPFA Code of Practice for Treasury Management in the Public Services. This provides assurance that investments are, and will continue to be, within its legal powers.

Signed off by: One Legal, legalservices@onelegal.org.uk, 01684 272012

1.3. Environmental and climate change implications

Key elements of the budget are aimed at delivering the corporate objectives in the Corporate Plan, including the climate change and net zero carbon priorities. The sustainability of general balances and earmarked reserves is vital to continue to work

towards this objective.

Signed off by: Maizy McCann, Climate Change Officer

1.4. Corporate Plan Priorities

The actions outlined in this outturn report to support general balances, implement savings and grow commercial income will help ensure that the Council can continue to deliver its corporate objectives as set out in the Corporate Plan for 2023- 2027 and refreshed Corporate Plan 2025 - 2028.

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

2. Background

- 2.1. On 23 February 2024, Council approved the budget for 2024/25, including setting the Council Tax. The 2024/25 approved budget once again identified ambitious efficiency savings and required reducing expenditure or generating additional income of £2.841m to deliver on target. This brings the cumulative savings required since the pandemic to over £5.5m.
- 2.2. These are unprecedented times for local government. Over the past few years, the Council has faced financial pressures in almost all areas. Like many residents and businesses in our town, we have diverted significant resources and lost substantial income while responding to the COVID-19 pandemic. This was followed by a new crisis—rising service delivery costs and the challenge of supporting a growing number of residents affected by the cost-of-living crisis. These pressures come on top of nearly a decade of year-on-year cuts to the Council's government funding.
- 2.3. As a comparison, overspends were £2.606m in 2022/23 and the 2023/24 budget still relied on general balances to support the pressures which were forecast at £1.030m by 31 March 2024. The outturn for 2024/25 is a marked change from the previous two years and an overall underspend has been reported once more, indicating that the general fund is starting to stabilise after a long period of uncertainty.
- 2.4. The assessment of the robustness of the balances made by the Section 151 officer at each budget cycle has meant budgets have made provision for this and savings have been able to be implemented in a robust and informed way. Although inflation has fallen and interest rates seem to be following, recovery is a slow and gradual process and since 2022/23 our general balances have been consistently below the optimum assessment. **However, in assessing the optimum level during 2024/25, allowances were made for planned savings.**

- Planned savings measures slippage £548k
- Interest rate variation cost £63k
- Volume variations demand led income £135k

2.5. It is recognised throughout this report that a number of the contingencies applied in assessing the optimum level of general balances came to fruition within the financial year which justifies their inclusion.

2.6. A key benefit of the Council's decision to dip into general balances to facilitate change has freed up the time and resources needed to take key decisions around the delivery of our housing services, the sale of the Municipal Offices, the sale of the Council's shareholding in Gloucestershire Airport and the development agreement for the National Cyber Innovation Centre, part of the Council's nationally significant Golden Valley Development.

2.7. Although general balances are still below the recent assessment of the optimum level of balances which was made at £1.764m in February 2025, there is a clear and realistic plan to achieve this by 31 March 2026. This is as a result of the work delivered in 2023/24 and 2024/25 meaning savings are coming to fruition and for the first time since before the pandemic, a budget has been set which makes more provision to replenish reserves than the savings and efficiencies required.

2.8. This report draws together the financial outturn position for 2024/25 for the General Fund against the Revised 2024/25 budget. It also summarises the Housing Revenue Account (HRA) revenue and capital budgets, details reserve movements and summarises requests for carry forward of budgets approved by the Section 151 Officer under delegated powers.

3. General Fund Outturn 2024/25

3.1. The outturn position at 31 March 2025 reports an underspend of £913 against the revised budget approved in February 2025. A summary of the General Fund outturn position by directorate is contained in Appendix 2 and by service area in Appendix 3. Information is presented in the same format as used in the draft statement of accounts, in accordance with the CIPFA Code of Practice 2024/25.

3.2. The 2024/25 budget set a hugely ambitious savings target of £2.841million. By February 2025, it was reported that £2.011m of this had been achieved within the year. Combined with the previous three financial years, a cumulative total of over £5m of savings and efficiencies have been delivered within the Council's budget. This approach has meant frontline Council services have been safeguarded in a period of significant economic uncertainty for many of our tenants and residents.

3.3. The general balance at 31 March 2025 is £1.296m which is below the optimum

level assessed by the Section 151 Officer in the Section 25 report to Council in February 2025. The medium term financial strategy approved by Council in February 2025 outlines the strategy for recovering this position.

4. Budget carry forward requests

4.1. At the year end, a number of budget holders requested 'carry forward' of unspent budgets. Requests fall into two categories and have been dealt with as follows:

- Some requests are in respect of goods and services ordered but not received by 31 March 2025.
- Some relate to items of expenditure not yet incurred due to slippage in work programmes but still planned to be spent in line with the original intention of the budget.
- Others are amounts of grant funding which have been allocated but not yet been taken up by their intended beneficiaries.

4.2. In line with previous practice, these have been reviewed by the Executive Leadership Team and approved by the Section 151 Officer, under delegated powers (financial rule B10.1). A list of the approved carry forward of budgets totalling £420,144 for which expenditure is in line with the original approved purpose, is contained in Appendix 5.

4.3. In accordance with the Service Reporting Code of Practice (SeRCOP), a transfer was made to a 'carry forward' reserve in 2024/25 (Appendix 6) and transfers will be made from the 'carry forward' reserve in 2025/26 to the appropriate cost centres in order that members and officers have a clear indication of the total budget, including carry forwards, available for 2025/26.

5. Treasury Management / Prudential Indicators

5.1. Treasury Management in Local Government is governed by the CIPFA Code of Practice on Treasury Management in the Public Services. This Council has adopted the code and complies with its requirements, one of which is the receipt by Cabinet and Council of an Annual Review Report after the financial year end. The detailed treasury report is attached at Appendix 7.

6. Business Rates Retention Scheme (BRRS)

6.1. One of the key documents in the budget setting process is the estimate of business rates yield which is reported in the National Non Domestic Rates return (NNDR1) which is submitted to the Ministry of Housing, Communities and Local Government (MHCLG). The NNDR1 return was submitted to MHCLG by the deadline of 31 January 2024 and the budget was based on the figures within that

return.

6.2. The table below reflects the actual performance against the revised budget with an overall variance for the year of £38,628 when taking into account the Gloucestershire Business Rates pooling arrangement.

	2024/25 Original Budget £	2024/25 Revised Budget £	2024/25 Actual £	2024/25 Variance £
Retained business rates	24,288,060	24,288,060	24,288,060	-
Tariff payable to government	(21,783,145)	(21,783,145)	(21,783,145)	-
Grant to compensate for government decisions	4,459,746	4,513,280	4,522,407	9,127
Estimated levy payable to government after Pool surplus/deficit	(966,249)	(899,603)	(645,102)	254,501
Net retained business rates	5,998,412	6,118,592	6,382,220	263,628
Less Baseline Funding (target level of net retained rates)	(3,086,353)	(3,086,353)	(3,086,353)	-
Net surplus on business rates against baseline funding	2,912,059	3,032,239	3,295,867	263,628
Deficit adjustment re 2022/23	(167,244)	(167,244)	(167,244)	-
Deficit adjustment re 2023/24	(307,181)	(307,181)	(307,181)	-
Total One-off adjustments re previous years' deficits	(474,425)	(474,425)	(474,425)	0
Net retained business rates (after one-off deficit adjustments & LIGS)	5,523,987	5,644,167	5,907,795	263,628
Transfer (to)/from BRR earmarked reserve	300,000	169,612	(55,388)	(225,000)
Net income included in outturn	5,823,987	5,813,779	5,852,407	38,628

7. Capital Outturn 2024/25

7.1. The outturn position in respect of General Fund capital programme is contained in Appendix 8. Members are asked to note the outturn position and, where there is slippage, approve the budgets to be carried forward into 2025/26 requested by officers.

8. Reserves and Section 151 Officer Advice

8.1. The Section 151 Officer has, under delegated powers (financial rule B11.4), authority to make transfers to and from these operational reserves in accordance with the intention of the reserve as determined by the Council's Reserves Policy and Protocol. The transfers approved by the Section 151 Officer for 2024/25 are

set out in the outturn performance position schedules at Appendix 2 and 3.

- 8.2. Appendix 6 also details the reserves held by the Council, states their purpose and indicates the balance at 31 March 2025. In setting the budget for 2024/25 a review of reserves was undertaken to assess whether the levels were appropriate and in line with the policy for reserves and balances; and also whether they took into account the needs and risks of the organisation and the prevailing economic conditions.
- 8.3. In assessing the adequacy of reserves and balances for 2025/26 the Section 151 Officer used a risk based approach to assess the appropriate level of general balances which calculated the optimum level to be £1.764m. At the year end, the General Fund Balance stands at £1.296m and therefore is below the optimum level recommended by the Section 151 Officer at year end for reasons set out above – an impact of the pressures experienced since 2022/23 which have required us to draw on this balance year on year. As set out in Appendix 6 based on the current 2025/26 budget the objective is to increase general balances to £1.861m by the 31 March 2026 and other earmarked reserves from £3.509m to £4.026m. This will be the first year since before the pandemic where contributions to reserves will exceed the savings required for the period, strongly indicating that the Council's general fund position is stabilising.
- 8.4. Members will need to be mindful that there will be an expectation to further strengthen these reserves in order that the Council is robustly covered against further financial pressures which may emerge or future changes to local government financial support. This includes any impact of the Government's Fair Funding review and Business Rates reset and once the details of the recent Spending Review on Local Government are announced, which is not likely to be confirmed until December 2025. With preparation work for Local Government Reorganisation also requiring appropriate resource, it may be the case that that some difficult choices need to be made in respect of service provision in the medium term.

9. Section 106 Receipts

- 9.1. A position statement in respect of the activity of Section 106 receipts is contained in Appendix 9.
- 9.2. The following summarises the activity in respect of Section 106 for 2024/25, compared to 2023/24.

	2023/24	2024/25
	£	£
Balance of unused Section 106 receipts	2,134,463	3,990,471
Net additional receipts in year	2,097,899	-
Receipts used to finance projects in year	(241,891)	(457,506)
Balance outstanding at year end	3,990,471	3,532,965

9.3. In 2023/24, there was a significant s106 contribution received for the Starvehall Farm development. This contribution is in relation to affordable housing and will be used to support the achievement of the Council's Corporate Priority to increase the number of affordable homes in our town. In 2024/25 there no new receipts but officers worked to commit a large number of smaller balances to a range of capital projects across the town.

10. Council tax and Business Rates Collection and Support

10.1. The monitoring report for the collection of council tax and business rates (NNDR) income is shown in Appendix 10. This shows the position at the end of March 2025. The collection rate for council tax has decreased slightly from 98.32% in 2023/24 to 98.18% in 2024/25. The cost of living crisis continues to have an impact on households and our team are continuing to work with any customers who are struggling to pay.

10.2. The collection rate for business rates collection has also decreased from 98.56% to 97.22% in the same period. The figures have been significantly impacted by one large business ratepayer avoiding payment. The business rates team continue to work with those business rate payers struggling to pay. Robust recovery action using all legal powers available will continue against those avoiding payment.

11. Housing Revenue Account (HRA)

HRA Income and Expenditure

11.1 The HRA revised forecast for 2024/25 financial year, based on performance to December 2024, anticipated an operating surplus of £88,740 and it was expected that there would be a remaining balance of £1,025m in revenue reserves at 31st March 2025.

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11.2 The outturn statement, as presented in Appendix 11, shows a larger deficit than expected of £332,500 for the year leaving a balance of £603,500 in revenue reserves at year end. This is the second year that the HRA balance has finished below the target level of £1.5m however the decision to wind up Cheltenham Borough Homes and bring the housing services back in-house will generate significant savings and strengthen the HRA revenue reserve in 2025/26 and 2026/27. It is expected that the target levels will be restored by 31 March 2027.

11.3 Below is an explanation of variances exceeding £50,000:

Detail	Forecast £'000	Actual £'000	Variation £'000	Explanation
General & Special Management	5,028	5,125	97.9	This overspend is as a result of ICT costs incurred for development in QL which were not able to be capitalised. The overspend is split between housing and general management based on the nature of the development activity.
Housing Management	5,178	5,436	258.4	
Rents, Rates, Taxes and Other Charges	159	231	72	A significant increase in void properties has meant the Council has had to pay the Council Tax and other bills for longer periods as delays are experienced in turn around and re-let.
Repairs & Maintenance	5,420	5,557	137	As a result of the reduction in activity on planned maintenance works in the capital programme, a greater proportion of spend than forecast was diverted to addressing reactive repairs and maintenance work.
Provision for Bad Debts	240	78	(162)	A lower turnover in tenants and leaseholders has meant better than forecast collection of rent and service charges, meaning less need to provide for bad or doubtful debt.
Interest Payable	3,302	3,211	(90)	An underspend on the capital programme has meant lower levels of borrowing were required than forecast, reducing the interest payable.
Dwelling Rents	23,706	23,643	(62.5)	Again, this variance is in part down to the increase in the turnaround time of void properties.

Major Repairs Reserve

11.4 In accordance with regulations this reserve is funded by sums equivalent to the depreciation provision and has been used to finance HRA capital expenditure.

HRA Capital Programme

- 11.5 Actual expenditure for the year was £18.055m, an underspend of £3.039m compared with the forecast of £21.094m.
- 11.6 The three year programme approved by Council in February 2024 includes projects where expenditure plans span more than one financial year and are delivered through more than one contract. Where delays occur, for example through extended consultation with leaseholders or procurement issues, we seek opportunities for advancing other projects within overall funding. Costs are controlled at both contract and project level.
- 11.7 Changes to the projected financing of the capital programme have primarily arisen from the reduction in overall spend and the availability of additional capital receipts and revenue contributions.

12. Consultation

- 12.1 Appropriate members and officers were consulted in the process of preparing the outturn position and associated reports and accounts. The outturn figures will also be presented for discussion at the Budget Scrutiny Working Group in July.

13. Key risks

- 13.1. As outlined in Appendix 1.

Report author:

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Appendices:

1. Risk Assessment
2. Summary Outturn Performance Position – General Fund
3. Service Level Outturn Performance Position – General Fund
4. Significant Variances
5. Carry Forward Requests
6. Movement on Earmarked Reserves and General Balances
7. Annual Treasury Management review
8. Capital Programme – General Fund
9. Section 106 Receipts Statement
10. Council Tax and NNDR collection
11. HRA Operating Account
12. HRA Capital Programme and Major Repairs Reserve

Background information:

- Final Budget Proposal for 2024/25 – Council 23 February 2024
- Section 25 Report – Council 23 February 2024
- Final Budget Proposals including the Revised budget for 2024/25 – Council 21 February 2025

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
52	If the Council is unable to come up with long term solutions which close the gap in the medium term financial strategy then it will find it increasingly difficult to prepare budgets year on year without making unplanned cuts in service provision.	Cabinet	5	4	20	Reduce	<ul style="list-style-type: none"> - Commercial strategy & activities - Quarterly budget monitoring - Cabinet engagement - budget proposals - Increased capacity in the finance team - Cabinet Away Day challenge and decisions - Ongoing monitoring of targets for workstreams/services 	Director of Finance & Assets	Ongoing
403	Prioritisation of capital resources – If CBC are unable to prioritise medium term projects and programmes which require significant capital financing, then it will increasingly have to rely of borrowing to fund service investments increasing the pressure on our revenue budgets to	Cabinet	5	4	20	Reduce	<ul style="list-style-type: none"> - Ongoing review and alignment of the capital programme with the Corporate Plan - Quarterly budget monitoring - Cabinet engagement - budget proposals - Gateway reviews of all projects through the Corporate Programme office - Cabinet Away Day challenge and decisions - Business case and approval for all new projects, including 	Director of Finance & Assets	Ongoing

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
	fund repayments.						allocation of resource and budgets		
53	If General Balances are not strengthened then insufficient reserves will be available to cover unanticipated spend or deficits resulting in the levels which will consequently fall below the minimum required level as recommended by the Section 151 Officer in the council's Medium Term Financial Strategy	Director of Finance & Assets	5	3	15	Reduce	The MTFS is clear about the need to enhance reserves and identifies a required reserves strategy for managing this issue. In preparing the budget for 2025/26 and in ongoing budget monitoring, consideration will continue to be given to the use of fortuitous windfalls and potential future under spends with a view to strengthening reserves whenever possible.	Director of Finance & Assets	Ongoing
199	If the Government review concludes significant changes to business rate retention, Government grant funding or Council Tax generation for Cheltenham then the MTFS budget gap may increase, requiring greater	Director of Finance & Assets	5	4	20	Reduce	The Council joined the Gloucestershire pool to share the risk of fluctuations in business rates revenues retained by the Council. The Gloucestershire S151 Officers continue to monitor business rates income projections and the performance and membership of the pool / pilot.	Director of Finance & Assets	Ongoing

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
	savings than already planned.						Work with members and Gloucestershire LEP to ensure Cheltenham grows its business rate base.		

APPENDIX 2: GENERAL FUND REVENUE OUTTURN 2024/25

	A 2024/25 Current Budget	B 2024/25 Outturn per Ledger	overspend / (underspend) before adjustments
	£	£	£
Chief Executive	2,963,314	2,845,701	(117,613)
Communities & Place Directorate	11,930,940	11,986,414	55,474
Finance, Assets & Regeneration Directorate	8,460,764	7,083,736	(1,377,028)
	23,355,018	21,915,851	(1,439,167)
Capital Charges	(3,959,677)	(3,601,601)	358,076
Interest and Investment Income	(1,155,999)	(1,058,653)	97,346
Use of balances and reserves - Appendix 6	(964,931)	(964,931)	0
NET BUDGET	17,274,411	16,290,666	(983,745)
Deduct:			
National Non-Domestic Rate	(1,605,311)	(1,859,813)	(254,502)
National Non-Domestic Rate - 2022/23-23/24 (surplus) / deficit	474,425	474,425	0
National Non-Domestic Rates - S31 Grants	(4,513,280)	(4,522,407)	(9,127)
SFA Levy Surplus			0
New Homes Bonus	(88,876)	(88,876)	0
Revenue Support Grant	(149,895)	(149,894)	1
Services Grant	(19,839)	(19,839)	0
3% Funding Guarantee	(1,151,195)	(1,151,195)	
Council Tax (Surplus)/deficit	8,042	8,042	0
Other	(170,000)	(178,109)	(8,109)
NET SPEND FUNDED BY COUNCIL TAX	(10,404,442)	(10,404,442)	0
TOTAL INCOME	(17,620,371)	(17,892,108)	(271,737)
Net Transfer to/From General Balances	(345,960)	(1,601,442)	(1,255,482)

KEY

- A - Revised budget approved by Full Council in February 2025
- B - Outturn net expenditure before year end adjustments
- C - Operational transfers to / (from) reserves approved by the Chief Finance Officer under delegated powers - Appendix 6
- D - Carry forward requests approved by the Chief Finance Officer under delegated powers - Appendix 5
- E - Net variance after adjustments in columns C to D
- F - Carry forward requests requiring Member approval - Appendix 5
- G - Net variance on cost centres taking into account all carry forward requests - see detail at Appendix 5

C Trf to / (from) Other Reserves Appendix 6 £	D C/F requests approved by S151 Officer Appendix 5 £	E Variance net of S151 c/f approvals £	F C/F requests to be approved Members Appendix 5 £	G Variance net of all c/f requests £
	40,962	(76,651)		(76,651)
	2,389	57,863		57,863
925,000	379,182	(72,846)		(72,846)
925,000	422,533	(91,634)	0	(91,634)
(317,964)		40,112		40,112
		97,346		97,346
		0		0
607,036	422,533	45,824	0	45,824
225,000				(29,502)
				0
				(9,127)
				0
				0
				1
				0
				0
				0
				0
				(8,109)
				0
NET OVER/(UNDER) SPEND AFTER APPLICATION OF RESERVES				(913)

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APPENDIX 3 - GENERAL FUND REVENUE OUTTURN 2024/25

		Revised Budget 2024/25 £	Actual Spend 2024/25 £	(Under)/ Overspend 2024/25 £	Carry Forward £	Other Reserves £	Adjusted (Under)/Overspend £
111COR	Corporate Resources	752,325	700,458	(51,867)	27,111		(24,756)
112ICT	Information & Communications Technology	516,906	477,524	(39,382)	13,851		(25,531)
113SUP	Support Services	1,091,982	1,083,478	(8,504)			(8,504)
121DEMO	Democratic Services	602,101	584,242	(17,859)			(17,859)
1CEXEC	Chief Executive	2,963,314	2,845,701	(117,613)	40,962	0	(76,651)
211CC	Climate Change	95,555	136,738	41,183			41,183
212PARKS	Parks, Gardens & Green Spaces	2,215,782	2,208,578	(7,204)			(7,204)
213TOWN	Townscape	259,862	259,567	(295)			(295)
214WRSC	Waste, Recycling & Street Cleaning	5,660,680	5,636,661	(24,019)			(24,019)
221COMMS	Communications & Marketing	218,238	208,571	(9,667)			(9,667)
231BUSSUP	Business Support & Customer Services	815,704	807,423	(8,281)	2,389		(5,892)
232LIFE	Lifelines	(49,691)	(49,807)	(116)			(116)
233PEST	Pest Control	(49,144)	(30,909)	18,235			18,235
234LAND	Land Charges	(84,750)	(87,639)	(2,889)			(2,889)
241CWP	Communities, Wellbeing & Partnerships	662,999	661,977	(1,022)			(1,022)
242MARK	Marketing & Inward Investment	280,350	231,854	(48,496)			(48,496)
243PLAN	Planning & Enforcement	848,366	893,238	44,872			44,872
251EMP	Emergency Planning	10,550	7,840	(2,710)			(2,710)
252LIC	Licensing	(130,244)	(116,601)	13,643			13,643
253PSH	Private Sector Housing	172,319	250,716	78,397			78,397 *
254COMF	COMF	0	0	0			0
255ENVH	Environmental Health	1,004,364	968,208	(36,156)			(36,156)
2COMMPL	Communities & Place	11,930,940	11,986,414	55,476	2,389	0	57,863
311BER	Bereavement Services	(1,074,777)	(1,051,508)	23,269			23,269
312ROY	Royal Well	39,812	43,311	3,499			3,499
313COMM	Commercial & Income Generation	248,040	250,447	2,407			2,407
314LEG	Legal	541,769	(289,303)	(831,072)		800,000	(31,072)
321ELEC	Elections & Electoral Registration	404,880	334,490	(70,390)			(70,390) *
331CFUAUD	CFY & Audit	200,970	193,613	(7,357)			(7,357)
332FIN	Finance	3,222,934	3,248,169	25,235			25,235
333PROP	Property & Assets	5,987,399	6,208,210	220,811			220,811 *
341HOUS	Housing & Communities	886,025	318,249	(567,776)	323,529		(244,247) *
352GOLD	Major Dev and Building Control	(326,737)	(421,606)	(94,869)		90,000	(4,869)
361BRCTAX	Business Rates & Council Tax	556,907	522,660	(34,247)		35,000	753
362CARP	Car Parking	(2,729,935)	(2,720,501)	9,435			9,435
363HOUBEN	Housing Benefits	503,477	447,503	(55,974)	55,653		(321)
3FINAR	Finance, Assets & Regeneration	8,460,764	7,083,736	(1,377,030)	379,182	925,000	(72,846)
91COR	Capital Charges	(3,959,677)	(3,601,601)	358,076		(317,964)	40,112
92COR	Interest and Investment Income	(1,155,999)	(1,058,654)	97,345			97,345 *
93COR	Use of balances and reserves	(964,931)	(964,931)	0			0
99COR	Funding	(17,620,371)	(17,892,108)	(271,737)		225,000	(46,737)
Net Outturn Position		(345,960)	(1,601,444)	(1,255,484)	422,533	832,036	(915)

*Significant Variances over £50k after carry forwards are explained in Appendix 4

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Appendix 4 - Significant Variances 2024/25

Ref	Over/(under)spend after transfers to/(from) reserves £	Service Area	Budget Holder	Explanation
Communities and Place Directorate				
CP1	78,397	Private Sector Housing	Louis Krog	Of the variance, £72,000 relates to exit payments made as part of the savings plan for the Public Protection team. The post has not been replaced and the saving will repay the initial outlay within twelve months.
Finance, Assets & Regeneration Directorate				
FAR1	-70,390	Elections and Electoral Registration	Kim Smith	Of the variance, £65k relates to the registration of electors. Significant work went into updating the electoral register in the final quarter of 2023/24 in advance of the all out Council elections and an anticipated General Election. Likewise, throughout 2023/24 there was additional resource deployed to ensure the electoral register was up to date in advance of boundary changes coming in. This meant fewer changes needing to be processed in 2024/25.
FAR2	220,815	Property & Assets	Gemma Bell	Of the variance, £204,000 relates to legal and other payments made in relation to the sale of the Council's shareholding in Gloucestershire Airport Limited. The sale is expected to complete by the end of the 2025/26 financial year with costs being offset by the revenue saving this will generate for the Council.
FAR3	-244,247	Housing & Communities	Martin Stacey	Housing & Communities received a homelessness grant of £611k for the 2024/25 financial year. Part of the work to meet the conditions of the grant has been covered within existing services and funded by the base budget. Council also recieved a number of rough sleeper grants, which we were able to use against existing financial committments, which in turn relieved cost pressures on the general fund. As a result, £244k of the original grant became available to supli general balances at year end.
FAR4	97,345	Interest and Investment Income	Gemma Bell	The overspend was made up of three elements, firstly debt costs were £148.6k over due to temporary debts rate: coming in higher than expected in the last quarter of the financial year and the HRA re-imburement of debt costs: lower as a result of less spend against the HRA programme. Investment income had a surplus of £84.7k due to h balances held on the Money Market Funds plus the HRA reserves being lower than expected, meant the GF did r pay as much interest to the HRA as expected. Finally, the third element was the rental income from Investment Properties was short by £33.3k against the budget as a tenant vacated space in Ellenborough House.

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Appendix 5: 2024/25 CARRY FORWARD REQUESTS

Ref	Amount £ (Net of VAT)	Expenditure Code	Cost Centre	Detail Code	Reason for carry forward	Service Manager	A (i)	A (ii)	B
							Base Budgets Amounts agreed by S151 Officer under delegated powers	One-Off Budgets Amounts agreed by S151 Officer under delegated powers	Amounts for member approval
1	27,111	R1000	APP001	N/A	Carry forward of apprenticeship budgets to support the on-going apprenticeship programme	Corry Ravenscroft		27,111	
	27,111	TOTAL CHIEF EXECUTIVE DIRECTORATE					-	27,111	-
2	323,529	R6280	HOM001	HGR024	Grants are paid annually by the government, and there continues to remain some uncertainty about future levels. Carrying forward this sum will help mitigate the risks of a sudden reduction in future grant funding, enabling CBC to review service provision in a more planned way, and minimising potential impact on the General Fund. It should be noted that there are increasing financial pressures on homelessness services, and whilst the government have provided additional 'windfall' payments over the last couple of years, these are sporadic and not guaranteed. It would therefore be unwise to rely on any potential future windfall payments to cushion any non-budgeted costs.	Martin Stacey		323,529	
3	2,389	R4010	SUP040	N/A	Due to delays obtaining essential information required from site visits and housing development being undertaken that prevented checks being carried out on specific sites, the minimum requirement as per the contract with the supplier, could not be reached. The purchase request for replacement street nameplates could therefore not be submitted and goods supplied by 31 March 2025 but will be required in 2025/26.	Victoria Bishop		2,389	
	323,529	TOTAL COMMUNITIES & PLACE DIRECTORATE					-	323,529	-
4	26,000	R4430	HBA001	N/A	Budget for Housing Benefit subsidy audit fees. The audit for 2023/24 audit has not yet completed and the 2024/25 audit will take place in 2025/26.	Jayne Gilpin		26,000	
5	14,119	R9060	HBA001	N/A	This grant was received in 2024/25 but relates to work which will take place in 2025/26.	Jayne Gilpin		14,119	
6	15,533	R9060	HBP001	N/A	Grant for Discretionary Housing Benefit to be used in 2025/26.	Jayne Gilpin		15,533	
7	13,851	R4000	SUP005	N/A	This is the monies remaining from the LG Cyber - Get Cyber Assessment Grant, committed to cyber security costs in 2025/26.	Jon Chorlton		13,851	
	69,504	TOTAL FINANCE, ASSETS & REGENERATION DIRECTORATE					-	69,504	-
	420,144	TOTAL CARRY FORWARD REQUESTS				420,144	-	420,144	-

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Appendix 6 - Reserves Statement 2024/25 & 2025/26

		<u>2024/25</u> <u>1st April</u> <u>2024</u> £	<u>2024/25</u> <u>Movement</u> <u>Revenue</u> £	<u>2024/25</u> <u>Movement</u> <u>Capital</u> £	<u>2024/25</u> <u>Revised Budget</u> £	<u>2024/25</u> <u>Outturn</u> <u>Capital</u> £	<u>2024/25</u> <u>Outturn</u> <u>Revenue</u> £	<u>2024/25</u> <u>31st March</u> <u>2025</u> £	<u>2025/26</u> <u>Movement</u> <u>Revenue</u> £	<u>2025/26</u> <u>Movement</u> <u>Capital</u> £	<u>2025/26</u> <u>Outturn</u> <u>Adjustment</u> £	<u>2025/26</u> <u>31st March</u> <u>2026</u> £
<u>EARMARKED RESERVES</u>												
<u>Other</u>												
RES002	Pension & Restructuring Reserve		To fund future reorganisational changes	(45,261)	(50,000)		(62,500)	(157,761)	(50,000)			(207,761)
RES008	House Survey Reserve		To fund cyclical housing stock condition surveys	(5,616)				(5,616)				(5,616)
RES009	Twinning Reserve		Twinning towns civic visits to Cheltenham	(8,366)				(8,366)				(8,366)
RES010	Flood Alleviation Reserve		To fund future flood resilience work, delegated to the Flood working group for allocation	(235,959)				(235,959)				(235,959)
RES016	Joint Core Strategy Reserve		To fund Joint Core Strategy	(41,780)				(41,780)				(41,780)
RES020	Ubico Reserve		To fund environmental services provided by Ubico	0				0	(255,000)			(255,000)
RES022	Homelessness Reserve		To cover future homelessness prevention costs	(41,100)				(41,100)				(41,100)
RES023	Transport Green Initiatives Reserve		To fund Transport Green Initiative Schemes	(33,825)				(33,825)				(33,825)
RES024	New Initiatives reserve		To fund the transformation programme (Including Local Government Reorganisation)	(136,414)	71,855		(62,500)	(127,059)	22,915			(104,144)
RES025	Budget Strategy (Support) Reserve		To support budget strategy	(9,452)				(9,452)				(9,452)
RES026	Social Housing Marketing Assessment (SHMA) Reserve		To fund Social Housing Marketing Assessment work	(46,534)	(2,500)			(49,034)	(2,500)			(51,534)
RES028	Green Economic Recovery and Investment Funding Reserve		To fund Green Economic Recovery and Investment	(100,092)		100,092		(0)				(0)
RES030	Major Developments Reserve		To fund major Developments	(334,937)				(334,937)	(200,000)			(534,937)
				(1,039,336)				(1,044,889)				(1,529,474)
<u>Repairs & Renewals Reserves</u>												
RES201	Commuted Maintenance Reserve		Developer contributions to fund maintenance	(24,347)	12,172			(12,175)	12,175			(0)
RES204	I.T. Repairs & Renewals Reserve		Replacement fund	(148,619)	(50,000)	98,619	67,964	(32,036)				(32,036)
RES205	Property Repairs & Renewals Reserve		20 year maintenance fund	(270,000)	102,000			(168,000)	102,000			(66,000)
RES206	Delta Place Reserve		maintenance fund	(224,226)	(50,000)			(274,226)	(50,000)			(324,226)
				(667,193)				(486,438)				(422,263)
<u>Equalisation Reserves</u>												
RES029	Council Tax Appeals Equalisation Reserve		To fund fluctuations in overpayment of court costs	(53,926)				(53,926)				(53,926)
RES102	Planning Appeals Equalisation		Funding for one off appeals cost in excess of revenue budget	(76,612)				(76,612)				(76,612)
RES105	Local Plan Equalisation		Fund cyclical cost of local plan inquiry	(8,095)				(8,095)				(8,095)
RES106	Elections Equalisation		Fund cyclical cost of local elections	(150,832)	55,000			(95,832)	(65,000)			(160,832)
RES107	Car Parking Equalisation		To fund fluctuations in income from closure of car parks	(100,000)				(100,000)				(100,000)
RES108	Business Rates Retention Equalisation		To fund fluctuations in income from retained business rates	(515,627)	300,000	(130,388)		(225,000)	(571,015)	(253,985)		(825,000)
RES109	Cemetery income Equalisation reserve		Additional Crematoria income to 2nd chapel build scheme	(50,000)				(50,000)				(50,000)
RES112	One Legal Reserve		To fund fluctuations in One Legal Contract	(50,000)			250,000	(800,000)	(600,000)			(600,000)
				(1,005,092)				(1,555,480)				(1,874,465)
<u>Reserves for commitments</u>												
RES301	Carry Forwards Reserve		Approved budget carry forwards	(508,081)	508,081		(422,533)	(422,533)	422,533			0
<u>CAPITAL</u>												
RES402	Capital Reserve - GF		To fund General Fund capital expenditure	0	(200,000)	200,000	163,499	(163,499)	0	(200,000)		(200,000)
TOTAL EARMARKED RESERVES				(3,219,702)				(3,509,340)				(4,026,202)
<u>GENERAL FUND BALANCE</u>												
B8000 - B8240	General Balance - RR		General balances	(949,556)	(629,942)	283,982	(914)	(1,296,430)	(560,803)			(1,857,233)
				(949,556)				(1,296,430)				(1,857,233)
TOTAL GENERAL FUND RESERVES AND BALANCES				(4,169,259)	66,666	0	552,305	481,463	(1,736,946)	(4,805,771)	(1,077,665)	0 (5,883,436)

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Treasury Management Outturn Report 2024/25

1. Introduction

1.1 In February 2011 this Council adopted the Chartered Institute of Public Finance and Accountancy's *Treasury Management in the Public Services: Code of Practice* (the CIPFA Code) which requires the Authority to approve a treasury management annual report after the end of each financial year.

1.2 After substantial rises in interest rates since 2021, the Bank of England have now begun to reduce their policy rates, albeit slowly. Gilt yields were volatile but have increased overall during the period. Much of the increase has been in response to market concerns that policies introduced by the Labour government will be inflationary and lead to higher levels of government borrowing. The election of Donald Trump in the US in November 2024 is also expected to lead to inflationary trade policies.

1.3 The Chancellor of the Exchequer delivered her Spring Statement in March 2025, following her Budget in October 2024. Based on the plans announced, the Office for Budget Responsibility downgraded its predictions for UK growth in 2025 from 2% to 1%. However, it upgraded its predictions for the four subsequent years. Inflation predictions for 2025 were pushed up, to 3.2% from 2.6%, before seen as falling back to target in 2027.

1.4 Having begun the financial year at 5.25%, the Bank of England's Monetary Policy Committee (MPC) reduced Bank Rate by 0.75% to 4.50% by the close of March 2025.

2. Main Points

2.1 Investment and borrowing interest for 2024/25 have produced a net deficit of £63,991 against the revised budget. Borrowing rates in the local authority market increased slightly above budgeted rates in the last quarter of 2024/25, and also the HRA share of debt costs to repay the General Fund fell below the expected level due to significant underspend against the HRA capital programme.

2.2 Pooled Funds have returned dividends that were budgeted at the start of the financial year starting against lower capital values, returned 4.34% against the £7m invested, resulting in over £303k received.

2.3 The capital values of the Pooled Funds realised gains of over £48k for 2024/25.

2.4 The Council had debt of £204.409m as of 31st March 2025 at an average rate of 3.86%.

2.5 All treasury prudential indicators were within their permitted limits for 2024/25.

3. Local Context

3.1 On 31st March 2025, the Authority had net borrowing of £186.716 arising from its revenue and capital expenditure, an increase on 2024/25 of £7.317m. The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while usable reserves and working capital are the underlying resources available for investment.

3.2 The Council's strategy was to maintain borrowing and investments below their underlying levels, sometimes known as internal borrowing, in order to reduce risk and keep interest costs low. The treasury management position as of 31st March 2025 and the year-on-year change is shown in table 1 below.

Table 1: Balance Sheet Summary

	31.3.24 Actual £m	31.3.25 Actual £m
General Fund CFR	114.436	113.377
HRA CFR	89.210	92.714
Total CFR	203.646	206.091
External borrowing	201.326	204.409
Internal (over) borrowing	2.320	1.682
Less: Balance sheet resources	24.247	19.375
Net borrowing	179.399	186.716

3.4 The treasury management position as 31st March 2025 and the change during the year is shown in table 2 below.

Table 2: Treasury Management Summary

	31.3.24 Balance £m	2024/25 Movement £m	31.3.25 Balance £m	31.3.25 Rate %
Long-term borrowing	134.926	16.433	151.359	3.42
Short-term borrowing	66.400	(13.350)	53.050	5.10
Total borrowing	201.326	3.083	204.409	3.86
Long-term investments	16.927	0.766	17.693	4.60
Short-term investments	0	0	0	-
Cash and cash equivalents	5.000	(5.000)	0	-
Total investments	21.927	(4.234)	17.693	4.60
Net borrowing	179.399	7.317	186.716	

3.5 Borrowing Activity as at 31st March 2025, the Council held £204.409m of loans, an increase of £3.083m on the previous year. New borrowing of £38m was taken by the Council from the PWLB in 2024/25 due to opportunities when the gilt market rates reduced to lower than the base rate, reducing the level of temporary borrowing which has attracted rates close to 6%

sometimes over the past three to four years. This enabled the Council to take out three separate loans over periods from one year through to 10 years at rates of 4.30%, 3.97% and 4.77%.

Table 3: Borrowing Position

	31.3.24 Balance £m	2024/25 Movement £m	31.3.25 Balance £m	31.3.25 Rate %
Public Works Loan Board	121.026	34.433	155.459	3.38
Banks (LOBO)	5.000	-	5.000	3.95
Banks (fixed-term)	8.900	-	8.900	3.82
Local authorities (short-term)	66.400	(31.350)	35.050	5.28
Total borrowing	201.326	3.083	204.409	3.86

3.6 As outlined in the treasury strategy, the Council's chief objective when borrowing has been to strike an appropriately low risk balance between securing lower interest costs and achieving cost certainty over the period for which funds are required, with flexibility to renegotiate loans should the Council's long-term plans change being a secondary objective. The Council's borrowing strategy continues to address the key issue of affordability without compromising the longer-term stability of the debt portfolio.

3.9 CIPFA's 2021 Prudential Code is clear that local authorities must not borrow to invest primarily for financial return and that it is not prudent for local authorities to make any investment or spending decision that will increase the capital financing requirement, and so may lead to new borrowing, unless directly and primarily related to the functions of the Council. PWLB loans are no longer available to local authorities planning to buy investment assets primarily for yield unless these loans are for refinancing purposes.

4. Investment Activity

4.1 The Council holds invested funds, representing income received in advance of expenditure plus balances and reserves held. During 2024/25 the Council's investment balance ranged between £15.5m and £30m due to timing differences between income and expenditure. The year-end investment position and the year-on-year change in show in table 3 below.

Table 4: Investment Position (Treasury Investments)

	31.3.24 Balance £m	2024/25 Movement £m	31.3.25 Balance £m	Interest Rate %
--	-----------------------------------	------------------------------------	-----------------------------------	--------------------------------

Banks & Building Societies	0	0	0	-
Government (inc. Local Authorities)	0	0	0	-
	5.000	(5.000)	0	-
MMF's/Call Accounts	7.000	0	7.000	4.34
Pooled Funds	8.850	1.843	10.693	4.81
Other Investments				
Total Investments	20.850	(3.157)	17.693	4.60

4.2 £7m of the Council's investments are held in externally managed strategic pooled (bond, equity, multi-asset and property) funds where short-term security and liquidity are lesser considerations, and the objectives instead are regular revenue income and long-term price stability. These funds generated a total return of £303k (4.34%), while the capital value of these funds increased by just £48k, which is treated as an unrealised capital gain. See table 5 below for a breakdown of the individual returns for each fund.

Table 5: Current Pooled Funds

Fund Manager	Investment £	Capital Value as at 31st March 2024 £	Capital Value as at 31st March 2025 £	Dividends Received 2024/25 £	2024/25 Gain/(Loss) £	Gain/(Loss) v Original Investment £
CCLA Property Fund	3,000,000	2,599,135	2,649,166	132,593	50,031	(350,834)
Schroders Income Maximiser Fund	2,000,000	1,535,497	1,640,687	109,901	105,190	(359,313)
CCLA Diversified Income Fund	2,000,000	1,977,682	1,870,964	61,371	(106,718)	(129,036)
Total –current Funds	7,000,000	6,112,314	6,160,817	303,865	48,320	(839,183)

4.5 The nature of these funds is that values can fluctuate from one year to another. Their performance and suitability in meeting the Council's investment objectives are monitored and discussed with Arlingclose on a regular basis. Because these funds have no defined maturity date, but are available for withdrawal after a notice period, their performance and continued suitability in meeting the Council's investment objectives are regularly reviewed. Strategic fund investments are made in the knowledge that capital values will move both up and down on months, quarters and even years; but with the confidence that over a three to five-year period total returns will exceed cash interest rates.

5. Financial Implications

5.1 The outturn for debt interest paid in 2024/25 was £7.607 million (3.87%) on an average debt portfolio of £196.466 million against a budgeted £7.547 million. A deficit of £148.6k was recorded for the financial year after considering the re-imbursement of £3.211m for the debt associated to the HRA for 2024/25. The reason for the variance is mainly due to the HRA debt charge being lower than budgeted due to the less spend on the HRA capital programme, and higher temporary debt interest costs, as rates, especially towards the last quarter of the financial rose significantly.

5.2 The outturn for investment income received in 2024/25 was £1.415m which equates to a 4.92% return (23/24 – 5.10%) on an average investment portfolio of £21.991 million against a budgeted £1.330m. The General Fund reimbursed the HRA £46k for revenue balances held within investment balances during 2024/25. A General Fund surplus of £84.6k was made on investment income. We were able to hold higher balances within the MMF's for longer periods which resulted in better interest returns, and also due to the HRA Reserves being lower than expected, resulted in less interest being re-paid to the HRA.

5.3 Net loans and investments budget for 2024/25 which also includes leasing and third party loans repayments, was a budgeted cost of £2.917m but made an actual cost return of £3.001m, a deficit of £64k. See table 6 below for a breakdown.

Table 6 – Borrowing and Investment Costs

Borrowing Costs	2024/25 Revised £	2024/25 Actual £	Variance (surplus)/loss £
Temp Borrowing	2,671,745	2,707,060	35,315
LT Borrowing	4,871,938	4,899,951	28,013
HRA Share	(3,296,698)	(3,211,360)	85,338
Total GF Cost	4,246,985	4,395,651	148,666
Investment Income	2024/25 Revised £	2024/25 Actual £	Variance (surplus)/loss £
Pooled Funds	323,600	303,865	19,735
Short term/call	271,036	346,122	(75,086)
Other Loans/Lease	796,496	810,837	(14,341)
HRA Share	(61,000)	(46,017)	(14,983)
Total GF Income	1,330,132	1,414,807	(84,675)
NET COST (Saving)	2,916,853	3,001,127	63,991

6. Compliance Report

6.1 The Council can confirm that it has complied with its Prudential Indicators for 2024/25, which was set in March 2024 as part of the Council's Treasury Management Strategy and

Capital Strategy. In compliance with the requirements of the CIPFA Code of Practice this report provides members with a summary report of the treasury management activity during 2024/25. None of the Prudential Indicators have been breached and a prudent approach has been taking in relation to investment activity with priority being given to security and liquidity over yield.

The Prudential Indicators include:

- Authorised and Operational Boundary for External Debt
- Average Credit rating
- Upper limits for fixed interest rate exposure and variable interest rate exposure
- Upper limit for total principal sums invested over 364 days.

Table 7: Debt Limits

	2024/25 Maximum £m	31.3.25 Actual £m	2024/25 Operational Boundary £m	2024/25 Authorised Limit £m	Complied
Borrowing	201.326	204.409	290	300	✓

6.2 Since the operational boundary is a management tool for in-year monitoring it is not significant if the operational boundary is breached on occasions due to variations in cash flow, and this is not counted as a compliance failure. Total debt was never above the operational boundary during 2024/25.

7. Treasury Management Indicators

The Authority measures and manages its exposures to treasury management risks using the following indicators.

7.1 Maturity Structure of Borrowing

This indicator is set to control the Authority's exposure to refinancing risk. The upper and lower limits on the maturity structure of fixed rate borrowing were:

Table 8 Maturity structure of borrowing

	31.3.24 Actual	Actual Debt Due	Upper Limit	Lower Limit	Complied
Under 12 months	25.63%	£52.385m	50%	0%	✓
12 months and within 24 months	11.85%	£24.238m	50%	0%	✓
24 months and within 5 years	12.95	£26.471	100%	0%	✓

5 years and within 10 years	17.12%	£34.997m	100%	0%	✓
10 years and above	32.45%	£66.318m	100%	0%	✓

Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment. The actual maturity percentages for 31st March 2025 are calculated on the debt outstanding of £204.409m.

7.2 Principal Sums Invested for Periods Longer than 364 days

The purpose of this indicator is to control the Authority's exposure to the risk of incurring losses by seeking early repayment of its investments. The limits on the long-term principal sum invested to final maturities beyond the period end were:

Table 9 Principal invested over 364 days

	2023/24	2024/25	2025/26
Actual principal invested beyond year end	7m	7m	7m
Limit on principal invested beyond year end	10m	10m	10m
Complied	✓	✓	✓

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Appendix 8 - The Capital Programme

Code	Directorate / Scheme	Scheme Description	Budget 2024/25 £	Actual Spend 2024/25 £	Carry Forward Request £	Budget 2025/26 £	Budget 2026/27 £	Budget 2027/28 £	Budget 2028/29 £
	<u>FINANCE, ASSETS & REGENERATION</u>								
CAP026	IT Infrastructure	5 year ICT infrastructure strategy	288,767	67,964	-	100,000	175,000	100,000	100,000
CAP035	Civic Events Space	Funding for an event space to become a potential Council Chamber and meeting space following the sale of the Municipal Office building.	500,000	-	500,000				
CAP036	Resurfacing of the Regent Arcade Car park	To meet the obligations of the lease, resurfacing of the car park.	170,000	156,621	13,379				
NEW	Floor strengthening work and survey at the Pittville Pump Rooms	To strengthen the sprung flooring and ensure the appropriate surveys can be carried out on the ceiling of the Pump Rooms				258,720			
CAP037	Decarbonisation of Leisure@	To finance the investments in LED lighting and pool covers.	349,200	21,835	327,365				
NEW	Fixed Power Installation in Festival Gardens	To deliver a fixed power supply and distribution in the Festival Gardens.				500,000			
NEW	Civica Contract Renewal	To renew the five year contract for the Civica payment system.	450,000	450,000					
CAP109	Pittville Steps	The restoration of the Pittville Pump Room steps which is to be funded by external resources and project managed by CBC.	5,777	-	-				
CAP014	Digital Platform for Cem & Crem	To develop a digital platform to replace the current records system used by Bereavement Services	55,000	49,851	-				
NEW	Asset Management Strategy Implementation	To provide funding for the implementation of strategies to increase the profitability and longevity of our fixed assets.	150,000	123,738	-	100,000	100,000	100,000	100,000
CAP227	Housing Delivery	Enabling the delivery of Private Rented Sector (PRS) Housing.	4,500,000	-	-	4,500,000	4,500,000	4,500,000	
NEW	National Cyber Innovation Centre Delivery	Delivery of the National Cyber Innovation Centre at Golden Valley.	4,500,000	5,373,880	-	28,643,752	70,330,330		
CAP228	Housing Enabling	Expenditure in support of enabling the provision of new affordable housing in partnership with registered Social Landlords and the Homes and Communities Agency (HCA)	252,746	-	252,746				
CAP515	Minster Innovation Exchange	20,000 sq ft purpose-built commercial space adjacent to the Minster	681,295	635,808	14,600				
NEW	Excavator Purchase	To purchase an excavator for the cemetery to deliver a revenue saving in the existing cost of hiring plant.	-	-	-	33,250			
CAP517	Imperial Gardens Railing Restoration	The restoration of the Imperial Gardens Railing to be funded by external resources and project managed by CBC.	-	19,000	-				
CAP518	Sandford Park toilets	Provide for new public toilet provision at Sandford Park	150,000	-	150,000				
CAP521	Montpellier Toilets Refurbishment	To improve public toilet provision in the town.	581,091	564,418	-				
CAP527	Delta Place Renovations	Forward funding of dilapidatons work.		345,951					
CAP528	Chelt Lido - Solar Panel Grant	Passporting of Sport England grant monies to the Lido for upgrade works in the car park.		286,561					
CAP606	Crematorium Scheme - existing chapel	Redevelopment of existing chapel	261,723	183,401	50,000				
CAP516	Gloucestershire Airport	Drawdown of the approved cash flow facility for the Airport.		334,984					
			12,895,599	8,614,013	1,308,090	34,135,722	75,105,330	4,700,000	200,000
	<u>PLACE & COMMUNITIES</u>								
CAP010	Digital Platform	Implementation and roll out of the new digital platform across the Council	54,000	-	-				
CAP030	Carbon Neutral agenda	Seed funding to deliver the actions needed, as outlined in the report to Full Council in October 2019, to facilitate the Council's ambition to become carbon neutral by 2030.	90,885	22,194	68,691				
CAP034	UK Shared Prosperity Funding - Capital Projects	Delivery of the capital projects in line with the UKSPF funding bid	100,000	96,539	-				
CAP101	Play Areas (Section 106 & CIL Grants)	Developer Contributions	15,560	58,019	-				
CAP102	Play Areas Enhancement	We are tendering one large playground improvement contract.	152,026	72,504	79,522	80,000	80,000	80,000	80,000
CAP107	Public Art	Use of the s106 monies to fund public art around the town.	-	6,742					
CAP159	Heat Network	Use of external grant monies to enable the development of a proposal for a heat network in Cheltenham.		84,172					
NEW	Noise Monitoring Equipment	The replacement of two noise monitoring systems required for the Council to undertake it's statutory duty to survey noise.		17,567		24,000			
CAP135	Commercialisation opportunities within the Cheltenham Trust	Invest a sum of £1m to pump prime the commercial opportunities identified by The Cheltenham Trust (including investment which both sustains and grows income at the Town Hall);	391,180	303,190	87,990				
CAP201	CCTV	Additional CCTV in order to improve shopping areas and reduce fear of crime	306,511	-	25,000	50,000			
CAP205/6/7	Public Realm Improvements - High Street Phase 2	Public Realm in the Strand / Cambray	306,885	292,097	-				
CAP221	Disabled Facilities Grants	County Council Grant funding for the provision of building work, equipment or modifying a dwelling to restore or enable independent living, privacy, confidence and dignity for individuals and their families.	500,000	586,742	-	500,000	500,000	500,000	500,000
CAP223	H&S, vacant property & renovation grants	Assistance available under the council's Housing Renewal Policy	3,001	-	-				
CAP224	Warm & Well	A Gloucestershire-wide project to promote home energy efficiency, particularly targeted at those with health problems	40,200	-	40,200	18,400	18,400	18,400	18,400
CAP301	Vehicles and recycling equipment and receptacles	Replacement vehicles and recycling equipment	5,292,686	2,843,493	-	4,803,523	455,132	1,574,600	74,500
CAP306	In Cab Technology	The introduction of an In-Cab system would reduce the mileage required to be completed by Ubico, because it would guide the crew around their collection route and would largely eliminate mistakes.	50,000	66,379	-	20,000			
NEW	Pest Control Van Replacement	To replace one of the existing end of life vans with a more efficient model.			-	25,000			
CAP501	Allotments	Allotment Enhancements - new toilets, path surfacing, fencing, signage, and other improvements to infra-structure.	154,608	-	154,608				
CAP607	The Burrows Improvement Project	Forward funding for the Leckhampton playing field works.	-	-	-				
CAP608	Naunton Park Improvements	Contribution to pathways and drainage work	6,098	2,238	-				
CAP609	Burrows Storage Facility	Contribution to the works required to build the storage room for Leckhampton Rovers	1,955	1,951	-				
			7,465,595	4,453,827	456,011	5,520,923	1,053,532	2,173,000	672,900
	TOTAL CAPITAL PROGRAMME		20,361,194	13,067,840	1,764,101	39,656,645	76,158,862	6,873,000	872,900

Funded by:							
General Fund Capital Receipts	2,825,559	677,905	629,190	5,494,493	810,132	1,854,600	354,500
Capital Reserve		163,499					
RCCO (funded from reserves)	57,001	317,964					
Prudential Borrowing	11,904,272	5,052,154	841,965	5,000,000	4,500,000	4,500,000	
Partner Funding							
Borrowing/Capital Receipts				14,017,632	70,330,330		
Levelling Up Round 3 Funding	4,500,000	5,373,880		14,626,120			
Capital Grant or Contribution	534,162	845,696	292,946				
Better Care Fund	540,200	636,742		518,400	518,400	518,400	518,400
Total	20,361,194	13,067,840	1,764,101	39,656,645	76,158,862	6,873,000	872,900

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APPLIED TO SECTION 106 STATEMENT 2024/25

Detail Contributions		YEAR of receipt	Balance @ 1/4/24 £	Accounting Adjustment	Receipts/ Refunds in year £	Amounts Applied to fund Cap expend £	Transferred to Revenue £	Grants & Contributions @ 31/3/25 £
RECEIPTS IN ADVANCE								
Short Term								
DEV114	Cotswold Beechwood SAC- s106	23/24	(27,840.00)		27,840.00			-
B6261 CAPITAL			(27,840.00)		27,840.00	-	-	-
Long Term								
DEV005	High St, Brewery phase 3 - affordable housing	17/18	(4,078.08)			4,078.08		(0.00)
DEV008	Newland Homes Prestbury Road - affordable housing	20/21	(39,637.20)	38,000.00				(39,637.20)
DEV009	Vistry Homes- Starvhall Farm-affordable homes	22/23	(2,184,947.30)					(2,184,947.30)
DEV010	Bromford Dev Ltd - Village Road	22/23	(5,000.00)					(5,000.00)
DEV011	Pate Court S106 Contribution	22/23	(663,917.53)			265,921.92		(397,995.61)
DEV012	Miller Homes re Shurdington Road	23/24	(4,000.00)					(4,000.00)
DEV013	Brookworth Homes Ltd - Parabola Rd development	23/24	(209,640.72)					(209,640.72)
B7410 CAPITAL			(3,111,220.83)		-	270,000.00	-	(2,841,220.83)
DEV403	Cold Pool Lane Grounds Maintenance	11/12	(53,303.83)				53,303.83	-
DEV406	Rosebay Gardens Grounds Maintenance	13/14	(41,835.83)				41,835.83	-
DEV407	Portland St & North Place MSCP repairs & insurance	14/15						-
DEV408	Portland St & North Place compensation claims	14/15						-
B7420 REVENUE			(95,139.66)		-	-	95,139.66	-
TOTAL GRANTS RECEIPTS IN ADVANCE			(3,234,200.49)		27,840.00	270,000.00	95,139.66	(2,841,220.83)
CAPITAL GRANTS UNAPPLIED								
SECTION 106								
Housing Enabling (affordable housing)								
DEV004	Pegasus Life - John Dower House	16/17	(470,550.00)		2,000.00			(468,550.00)
DEV007	Moss Construction - Hatherley Lane and Leckhampton Road		(470,550.00)		2,000.00	-	-	(468,550.00)
Public Art								
DEV101	Dunalley St-Public Art	10/11	(4,250.00)			950.53		(3,299.47)
DEV102	Rosemullion-Public Art	07/08	(1,340.57)			1,340.57		0.00
DEV103	75-79 Rowanfield Road-Public Art	08/09	(4,450.90)			4,450.90		-
DEV106	12/13 Hatherley Lane (B&Q) - Public Art	12/13	(7,371.68)					(7,371.68)
DEV107	Devon Avenue - Public Art	12/13	(1,414.96)					(1,414.96)
DEV110	Spirax Sarco St Georges Road	13/14	(6,500.00)					(6,500.00)
DEV111	Public Art - Midwinter site	14/15	(50,000.00)					(50,000.00)
DEV112	Wayfinding - University Pittville Campus	14/15	(1,257.05)					(1,257.05)
DEV113	Taylors Yard, Gloucester Road - Public Art	17/18	(30,000.00)					(30,000.00)
			(106,585.16)		-	6,742.00	-	(99,843.16)
PlaySpaces								
DEV201 & DEV001	S106 Playspace-Adult/Youth		(5,370.65)			5,370.65		-
DEV267	S106 Playarea - St. Peters/Chelt Walk	17/18	(10,261.35)			10,261.35		-
DEV303	131 Old Bath Road Playspace	19/20	(2,151.94)			2,151.94		-
DEV010	Bromford Dev Ltd - Village Road	23/24	(153,351.00)					(153,351.00)
			(171,134.94)		-	17,783.94	-	(153,351.00)
Other								
DEV302	Former Gas Club flood defence maintenance contribution	18/19	(8,000.00)		-			(8,000.00)
			(8,000.00)		-	-	-	(8,000.00)
Section 106 Totals - Capital Grants Unapplied (BAL101)			(756,270.10)		2,000.00	24,525.94	-	(729,744.16)
TOTAL Section 106			(3,990,470.59)		29,840.00	294,525.94	95,139.66	(3,570,964.99)

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Council Tax and Business Rates Collection Rates 2021-22

Appendix

Council Tax 2024/25

Current Year Charges - 2024/25			
Monitoring Period	% Collected at 31/03/2025	Target 31/03/2025	The annual collection rate is just below the target but 98.18% of 2024/25 council tax collected within the financial year is still a very good result, especially in the backdrop of a cost of living crisis. The council tax team continue to work with those customers struggling to pay to manage payment and maximise entitlement to benefits or discounts. Robust recovery action will continue against those avoiding payment
	98.18%	98.35%	
Comparison with 2023/24	As at 31/03/2024		
	98.32%		

Previous Years Charges Outstanding in 2024/25			
Monitoring Period	Amount outstanding at 31/03/2025	Target 31/03/2025	The arrears outstanding at the end of 2024/25 slightly exceed the target. The council tax team continue to work closely with those customers struggling to pay and robust recovery action will continue against those avoiding payment
	£2,360,331	£2,320,000	
Comparison with 2023/24	Amount outstanding at 31/03/2024		
	£2,255,021		

Business Rates 2024/25

Current Year Charges - 2024/25			
Monitoring Period	% Collected at 31/03/2025	Target 31/03/2025	The annual collection rate is below the target. One large business ratepayer avoiding payment has significantly impacted the collection rate but 97.22% of 2024/25 business rates collected within the financial year is still a very good result. The business rates team continue to work with those business rate payers struggling to pay. Robust recovery action using all legal powers available will continue against those avoiding payment
	97.22%	98.40%	
Comparison with 2023/24	As at 31/03/2024		
	98.56%		

Previous Years Charges Outstanding in 2024/25			
Monitoring Period	Amount outstanding at 31/03/2025	Target 31/03/2025	The arrears outstanding at the end of 2024/25 exceed the target. The business rates team continue to work closely with those customers struggling to pay and robust recovery action will continue against those avoiding payment
	£595,851	£490,000	
Comparison with 2023/24	Amount outstanding at 31/03/2024		
	£451,590		

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Appendix 11HRA OPERATING ACCOUNT

	2024/25	
	Forecast	Actual
	£	£
<u>EXPENDITURE</u>		
General & Special Management	5,027,060	5,124,900
Housing Management	5,177,700	5,436,100
Rents, Rates, Taxes and Other Charges	158,900	230,700
Repairs & Maintenance	5,420,400	5,556,800
Provision for Bad Debts	240,000	77,800
Interest Payable	3,301,800	3,211,400
Depreciation & Impairment of Dwellings	5,719,400	5,719,400
Depreciation of Other Assets	273,600	297,100
Debt Management Expenses	110,500	115,700
TOTAL	25,429,360	25,769,900
<u>INCOME</u>		
Dwelling Rents	23,705,500	23,643,000
Non Dwelling Rents	252,300	249,600
Charges for Services and Facilities	1,228,300	1,207,900
Feed in Tariff from PV Installations	271,000	273,900
Other Grants	-	17,000
TOTAL	25,457,100	25,391,400
NET INCOME FROM SERVICES	27,740	-378,500
Interest Receivable	61,000	46,000
NET OPERATING SURPLUS	88,740	-332,500
<u>Appropriations</u>		
Revenue Contributions to Capital	-	-
Net Increase/(Decrease) in reserves	88,740	-332,500
Revenue Reserve brought forward	936,000	936,000
Revenue Reserve carried forward	1,024,740	603,500

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Appendix 12**MAJOR REPAIRS RESERVE**

	2024/25	
	Forecast	Actual
	£	£
Balance brought forward	-	-
Depreciation of Dwellings	5,719,400	5,719,400
Depreciation of Other Assets	273,600	275,300
	5,993,000	5,994,700
Utilised to fund Capital Programme	-5,993,000	-5,994,700
Balance carried forward	-	-

HRA CAPITAL PROGRAMME

	2024/25	
	Forecast	Actual
	£	£
<u>EXPENDITURE</u>		
EXISTING STOCK		
Property Improvements & Major Repairs	11,611,500	9,335,700
Adaptions for the Disabled	600,000	647,900
Repurchase of Shared Ownership Dwellings	60,000	167,700
	12,271,500	10,151,300
NEW BUILD & ACQUISITIONS	8,822,900	7,903,700
TOTAL	21,094,400	18,055,000
<u>FINANCING</u>		
Capital Receipts	4,165,000	3,912,700
HRA Revenue Contribution	-	-
Leaseholder & Other Contributions	100,000	217,800
Major Repairs Reserve	5,993,000	5,994,700
Grants & Shared Ownership Sales	1,232,700	1,642,900
Borrowing	9,603,700	6,286,900
TOTAL	21,094,400	18,055,000

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