



**Gloucester
City Council**

Cabinet

Meeting: Wednesday, 15th October 2014 at 6.00pm in Civic Suite, North Warehouse, The Docks, Gloucester, GL1 2EP

Membership:	Cllrs. James (Leader of the Council and Cabinet Member for Regeneration and Culture) (Chair), Dallimore (Deputy Leader and Cabinet Member for Communities and Neighbourhoods), Norman (Cabinet Member for Performance and Resources), Organ (Cabinet Member for Housing, Health and Leisure) and Porter (Cabinet Member for Environment)
Contact:	Parvati Diyar Democratic Services Officer 01452 396192 parvati.diyar@gloucester.gov.uk

AGENDA

1.	APOLOGIES To receive any apologies for absence.
2.	DECLARATIONS OF INTEREST To receive from Members, declarations of the existence of any disclosable pecuniary, or non-pecuniary, interests and the nature of those interests in relation to any agenda item. Please see Agenda Notes.
3.	MINUTES (Pages 5 - 10) To approve as a correct record the minutes of the meeting held on 17 September 2014.
4.	PUBLIC QUESTION TIME (15 MINUTES) The opportunity is given to members of the public to put questions to Cabinet Members or Committee Chairs provided that a question does not relate to: <ul style="list-style-type: none"> • Matters which are the subject of current or pending legal proceedings, or • Matters relating to employees or former employees of the Council or comments in respect of individual Council Officers
5.	PETITIONS AND DEPUTATIONS (15 MINUTES) To receive any petitions or deputations provided that no such petition is in relation to:

	<ul style="list-style-type: none"> • Matters relating to individual Council Officers, or • Matters relating to current or pending legal proceedings
6.	<p>ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 (Pages 11 - 26)</p> <p>To consider a report of the Cabinet Member for Communities and Neighbourhoods updating members on the new anti-social behaviour tools being introduced through the Anti-social Behaviour, Crime and Policing Act 2014.</p>
7.	<p>CITY CENTRE CLOSED CIRCUIT TELEVISION SYSTEM - UPDATE REPORT (Pages 27 - 30)</p> <p>To consider a report of the Cabinet Member for Communities and Neighbourhoods updating members on the work undertaken for an upgrade and maintenance programme for the City Council's closed circuit television (CCTV) system.</p>
8.	<p>SUPPORT TO GLOUCESTER CATHEDRAL HLF LOTTERY BID (Pages 31 - 32)</p> <p>To consider a report of the Cabinet Member for Regeneration and Culture updating members on the Council's support in grant funding to the Cathedral's Heritage Lottery Fund (HLF) bid 'Project Pilgrim Phase 1 : the Heart of Gloucester'.</p>
9.	<p>MICRO-REGENERATION 'HIT-LIST' (Pages 33 - 40)</p> <p>To consider a report of the Cabinet Member for Regeneration and Culture updating members on the work undertaken on the regeneration of city centre sites and buildings.</p>
10.	<p>PEER REVIEW (Pages 41 - 56)</p> <p>To consider a report of the Cabinet Member for Performance and Resources updating members on the progress made against the Corporate Peer Challenge.</p>
11.	<p>PROPOSAL TO JOIN 'ONE LEGAL' SHARED SERVICE (Pages 57 - 62)</p> <p>To consider a report of the Cabinet Member for Performance and Resources seeking approval to join the existing One Legal Shared Service, operating between Cheltenham Borough Council and Tewkesbury Borough Council.</p>
12.	<p>DATE OF NEXT MEETING</p> <p>Wednesday, 12 November 2014 at 6.00pm.</p>

M. Shields

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Martin Shields
Corporate Director of Services and Neighbourhoods

Date of Publication: Tuesday, 7 October 2014

NOTES

Disclosable Pecuniary Interests

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

<u>Interest</u>	<u>Prescribed description</u>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made or provided within the previous 12 months (up to and including the date of notification of the interest) in respect of any expenses incurred by you carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between you, your spouse or civil partner or person with whom you are living as a spouse or civil partner (or a body in which you or they have a beneficial interest) and the Council (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged
Land	Any beneficial interest in land which is within the Council's area. For this purpose "land" includes an easement, servitude, interest or right in or over land which does not carry with it a right for you, your spouse, civil partner or person with whom you are living as a spouse or civil partner (alone or jointly with another) to occupy the land or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the Council's area for a month or longer.
Corporate tenancies	Any tenancy where (to your knowledge) – (a) the landlord is the Council; and (b) the tenant is a body in which you, your spouse or civil partner or a person you are living with as a spouse or civil partner has a beneficial interest
Securities	Any beneficial interest in securities of a body where – (a) that body (to your knowledge) has a place of business or land in the Council's area and (b) either – i. The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or ii. If the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, your spouse or civil partner or person with

whom you are living as a spouse or civil partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

For this purpose, “securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

NOTE: the requirements in respect of the registration and disclosure of Disclosable Pecuniary Interests and withdrawing from participating in respect of any matter where you have a Disclosable Pecuniary Interest apply to your interests and those of your spouse or civil partner or person with whom you are living as a spouse or civil partner where you are aware of their interest.

Access to Information

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For further details and enquiries about this meeting please contact Parvati Diyar, 01452 396192, parvati.diyar@gloucester.gov.uk.

For general enquiries about Gloucester City Council’s meetings please contact Democratic Services, 01452 396126, democratic.services@gloucester.gov.uk.

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- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building; gather at the assembly point in the car park and await further instructions;
- Do not re-enter the building until told by a member of staff or the fire brigade that it is safe to do so.



CABINET

MEETING : Wednesday, 17th September 2014

PRESENT : Cllrs. James (Chair), Dallimore, Norman, Organ and Porter

Others in Attendance

Martin Shields, Corporate Director of Services & Neighbourhoods

Sue Mullins, Head of Legal and Policy Development

Jon Topping, Head of Finance

Parvati Diyar, Democratic Services Officer

21. DECLARATIONS OF INTEREST

There were no declarations of interest.

22. MINUTES

The minutes of the meeting held on 30 July 2014 were confirmed as a correct record and signed by the Chair.

23. PUBLIC QUESTION TIME (15 MINUTES)

There were no public questions.

24. PETITIONS AND DEPUTATIONS (15 MINUTES)

There were no petitions or deputations.

25. CULTURAL STRATEGY UPDATE - JANUARY TO JUNE 2014

Cabinet considered a report of the Cabinet Member for Regeneration and Culture which provided an update on progress that had been made in achieving the Cultural Strategy's targets from January to June 2014.

Cabinet were informed that the strategy was adopted in 2007 and it had been agreed that a six monthly update would be presented to Cabinet detailing how well the City had achieved its cultural targets.

The Cabinet Member for Regeneration and Culture referred to the following:

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- A metal plaque to mark the 300th anniversary of the birth of George Whitefield. There had been a lot of activity over the heritage weekend and more would continue in 2015.
- USA participation in the Rugby World Cup.
- It was hoped that the Jolt Festival would be repeated.
- As a result of the recent Paint Jam event, interest in street art had increased and the Arts Council were keen to invest in the city's cultural offer.
- The Strike a Light Festival in the City had been well received.
- Construction had started on the Gloucester Rowing Club Boat House.
- Transformational projects – at the time of developing the Cultural Strategy it was not clear what these projects should be. It was agreed to look at extra cultural facilities within the City.

Cabinet Members welcomed the report which identified the excellent achievements that had been made. The report also highlighted the cultural, historical and diversity within the City.

RESOLVED:

That the achievements made in delivering the Cultural Strategy over the last six months (January 2014-June 2014) be noted.

26. CITY CENTRE TRADE WASTE COLLECTION POLICY

Cabinet considered a report of the Cabinet Member for Environment which sought approval for a Draft City Centre Trade Waste Collection Policy for formal consultation.

Cabinet were informed that previously there had been no policy in place to support trade waste collection. Businesses generate varying levels of trade waste and there had been some offenders who had not supported efforts to keep the streets clean and tidy.

The policy would regulate trade waste collection and inform businesses how to dispose of their waste. A mechanism would also be in place to penalise those who committed an offence.

The Cabinet Member for Environment commented that he had met with the Chairman of the Gloucester Branch of Federation of Small Businesses and the President of the Chamber of Trade who welcomed the policy.

In response to a question from the Cabinet Member for Performance and Resources, the Cabinet Member for Environment said there had been a small minority who regularly offended. He believed that by having a City Centre Trade Waste Collection Policy in place would ensure businesses would have a clear and consistent message to assist them in complying with the law.

Cabinet Members recognised the need to have a policy in place to provide clarity and endorsed the report.

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RESOLVED:

- 1) That the Draft City Centre Trade Waste Collection Policy currently out for formal consultation be endorsed.
- 2) Subject to consultation with City Centre Businesses, the Policy be considered for adoption, in December 2014, with an implementation date of 1st January 2015

27. RECYCLING SERVICE - TRIAL COLLECTION OF TWO ADDITIONAL ITEMS

Cabinet considered a report of the Cabinet Member for Environment which informed them of a trial project that was being developed in partnership with Amey to collect additional items from the kerbside for recycling.

Cabinet were informed that a range of cost effective options to collect additional materials had been explored to increase recycling rates. It was agreed that food and drink cartons and aerosols would be considered as many requests to recycle these items had been received from residents.

A trial was currently being developed to collect food and drink cartons and aerosols which would be placed out for collection in the existing recycling box. The trial would be undertaken in the Longlevens ward and it was proposed to start on 15 September 2014 and run for four weeks. This ward had been chosen as it achieved the highest rates of recycling.

In response to a question from the Cabinet Member for Performance and Resources, the Cabinet Member for Environment advised that if the trial was successful, it would be launched in December and rolled out across the City.

Cabinet Members welcomed the report which detailed the progress which would be made to increase recycling within the City.

RESOLVED:

- 1) That the trial project involving the kerbside collection of two additional items for recycling be endorsed.

28. TREASURY MANAGEMENT UPDATE - QUARTER 1 REPORT 2014-15

Cabinet considered a report of the Cabinet Member for Performance and Resources fulfilling one of the requirements of the revised Code of Practice for Treasury Management in November 2011 recommending that Members should be updated on treasury management activities at least twice a year, but preferably quarterly. This report covered Quarter 1, 1 April 2014 – 30 June 2014.

Cabinet were informed that the report had been presented to the Audit and Governance Committee on 8 September 2014. The report had received positive feedback and the Committee had resolved that the report be noted and that no changes would be required to the prudential indicators.

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Cabinet noted that no borrowing was undertaken during the quarter.

Cabinet Members welcomed the report which provided concise and detailed information. Members were satisfied that the borrowing situation was under control and commented on the vast improvements which had been made.

RESOLVED:

That the report be noted.

29. FINANCIAL MONITORING QUARTER 1 REPORT

Cabinet considered a report of the Cabinet Member for Performance and Resources which informed them of the financial monitoring details including budget variances, year-end forecasts and progress made against agreed savings targets for the first quarter ending 30 June 2014 (Quarter 1). The report also highlighted some key performance indicators.

Cabinet were informed that the report had been presented to the Overview and Scrutiny Committee on 15 September 2014. The report had received positive feedback which provided encouraging figures and showed that the City Council was moving forward.

The Cabinet Member for Performance and Resources advised that the Overview and Scrutiny Committee had raised the following matters:

- 1) The Committee had requested that they receive more up to date information, particularly regarding savings on the Amey contract. It was noted that up to date reports would be provided to the Committee earlier.
- 2) Discussions had also taken place on projected figures for the garden waste collection service. The Committee believed it was unfortunate that the scheme had not generated the budgeted level of income. The Committee noted that the Cabinet Member for Environment was keen to make improvements and would be reviewing the current process.

Cabinet Members endorsed the report which provided encouraging figures and showed the progress which had been made.

RESOLVED that:

- 1) In year savings already achieved total £663k be noted.
- 2) A further £467k of savings which are currently in the process of implementation be noted.
- 3) The forecast year end position for 14/15 that is currently an overspend against budgets of £44k be noted.

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**Time of commencement: 17:00 hours
Time of conclusion: 17:35 hours**

Chair

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Meeting:	Cabinet	Date:	15 October 2014
Subject:	Anti-social Behaviour, Crime and Policing Act 2014		
Report Of:	Cabinet Member for Communities and Neighbourhoods		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Ed Pomfret, Health, Partnerships and Engagement Manager		
	Email:	edward.pomfret@gloucester.gov.uk	Tel: 396069
Appendices:	1: Summary of new Anti-Social Behaviour Powers		

FOR GENERAL RELEASE

1.0 Purpose of Report

- 1.1 To provide an update on the new anti-social behaviour (ASB) tools being introduced through the Anti-social Behaviour, Crime and Policing Act 2014. A further report will follow outlining our approach to implementation once the Act has come into force.

2.0 Recommendations

- 2.1 Cabinet is asked to note the new tools and powers being introduced and is asked to **RESOLVE** that the community trigger is implemented in the city of Gloucester as outlined in paragraphs 3.12 – 3.17.

3.0 Background and Key Issues

- 3.1 In 2010, the Home Office carried out a review of the measures available to practitioners for responding to anti-social behaviour (ASB) which concluded that:

- There are too many options available and practitioners tend to stick to the ones that they are most familiar with;
- Some of the formal options available, particularly the Anti-Social Behaviour Order (ASBO), are bureaucratic, slow and expensive, which puts people off using them;
- The growing number of people who breach their ASBO suggests the potential consequences are not deterring a persistent minority from continuing their anti-social behaviour; and
- The methods that were designed to help perpetrators deal with underlying causes of their anti-social behaviour are rarely used.

- 3.2 The Home Office subsequently consulted on proposals to reform the policy framework for dealing with ASB in 2011; leading to the publication of a White Paper, Putting Victims First – More Effective Responses to Anti-Social Behaviour, in 2012,

The Home Office indicated that the intention of its proposals was to “*move away from having a tool for every different problem*” to a new approach designed to ensure that local authorities, the police and partners have “*faster more flexible tools*” to respond to problems with “*victims at the heart of the response*”.

- 3.3 The Anti-Social Behaviour, Crime and Policing Bill subsequently progressed through Parliament and the resulting Act received Royal Assent on 13th March 2013. The Act encourages collaborative working between agencies and it covers a range of matters including:
- New measures for responding to anti-social behaviour
 - Dangerous Dogs
 - Firearms
 - Protection from sexual harm and violence
 - Forced marriage
 - Various Policing matters
 - Extends the Extradition Act 2003 and
 - Introduces changes to the criminal justice and court fees.
- 3.4 The Act introduces simpler, more effective powers to tackle anti-social behaviour that provide better protection for victims and communities. There is also new legislation for the mandatory possession of homes, enabling Gloucester City Homes (GCH) and other landlords to evict secure tenants in specific cases of ASB.
- 3.5 It also sets out a new community trigger and a community remedy which will empower victims and communities, giving them a greater say in how agencies respond to complaints of ASB and with options in out-of-court sanctions for offenders.
- 3.6 The commencement date for the new powers has been announced as 20 October 2014.
- 3.7 In Gloucester anti-social behaviour is taken seriously and we are already using the multi- agency approach to tackling ASB problems through Project Solace. Project Solace is an innovative service which has changed the way agencies work in partnership to tackle ASB in Gloucester.
- 3.8 Project Solace is a multi-agency team consisting of 2 Officers from Gloucestershire Constabulary and an ASB Officer from Gloucester City Council whose sole purpose is to tackle high level ASB and prevent incidents of ASB within the private sector of the City.
- 3.9 Project Solace has been nationally recognised as an industry exemplar and has received the following accolades:
- Regarded as national best practice by the Audit Commission
 - Regarded as an example of best practice by the National Police Improvement Agency (NPIA) and Her Majesty's Inspectorate of Constabulary
 - Housemark Social Crime and Landlords Nuisance Group Project Solace Best Practice Award Winner in managing Anti Social Behaviour - November 2012

- Finalists in the 2012 Housing Heroes Award for Groundbreaking Service Team of the Year.

3.10 Through this partnership we are one of only a few Councils that have successfully used Gang Injunctions against 2 individuals. We therefore welcome this move to encourage agencies to work together as we do in Gloucester and to simplify and streamline antisocial behaviour legislation.

Putting victims first

3.11 The Act includes two new measures which are designed to give victims and communities a say in the way anti-social behaviour is dealt with: the community trigger and the community remedy.

3.12 The **Community Trigger** (ASB Case Review) gives victims the ability to demand action, starting with a review of their case, where the locally defined threshold is met.

3.13 Relevant bodies are councils, police, clinical commissioning groups in England and registered providers of social housing if co-opted into this group

3.14 It is proposed, in line with Home Office Guidance, that the threshold for the Community Trigger in Gloucester will be:

- Three or more separate incidents of ASB reported in the previous six month period and the victim feels that they have not received a satisfactory service, or
- five individual complaints from a neighbourhood about the same behaviour within a previous six month period. These complaints can be made to different organisations.

3.15 A procedure for using the community trigger is being developed with our partners Gloucestershire Police and Project Solace. The procedure will be published and will include the point of contact for making an application to use the community trigger.

3.16 A pilot scheme has been carried out in Cheltenham and Tewkesbury. This will assist with how the community trigger procedure will be set up across Gloucestershire and within each district council area.

3.17 The basic procedure will be:

- A victim of ASB makes an application to use the community trigger
- An independent third party (it is currently proposed that this will be Restorative Gloucestershire) will co-ordinate and request information from the relevant bodies to decide whether the threshold is met
- If the threshold is met, Restorative Gloucestershire will meet with the relevant bodies and share information about the case. They will consider whether any new relevant information needs to be obtained, review previous actions taken and propose a response. The victim is then informed of the outcome and, if necessary, the agencies will work with the victim to devise and implement an action plan

- The outcome will be reviewed until the action plan has been met and, if necessary, the case can be escalated for further review.
- 3.18 The community trigger review will be built into our existing multi-agency ASB steering group meetings which is chaired by the police.
- 3.19 The **Community Remedy** is intended to give victims a say in the out-of-court punishment of offenders for low-level crime and ASB.
- 3.20 There is a requirement for each local policing body, with the Police and Crime Commissioner (PCC), to prepare a community remedy document for its area. This document is a list of actions any of which might, in the opinion of the local policing body, be appropriate in a particular case to be carried out by a person who:
- Has engaged in ASB or who has committed an offence; and
 - Is to be dealt with for that behaviour or offence without court proceedings
- 3.21 In Gloucester we are already widely using restorative justice and it is therefore proposed that the community remedy will be delivered through the use of Restorative Gloucestershire by appropriately trained and authorised people. Gloucestershire Constabulary and Restorative Gloucestershire already have established procedures in place for the use of restorative justice. It is not intended that the community remedy replace these procedures but that the community remedy will extend this service and sit between the current restorative justice process and the formal criminal justice process. The community remedy will be a police led tool.

More effective powers

- 3.22 The new legislation replaces the 19 existing powers with six new powers, as outlined in Appendix 1:
- 3.23 These new powers have been designed to be flexible, allowing professionals to adapt them to protect victims in a wide range of situations. The new powers will work best when complemented by more effective ways of working – in particular, working in partnership, sharing information and using early and informal interventions.
- 3.24 The new powers are summarised below and in Appendix 1. Further detail can be found in the statutory guidance at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/332839/StatutoryGuidanceFrontline.pdf

Injunction to Prevent Nuisance and Annoyance (IPNA)

- 3.25 The IPNA is a civil power which can be applied for by a range of agencies to deal with anti-social individuals. This now includes individuals aged 10 and over not just adults. Agencies that can apply for IPNAs include district councils, housing providers, and Police. Applications must be made to a youth court for those aged under 18 and to the county court or High Court in all other cases. The IPNA can prohibit the offender from doing prescribed things (prohibitions) and require them to

do certain things (requirements). The requirements should aim to tackle the underlying causes of the anti-social behaviour and could include such things as attending an anger management course, participating in substance misuse awareness sessions or attending a job readiness course.

- 3.26 Breach of an IPNA is not a criminal offence. For adults, a breach is dealt with by a civil contempt of court and breach proceedings for under 18s are dealt with by the youth court.

Criminal behaviour order (CBO)

- 3.27 The CBO is available on conviction for any criminal offence in any criminal court. It is similar to the IPNA and can include prohibitions and requirements. However, unlike the IPNA, it is a criminal offence to fail to comply with an order without reasonable excuse. Breaches of CBO by those aged under 18 will be dealt with by the youth court. In all other cases, the offence will be considered by the magistrates court or Crown Court.

Community protection notice (CPN)

- 3.28 The CPN is intended to deal with particular, on-going problems, or nuisances that negatively affect the community's quality of life by targeting those responsible. CPNs can be used to tackle a wide range of problem behaviours including graffiti, rubbish and noise. It can be issued against any person over the age of 16 or a body, including businesses. The Home Office note that councils already take the lead in dealing with these kinds of issues. In addition to designated council officers, CPNs can also be issued by police officers and police community support officers. A person found guilty of failing to comply with a notice without reasonable excuse is liable to a fine of up to £2,500 (£20,000 in the case of a body)

Public spaces protection order (PSPO)

- 3.29 The PSPO is intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of an area which apply to everyone. This could include, but is not restricted to, placing restrictions on the use of parks, alleyways or communal areas to prevent problems with misuse of alcohol, dogs or noise. District Councils will be responsible for making a PSPO but police officers and police community support officers can also play a role in enforcing the orders. It is an offence to fail to comply with an order without reasonable excuse and can result in a fine of up to £1,000.
- 3.30 The Act provides the ability for authorised local authority officers, police and police community support officers to issue a fixed penalty notice for failure to comply with both a CPN and a PSPO as an alternative to prosecution. The amount of the fixed penalty notice can be set by the local authority but cannot exceed £100.
- 3.31 In addition existing designated drinking places orders (DPPOs) will be treated as PSPOs.

Closure powers – closure notice and closure order

- 3.32 The closure power can be used by local authorities and the police to close premises that are causing nuisance and disorder. The power comes in two stages. The closure notice can be used out of court to provide short term relief up to a maximum of 48 hours. The notice can then be extended upon application for a closure order to the magistrates' court for a period of up to three months. At any time before the expiry of the closure order, an application may be made to the court for an extension (or further extension) of the order up to a total of six months.

Police dispersal power

- 3.33 The police dispersal power requires a person committing or likely to commit ASB, crime or disorder to leave an area for up to 48 hours. This is a flexible power that can be used by the Police in a range of situations to disperse anti-social individuals and provide immediate short-term respite to a local community.

Mandatory ground for possession

- 3.34 The purpose of the new absolute ground for possession of a dwelling house is to speed up the possession process in cases where anti-social behaviour or criminality has already been proven in another court. Landlords will no longer have to prove that it is reasonable to grant possession but, instead, courts must grant possession if the landlord followed the correct procedure and at least one of the specified conditions is met (as set out in Appendix 1).

4.0 Alternative Options Considered

- 4.1 Not applicable as the requirements are set out in legislation.

5.0 Reasons for Recommendations

- 5.1 The relevant bodies must work together to implement the new tools and powers and the community trigger procedure. There are existing processes that the community trigger can be built into.

6.0 Future Work and Conclusions

- 6.1 For the new tools and powers to be effective, it is important to work closely with partners. Gloucestershire Constabulary are leading a project to understand and develop the necessary business processes needed. A number of work streams have been identified by the police – some are purely police related but others are partner based.
- 6.2 The city council is involved with the ASB case review work stream that is seeking to identify how the new powers will be dealt with and how this will interact with other agencies.
- 6.3 Project Solace is also involved in this work stream and we will be working with them to develop our processes.

7.0 Financial Implications

- 7.1 There may be additional financial implications in making applications for injunctions and legal fees. The impact will not be known until the legislation is in place and the powers used.

(Financial Services have been consulted in the preparation this report.)

8.0 Legal Implications

- 8.1 Implications are dealt with within the main body of this report. As with any new legislation, the council will have to consider how case law evolves, and will also have to consider whether it is appropriate to delegate any of its powers under the legislation in due course. Policies, including the enforcement policy, will also have to be amended to reflect the new legislation once it is in force.

(Legal Services have been consulted in the preparation this report.)

9.0 Risk & Opportunity Management Implications

- 9.1 As this is new legislation, the council and its partners will need to review how it progresses on a case by case basis.

10.0 People Impact Assessment (PIA):

- 10.1 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

11.0 Other Corporate Implications

Community Safety

- 11.1 The new ASB legislation is integral to the work of the community safety partnership.

Sustainability

- 11.2 None.

Staffing & Trade Union

- 11.3 None.

Background Documents: None

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Appendix 1: Summary of new Anti-Social Behaviour Powers

New Provision	When	Effect	Penalty	Additional Information
<p>Injunction to prevent Nuisance and Annoyance</p>	<p>Can be granted against a person aged 10 or over if two conditions are met:</p> <ul style="list-style-type: none"> • On the balance of probabilities, that the respondent has engaged or threatens to engage in ASB; • The court considers it just and convenient to grant the injunction for the purpose of preventing the respondent from engaging in anti-social behaviour. 	<p>An injunction may:</p> <ul style="list-style-type: none"> • Prohibit the respondent from doing anything described in the injunction; • Require the respondent to do anything described in the injunction. <p>In certain circumstances, a power of arrest can be attached.</p> <p>In other cases, application must be made to a court for an arrest warrant in event of a breach.</p>	<p>Penalty for breach of the conditions of an injunction can result in up to two years' imprisonment and/or an unlimited fine for contempt of court.</p>	<p>Replaces Anti-Social Behaviour Order, Anti-Social Behaviour Injunction, Individual Support Order, Intervention Order and Drink Banning Order.</p> <p>Court can grant an interim order in certain circumstances.</p> <p>Applications involving those under 18 made to the Youth Court, all others either the High Court or County Court.</p>
<p>Criminal Behaviour Order</p>	<p>Applies where a person is convicted of an offence.</p> <p>The court may make an order if two conditions are met:</p> <ul style="list-style-type: none"> • The court is satisfied, beyond reasonable doubt, that the offender has engaged in behaviour that caused or was likely 	<p>An Order may:</p> <ul style="list-style-type: none"> • Prohibit the offender from doing anything described in the order. • Require the offender to do anything described in the order. 	<p>A person who fails to comply with an Order commits an offence, which can result in:</p> <ul style="list-style-type: none"> • On summary conviction, to imprisonment for a period not exceeding 6 months or to a fine or both; • On conviction on indictment to imprisonment for a period not exceeding 5 years or to a fine, or to both. 	<p>Replaces Anti-Social Behaviour Order on conviction and Drink Banning Order on conviction.</p> <p>Court can grant an interim order in certain circumstances.</p>

Appendix 1: Summary of new Anti-Social Behaviour Powers

	<p>to cause harassment, alarm or distress to any person.</p> <ul style="list-style-type: none"> The court considers that making the order will help in preventing the offender from engaging in such behaviour. 			
Directions Power	<p>Can be used by an officer of at least the rank of Inspector when to remove or reduce the likelihood of:</p> <ul style="list-style-type: none"> Members of the public being harassed, alarmed or distressed. The occurrence of crime or disorder. 	<p>A constable in uniform may direct a person who is in a public place:</p> <ul style="list-style-type: none"> To leave the locality (or part of the locality), and Not to return to the locality (or part of the locality) for a specified period not exceeding 48 hours. <p>The constable can also direct the person to surrender any item in the person’s possession or control that the constable reasonably believes has been used or is likely to be used in behaviour that harasses, alarms or distresses members of the public.</p>	<p>A person who fails without reasonable excuse to comply commits an offence, which can result in:</p> <ul style="list-style-type: none"> Imprisonment for a period not exceeding 3 months, or A fine not exceeding level 4 on the standard scale 	<p>Replaces dispersal order provisions within the Anti-Social Behaviour Act 2003 and Directions to Leave within the Violent Crime Reduction Act 2006.</p> <p>Cannot be used where the person appears to be under the age of 10.</p> <p>The direction cannot prevent someone accessing their place of residence, work, education / training, somewhere for the purpose of receiving medical training, somewhere where they are required to attend by order of a court or tribunal.</p>
Community Protection Notices	<p>An authorised person may issue a community protection notice to an</p>	<p>A CPN can impose any of the following requirements on the individual or body issued with it:</p>	<p>A person who fails to comply commits an offence, which can result in:</p> <ul style="list-style-type: none"> A fine not exceeding level 4 on 	<p>Replaces litter abatement notices, litter clearing notices, street litter control notices and defacement</p>

Appendix 1: Summary of new Anti-Social Behaviour Powers

<p>(CPN)</p>	<p>individual aged 16 or over, or a body, if satisfied on reasonable grounds that:</p> <ul style="list-style-type: none"> The conduct of the individual is having a detrimental effect, of a persistent or continuing nature, on the quality of life of those in the locality, and The conduct is unreasonable. <p>Authorised persons:</p> <ul style="list-style-type: none"> A constable; The relevant local authority; A person designated by the relevant local authority for the purposes of this section. 	<ul style="list-style-type: none"> A requirement to stop doing specified things; A requirement to do specified things; A requirement to take reasonable steps to achieve specified results. <p>The only requirements that may be imposed are ones that are reasonable to impose:</p> <ul style="list-style-type: none"> To prevent the detrimental effect from continuing or recurring, or To reduce the detrimental effect or to reduce the risk of its continuance or recurrence. 	<p>the standard scale, in the case of an individual;</p> <ul style="list-style-type: none"> A fine not exceeding £20,000 in the case of a body. <p>Alternatively, a Fixed Penalty Notice (up to £100) can be issued.</p> <p>Remedial Action</p> <p>When a person fails to comply with a Notice, the local authority can:</p> <ul style="list-style-type: none"> Have work carried out to remedy the failure on land open to the air or Issue a default notice specifying the work it intends to carry out and the estimated cost. <p>A court before which a person is convicted of an offence of failing to comply with a CPN may make whatever order the court thinks appropriate for ensuring that what the notice requires to be done is done.</p>	<p>removal notices.</p> <p>There is a right of appeal to the Magistrates' Court both for the CPN and any subsequent default notice (appeal must be made within 21 days of issue)</p> <p>A court before which a person is convicted of an offence under section 48 may order the forfeiture of any item that was used in the commission of the offence.</p> <p>Where an offence has been committed under this section, a justice of the peace can issue a warrant authorising seizure of items used in the commission of the offence.</p>
<p>Public Spaces Protection Orders</p>	<p>A local authority may make a PSPO if satisfied on reasonable grounds that two conditions are met.</p> <p>The first condition is that:</p> <ul style="list-style-type: none"> Activities carried on in a public place within the authority's area 	<p>A PSPO can:</p> <ul style="list-style-type: none"> Prohibit specified things being done in a defined area, Require specified things to be done by persons carrying on specified activities in that area, or Does both of these things. 	<p>It is an offence for a person without reasonable excuse:</p> <ul style="list-style-type: none"> To do anything that the person is prohibited from doing by a PSPO, or To fail to comply with a requirement to which the person is subject under a PSPO 	<p>Replaces gating orders, dog control orders and powers of local authority to designate places for restrictions on alcohol consumption. Any such order made before commencement of the new Act will, however, remain in force for a period of up to 3 years.</p>

Appendix 1: Summary of new Anti-Social Behaviour Powers

	<p>have had a detrimental effect on the quality of life of those in the locality, or</p> <ul style="list-style-type: none"> It is likely that activities will be carried on in a public place within that area and that have such an effect. <p>The second condition is that the effect, or likely effect, of the activities:</p> <ul style="list-style-type: none"> Is, or is likely to be of a persistent or continuing nature, Is or is likely to be such as to make the activities unreasonable, and Justifies the restrictions imposed by the notice. 	<p>The only prohibitions or requirements that may be imposed are ones that are reasonable to impose:</p> <ul style="list-style-type: none"> To prevent the detrimental effect from continuing, occurring or recurring, or To reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence. <p>A prohibition or requirement may be framed to apply to all persons, or at all times, or in all circumstances; to only specific categories of person, times or circumstances; or to all persons, times circumstances except those specified.</p>	<p>A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.</p> <p>Alternatively, a Fixed Penalty Notice can be issued (not exceeding £100).</p> <p>If someone consumes alcohol in breach of a public spaces protection order then a constable or authorised person may require the individual to:</p> <ul style="list-style-type: none"> Not consume alcohol, Surrender any alcohol or containers for alcohol. <p>A person who fails without reasonable excuse to comply with these commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale.</p> <p>As above, a Fixed Penalty Notice can be issued as an alternative to prosecution.</p>	<p>A public spaces protection order may not have effect for a period of more than 3 years but may be extended more than once.</p> <p>An interested person may apply to the High Court to question the validity of a PSPO or the variation of a PSPO.</p> <p>Any prohibitions on consuming alcohol introduced through a PSPO do not apply to licensed premises.</p>
<p>Closure Power</p> <p>Closure Notices</p>	<p>A police officer of at least the rank of inspector, or the local authority, may issue a closure notice if satisfied on reasonable grounds:</p> <ul style="list-style-type: none"> That the use of particular premises 	<p>A closure notice may prohibit access:</p> <ul style="list-style-type: none"> By all persons except those specified, or by all persons except those of a specified description; 	<p>An offence is committed if a person:</p> <ul style="list-style-type: none"> Without reasonable excuse remains on or enters premises in contravention of a closure notice, or Without reasonable excuse 	<p>Replaces closure notices / orders within the Anti-Social Behaviour Act 2003 and Licensing Act 2003.</p> <p>Whenever a closure notice is issued an application must be made to a magistrates' court for a</p>

Appendix 1: Summary of new Anti-Social Behaviour Powers

	<p>has resulted, or (if the notice is not issued) is likely soon to result, in nuisance to members of the public, or</p> <ul style="list-style-type: none"> That there has been, or is likely soon to be, disorder near those premises associated with the use of those premises. <p>And that the notice is necessary to prevent the nuisance or disorder from continuing, recurring or occurring.</p>	<ul style="list-style-type: none"> At all times, or at all times except those specified; In all circumstances, or in all circumstances except those specified. <p>The maximum period specified in a closure notice is 24 hours unless it is signed by either an officer at superintendent rank or above or the chief executive officer of the local authority in which case the period is 48 hours.</p> <p>A closure notice may not prohibit access by people who habitually live on the premises, or the owner of the premises.</p>	<p>obstructs a person serving a closure notice.</p> <p>In both cases, a guilty person is liable on summary conviction to imprisonment for a period not exceeding 3 months, or a fine or to both.</p>	<p>closure order (see below).</p>
Closure Order	<p>Whenever a closure notice is issued an application must be made to a magistrates' court for a closure order. The application must be made by:</p> <ul style="list-style-type: none"> A constable, if the closure notice was issued by a police officer; The authority that issued the closure notice, if notice was 	<p>A closure order may prohibit access for a period not exceeding three months:</p> <ul style="list-style-type: none"> By all persons or by all persons except those specified, or by all persons except those of a specified description; At all times, or at all times except those specified; In all circumstances, or in all circumstances 	<p>A person who without reasonable excuse remains on or enters a premises in contravention of a closure order commits an offence, which on summary conviction can result in imprisonment for a period not exceeding 51 weeks, to a fine or to both.</p>	<p>See above.</p> <p>An authorised person may enter premises in respect of which a closure order is in force and do anything necessary to secure the premises against entry.</p> <p>A local policing body or a local authority that incurs expenditure for the purpose of clearing, securing or maintaining premises in respect of which a closure</p>

Appendix 1: Summary of new Anti-Social Behaviour Powers

	<p>issued by a local authority.</p> <p>The application must be heard by the magistrates court not later than 48 hours after service of the closure notice.</p> <p>The court may make a closure order if it is satisfied:</p> <ul style="list-style-type: none"> • That the person has engaged, or (if the order is not made) is likely to engage in disorderly, offensive or criminal behaviour on the premises or, • That the use of the premises has resulted, or (if the order is not made) is likely to result, in serious nuisance to members of the public, or • That there has been, or (if the order is not made) is likely to be disorder near those premises associated with the use of 	<p>except those specified.</p> <p>An order may be made in respect of the whole or any part of the premises; and may include provision about access to a part of the building or structure of which the premises form part.</p>		<p>order is in force may apply to the court for reimbursement of costs.</p>
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Appendix 1: Summary of new Anti-Social Behaviour Powers

	<p>those premises And that the order is necessary to prevent the behaviour, nuisance or disorder from continuing , recurring or occurring.</p>			
Recovery of Possession of Dwelling Houses	<p>The court must make an order for possession if one of the listed conditions are met::</p> <ul style="list-style-type: none"> • Conviction for a serious offence linked to the dwelling house; • Breach of an injunction issued under this Act linked to the dwelling house, • Breach of Criminal Behaviour Order 	<p>If a court is satisfied that one of a number of listed conditions are met then it must make an order for the possession of a dwelling house let under a secure tenancy.</p>	<p>The tenant must vacate the property.</p>	<p>Amends provisions for possession introduced by the Housing Act 1985.</p> <p>Applies to secure and assured tenancies.</p> <p>A tenant may request a review of the landlord’s decision to seek an order for possession of a dwelling house if the property belongs to a local housing authority or a housing action trust.</p>

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Gloucester City Council

Meeting:	Cabinet	Date:	15 October 2014
Subject:	City Centre Closed Circuit Television System – update report		
Report Of:	Cabinet Member for Communities and Neighbourhoods		
Wards Affected:	All		
Key Decision:	Yes	Budget/Policy Framework:	No
Contact Officer:	Ed Pomfret, Health, Partnerships and Engagement Manager		
	Email: edward.pomfret@gloucester.gov.uk	Tel:	396069
Appendices:	None		

FOR GENERAL RELEASE

1.0 Purpose of Report

- 1.1 To provide an update on the work done following Council's approval on 27 September 2012 of a budget for an upgrade and maintenance programme for the city council's closed circuit television (CCTV) system.
- 1.2 To seek delegated authority for the Corporate Director of Services and Neighbourhoods to determine the final detail of the proposed upgrade, including camera location and maintenance programme in consultation with the Cabinet Member for Communities and Neighbourhoods.

2.0 Recommendations

- 2.1 Cabinet is asked to **RESOLVE** that authority be delegated to the Corporate Director of Services and Neighbourhoods, in consultation with the Cabinet Member for Communities and Neighbourhoods to determine the final detail of the upgrade and maintenance programme, including the potential inclusion of city centre wifi, based on the technical consultant's recommendations.

3.0 Background and Key Issues

- 3.1 Following Council approval of a budget for an upgrade and maintenance programme for the city council's closed circuit television (CCTV) system on 27 September 2012, the following steps have been taken:
 - (i) The project was considered at the capital project steering group
 - (ii) A technical consultant has been selected
 - (iii) Survey work and feasibility studies have been carried out
- 3.2 A significant capital investment is required for the upgrade of both cameras and the transmission infrastructure. For this reason, the matter was considered by full Council in September 2012 and then in May 2013 the funding was included in the capital project budget.

3.3 Following the inclusion of this project in the capital programme, a technical consultant was sought to assist with:

- (i) Wireless transmission survey
- (ii) Feasibility study for upgrades and camera moves
- (iii) Preparation of specifications
- (iv) Production of technical appraisal of tenders
- (v) Supervision of CCTV camera upgrade and associated transmission system

A number of consultants were approached and a consultant was selected, in consultation with the Corporate Director of Services and Neighbourhoods. This decision was made in July 2013 and the initial meeting with the consultant was in August 2013.

3.4 The following investigatory and preparatory work has been carried out:

- (i) Discussions with the police on the feasibility of sharing columns or radio transmitters/receivers that are used for automatic number plate recognition (ANPR)
- (ii) Survey of potential relay points for wireless transmission in the city centre – these have been identified and there have been discussions with landlords of various buildings
- (iii) Survey work for an additional camera in Gloucester Park and for some cameras to be moved, including moving a camera in Coney Hill

3.5 Following election of the Police and Crime Commissioner in November 2012, Gloucestershire Constabulary have decided to progress work around the future of its operational estate. This will affect the CCTV control room which will be moved from its current location at Bearland Police Station, Gloucester to Police HQ at Waterwells. This has implications on the progress of our CCTV project, as we would want to ensure that our new system will be compatible with any new Control room. A considerable amount of additional time has been spent working with Gloucestershire Constabulary to ensure this. It has also become apparent, that these changes will also affect Cheltenham's operations and Gloucestershire Constabulary are proposing that the Gloucester and Cheltenham CCTV Control rooms are both moved to a single location. At this stage, the timescale for the move is not known but there are opportunities for joint working and efficiency savings. The procurement process will ensure that the upgrade and maintenance programme are compatible with and facilitate this proposed change in control room location.

3.6 Cheltenham Borough Council are also in the process of drawing up a specification to go out to tender for new CCTV cameras and maintenance programme and are working to a very similar timetable to us. The Corporate Director of Services and Neighbourhoods, in consultation with the Cabinet Member for Communities and Neighbourhoods, has therefore approved collaboration with Cheltenham Borough Council for a joint tender and the two councils are now working on the CCTV project together. Whilst bringing these two procurement exercises together has caused some delay, it will however ensure that both systems are compatible for when there is a single control room. There will be separate contracts and price schedules for each council so that it is clear what each council is receiving.

- 3.7 Whilst it is frustrating that the proposed CCTV Control Room move has caused delays in this procurement process, it is crucial that all factors are taken into consideration to ensure that any unnecessary additional costs that could be incurred when the move takes place are avoided. The replacement of our CCTV estate remains a key priority for the City Council and these delays have been unavoidable. In addition it should be noted that although there has been a delay, we have been able to keep our current system working during this time and there has not been any impact on public safety. The proposed time-scale for the project aims to have the new contract in place by 1 April 2015 with work commencing before the Rugby World Cup Tournament.
- 3.8 In addition during the time of this project full Council asked for the provision of WiFi in the City Centre to be explored. Marketing Gloucester Ltd have looked into this and as wifi provision can be linked with the new CCTV infrastructure Tenderers for the CCTV contract will also be asked to quote for the provision of WiFi in the City Centre. This will allow a decision to be made as to whether this can form part of the CCTV project or whether it should continue as a separate, stand alone project.
- 3.9 As tenders will soon be going out the project is now at a stage where it is important to be able to respond to advice given by our Consultant and potential contractors. It is therefore recommended that authority is delegated to the Corporate Director of Services and Neighbourhoods to determine the detail of the upgrade, including camera locations and maintenance programme for the City Council's CCTV, in consultation with the Cabinet Member for Communities and Neighbourhoods, as appropriate.

4.0 Alternative Options Considered

- 4.1 We could go ahead with the upgrade and maintenance programme on our own as originally proposed. Whilst this would provide a modern and reliable system and revenue savings in the longer term, there is a risk that it may not be compatible with a future consolidated system and control room. There is a need for Gloucestershire Constabulary and the district councils to work in a co-ordinated way.

5.0 Reasons for Recommendations

- 5.1 Since the original proposal was approved, Gloucestershire Constabulary's intention to re-locate Cheltenham and Gloucester's CCTV control rooms to a single location has moved forward. It is, therefore, important to ensure that any works carried out in Gloucester will not compromise this and money is not wasted on upgrades that will not be compatible with the new facility.

6.0 Future Work and Conclusions

- 6.1 The provision of a modern and reliable CCTV system is essential to provide public reassurance in crime prevention, detection and allaying the fear of crime. A programme of replacing cameras and maintenance is needed to ensure that there are no large, unforeseen payments and problems associated with an ageing system. It is important that any work carried out by Gloucester City Council is done in co-ordination with Gloucestershire Constabulary and other district councils to ensure that there is a future-proof system in place.

7.0 Financial Implications

7.1 A capital budget of £365,000 has previously been approved. Cost savings are expected to be made through efficiencies of a single location and joined up working with Gloucestershire Constabulary and Cheltenham Borough Council.

(Financial Services have been consulted in the preparation this report.)

8.0 Legal Implications

8.1 The current three year maintenance contract has expired and is now being 'held over' on the terms and conditions in the contract. To ensure continuity of CCTV provision, this contract will need to be terminated to coincide with the commencement date of any new contract awarded.

8.2 As an interim measure, the existing contract has been varied, so that it can be terminated on one month's notice instead of three months' notice ending on the anniversary date,

8.3 The City Council will tender in accordance with the contract standing orders in the Council's constitution. The Council will be seeking Tenders on behalf of both the City Council and Cheltenham Borough Council for a [3 year upgrade and maintenance contract, with an option to extend for a further 2 years.]. Following evaluation of the Tenders, each Council will enter into its own agreement with the successful bidder. Tender documents will need to be drawn up in advance of the procurement timetable.

(Legal Services have been consulted in the preparation this report.)

9.0 Risk & Opportunity Management Implications

9.1 Positive outcomes through working with our partners to reduce crime, the fear of crime and anti-social behaviour.

10.0 People Impact Assessment (PIA):

10.1 The PIA Screening Stage was completed and did not identify any potential or actual negative impact. Therefore, a full PIA was not required.

11.0 Other Corporate Implications

Community Safety

11.1 CCTV is integral to the work of the community safety partnership.

Sustainability

11.2 None

Staffing & Trade Union

11.3 None

Background Documents:

City Centre Closed Circuit Television System – report to Council: 27 September 2012

Meeting:	Cabinet	Date:	15 October 2014
Subject:	Support to Gloucester Cathedral HLF Bid		
Report Of:	Cabinet Member for Regeneration and Culture		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Jon Topping, Head of Finance		
	Email: jontopping@gloucester.gov.uk	Tel:	39-6242
Appendices	None		

FOR GENERAL RELEASE

1.0 Purpose of Report

- 1.1 To note the Council's support in grant funding to the Cathedral's Heritage Lottery Fund (HLF) bid 'Project Pilgrim Phase 1: the Heart of Gloucester'

2.0 Recommendations

- 2.1 Cabinet is asked to **RESOLVE** that it be noted that a grant of £50,000 has been made to the Cathedral from the Regeneration Fund to support the HLF bid.

3.0 Background and Key Issues

- 3.1 A key objective in the current Council plan is enhancing the role of the Cathedral in the life of the City, to this end Council has put in place a Members' working group for the Cathedral Heritage Project.
- 3.2 Gloucester Cathedral has secured development funding from the Heritage Lottery Fund (HLF) for the first phase of a major 10 year capital project. 'Project Pilgrim Phase One: the Heart of Gloucester' aims to celebrate the Cathedral's heritage by revealing stories about the people and events which have helped to define the significant role it has played in the nation's history.
- 3.3 Development funding of £320,000 has been awarded by the Heritage Lottery Fund. The Cathedral plans to apply for a full grant of c.£4million at a later date. This is complemented by a further £70,000 grant from the Friends of Gloucester Cathedral.
- 3.4 The project includes the creation of a new public square in the Cathedral grounds, conservation of the 15th Century Lady Chapel and its magnificent stained glass window, provision of a new entrance and welcome area and improvements to access and story-telling across the site. This will be supported by a varied programme of activities aimed at engaging wider and more diverse audiences and many new volunteering opportunities.

3.5 In order to 'unlock' Heritage Lottery Fund money, the Cathedral will need to raise nearly £1.5m in partnership funding over the next 18 months. The Council has contributed £50k to the project. The contribution has been made from Regeneration Fund. The Council has also provided £25k from the events budget for Crucible 2, building on the success of the 2010 exhibition in again attracting thousands of visitors to both the Cathedral and the City

4.0 Alternative Options Considered

4.1 No alternative options required.

5.0 Reasons for Recommendations

5.1 To provide grant funding in support of the HLF bid.

6.0 Future Work and Conclusions

6.1 There is no further work required.

7.0 Financial Implications

7.1 Financial Implications have been highlighted in the body of the report
(Financial Services have been consulted in the preparation this report.)

8.0 Legal Implications

8.1 There are no legal implications as a result of this report
(Legal Services have been consulted in the preparation this report.)

9.0 Risk & Opportunity Management Implications

9.1 No key risks identified as a result of this report

10.0 People Impact Assessment (PIA):

10.1 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

11.0 Other Corporate Implications

Community Safety

11.1 None

Sustainability

11.2 Improvements to the setting, fabric and interpretation of this major tourist attraction will contribute to sustaining the vibrancy of the City Centre.

Staffing & Trade Union

11.3 None

Gloucester City Council

Meeting:	Cabinet	Date:	15th October 2014
Subject:	Micro-regeneration 'hit-list'		
Report Of:	Cabinet Member for Regeneration and Culture		
Wards Affected:	Westgate, Kingsholm & Wotton, Matson & Robinswood		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Anthony Hodge		
	Email:	anthony.hodge@gloucester.gov.uk	Tel: 396034
Appendices:	Appendix 1 Location Plan		

FOR GENERAL RELEASE

1.0 Purpose of Report

- 1.1 To provide Cabinet with an update on work to bring about the regeneration of various important, mainly city centre, sites and buildings.

2.0 Recommendations

- 2.1 Cabinet are asked to note the information contained in the report and confirm these buildings as a priority for regeneration activity.

3.0 Background and Key Issues

- 3.1 The Leader of the Council and the City MP recently announced plans to target key sites and buildings, mainly in the city centre, for regeneration in the run-up to next year's Rugby World Cup. It should be noted that the Rugby World Cup is intended to act as a focus for activity and used to encourage investment in the city. However, the City Council would still be working to bring about the regeneration of these sites and buildings even if Gloucester was not in the fortunate position of being a RWC Host City. Indeed, work to bring about the regeneration of a number of the sites/buildings identified dates back some time and, in some cases, prior to the granting of Host City status. The sites and buildings set out in this report are those identified as priorities, but the list is by no means exhaustive. The Council has previously taken a similar approach to identifying key sites and buildings for action with a list known as "The Dirty Dozen", with sites including the former Raglan Arms in Tredworth, 2 Spa Road and the former Samsons Supplies building in Southgate Street, all of which have now been developed.

3.1.1 Former Kwiksave, Northgate Street

Discussions are ongoing between the developer and a Registered Provider. Officers have facilitated discussions with the Homes and Communities Agency to identify what grant resources can be deployed to bring this site forward.

3.1.2 Albion House, Southgate Street

The owner has agreed an option to purchase with a local developer. The developer has had pre-application advice from the Planning Team regarding a refurbishment of Albion House, plus redevelopment of the former Kitchen Shop for apartments and additional development at the rear of the site. Officers have met with the developer and discussed the eligible works regarding potential grant assistance.

3.1.3 Former Job Centre, Southgate Street

A planning application has been submitted and a number of meetings have been undertaken with the owner regarding their proposals for the building. The application is for a complete refurbishment of the building for residential to upper floors and retail use at ground level.

3.1.4 Bakers Quay

Negotiations are underway between the land owner and potential developer who are looking to bring forward a mixed use scheme.

3.1.5 HM Prison Gloucester

The property has been marketed by agents. Officers understand that a decision will be made shortly by the Ministry of Justice (the property owners), as to who their preferred developer is.

3.1.6 Former Marks & Spencer (M&S) site, Northgate Street

The building is being marketed for sale/to let. Agents are acting on behalf of M&S and have advised that they have interest from a retailer looking to take a new lease, in addition an unnamed developer is considering the freehold interest.

3.1.7 Prospect House, London Road (corner Heathville Road)

Officers have spoken to agents acting on behalf of the building's owner. They have confirmed that their client is currently undertaking a restructuring exercise. Once this is complete they are likely to dispose of the property, most probably early in 2015.

3.1.8 Former Fleece Hotel,

The property is currently being marketed by agents acting on behalf of the City Council. There has been interest although this has been subject to securing funding from the HCA. Officers are pursuing feedback following a recent site visit by a local consortium of investors who have also expressed an interest in the regeneration of this site.

3.1.9 Former Jumpin Jaks, Brunswick Road

Further information will be sought to understand the owner's intentions for this building and to encourage a regeneration scheme. The successful regeneration of the adjacent former Gloscat Media site will help to encourage bringing this site back into use.

3.1.10 26 Westgate Street (former Bookends building)

Detailed cost analysis have been undertaken to confirm the viability of this building for use as the Tourist Information Centre. The outcome of this work is that there remain challenges over resource availability and cost of works. However constructive dialogue continues with the building's owners to find a viable solution.

3.1.11 Kings Walk and Longsmith Street Car Parks

Kings Walk - through the City Centre Investment Fund, potential cladding options are being considered. Officers have met with the building's owner, Aviva, to present options and they are in agreement, in principle. The scheme is being developed further.

Longsmiths Street - a planning application has been submitted to enable the delivery of a green wall to mask the facade of this building.

3.1.12 Former Café El-Bahdja, Westgate Street

Interest has been shown by a potential occupier. Otherwise the property remains in good condition.

3.1.13 Fiveways site, Southgate Street/Trier Way

Construction has recently started on site this year for a dementia home.

3.1.14 Quayside House

The property is programmed for disposal by Gloucestershire County Council. However it is likely that it will form part of the wider master planning exercise for the Blackfriars area, to provide a comprehensive and deliverable regeneration scheme.

3.1.15 Clarence House, Clarence Street

This property is currently being converted into a budget hotel, which is due to open in Spring 2015.

3.1.16 Prince of Wales Public House, Station Road

A planning application has recently been received relating to a residential scheme of 14 two bedroom flats.

3.1.17 Tanners Building, Worcester Street

This site has the benefit of a planning approval for a mixed use scheme. Work is on going to enable delivery of this site.

3.1.18 Conway House, Worcester Street

This is currently a long-term vacant office building formerly occupied by the Learning and Skills Council. At present there are no proposals for the regeneration of this site, although the Cabinet Member for Regeneration and Culture has been in touch with the owner's agent.

3.1.19 Former Remax, Northgate Street

The Food Bank are in discussions with regard to utilising the building for their operations.

3.1.20 Lower Southgate Street

No. 141 - the property went to auction earlier this year. Officers have met the new owners on-site and explained the issues affecting the building, namely an enforcement notice relating to the listed building, and the potential Townscape Heritage Initiative Bid (THI) grant on offer. Local architects have been appointed to look at potential proposals.

No. 174 - the owner has appointed an architect to develop a THI application for refurbishment of the property. This is very positive.

3.2 In addition to the above top 20, there are an additional dozen residual sites which are also a key component of our regeneration activity and which form part of our priority list.

3.2.1 Prince Albert Pub, Station Road

The property has recently been sold by auction to a local businessman and is currently being offered for let. The Cabinet Member for Regeneration and Culture has been in discussion with the building's owner.

3.2.21 B&M and Paddy Power, Southgate Street

Again, through the City Centre Investment Fund proposals are being developed by Officers to clad the building and reduce its impact on the streetscape.

3.2.3 Wilkinsons, Northgate Street

Cladding options are being considered using resources identified through the City Centre Investment Fund, to make a positive impact on the facade of this building.

3.2.4 27-29 Commercial Road

The Council are undertaking a number of minor works in readiness to take the property to the market.

3.2.5 Building on the corner of Painswick Road/Cemetery Road (Tyndale Mission Hall)

A planning application has been received to convert this building into 8 apartments

3.2.6 Building on the corner of 55 Northgate Street/2 Hare Lane

Further investigations are to be undertaken to consider options for this building.

3.2.7 78 Westgate Street (former Harris Butchers)

The property is a Listed Building and currently on the Building at Risk Register due to being in a very bad condition internally. The building sits within a target area for the City Centre Historic Area Grant Scheme. About a year ago the owners filed an expression of interest for grant support but have not taken forward any proposals. The unit has been on the market for some time.

3.2.8 Friary House, Southgate Street (upper levels, above Prezzo)

This property has been purchased by an investment fund whose holding company is located in Luxembourg. They are looking at options for redevelopment although no details are currently available.

3.2.9 Former KCs, Quay Street

The City Council's Economic Development team have spoken to the owner's agent. To date Officers have not been able to secure a delivery strategy for the regeneration of the building. The owners are seeking to take the property out of the ratings list, as they believe that it is not in a fit state to be occupied and has a significant rates liability.

3.2.10 Site on the corner of Wellington Street/Hampden Way

Planning consent has been granted for development. The owners have been looking to develop this site for some years, and have been in touch with the City Council to ascertain grant availability. No application has been received as yet.

3.2.112-4 Wellington Street: satisfying pre-commencement conditions have delayed this development, but the key matter holding the development up, approval of geotechnical proposals, now appears to be resolved and works have commenced on site.

3.2.12 1-7 Wellington Street: this site has planning permission for 19 flats. The site has been promoted on a number of occasions to Registered Providers. The primary issue has always been the land value ascribed to the site. Currently the site is proving challenging in terms of moving it forward.

4.0 Alternative Options Considered

4.1 This report is to advise Members on the latest position with a number of properties, mainly in the city centre, as part of a regeneration priority hit-list.

5.0 Reasons for Recommendations

5.1 To consider whether the buildings/sites identified are those which should be priorities for Officers' efforts in order to bring about improvements to the physical environment and impact positively on the growth and prosperity of the city.

6.0 Future Work and Conclusions

6.1 Consideration is to be given as to how the Council can help to bring about the regeneration of these sites/buildings within the restrictions of third party ownership and resource availability.

7.0 Financial Implications

7.1 There are no financial implications for this report.

8.0 Legal Implications

8.1 There are no legal implications for this report.

9.0 Risk & Opportunity Management Implications

9.1 This report does not create any risks to the authority. It does however identify opportunities which could contribute towards the successful regeneration of the City

10.0 People Impact Assessment (PIA):

10.1 There are no direct or indirect People Impacts as a result of this report.

11.0 Other Corporate Implications

Community Safety

11.1 None

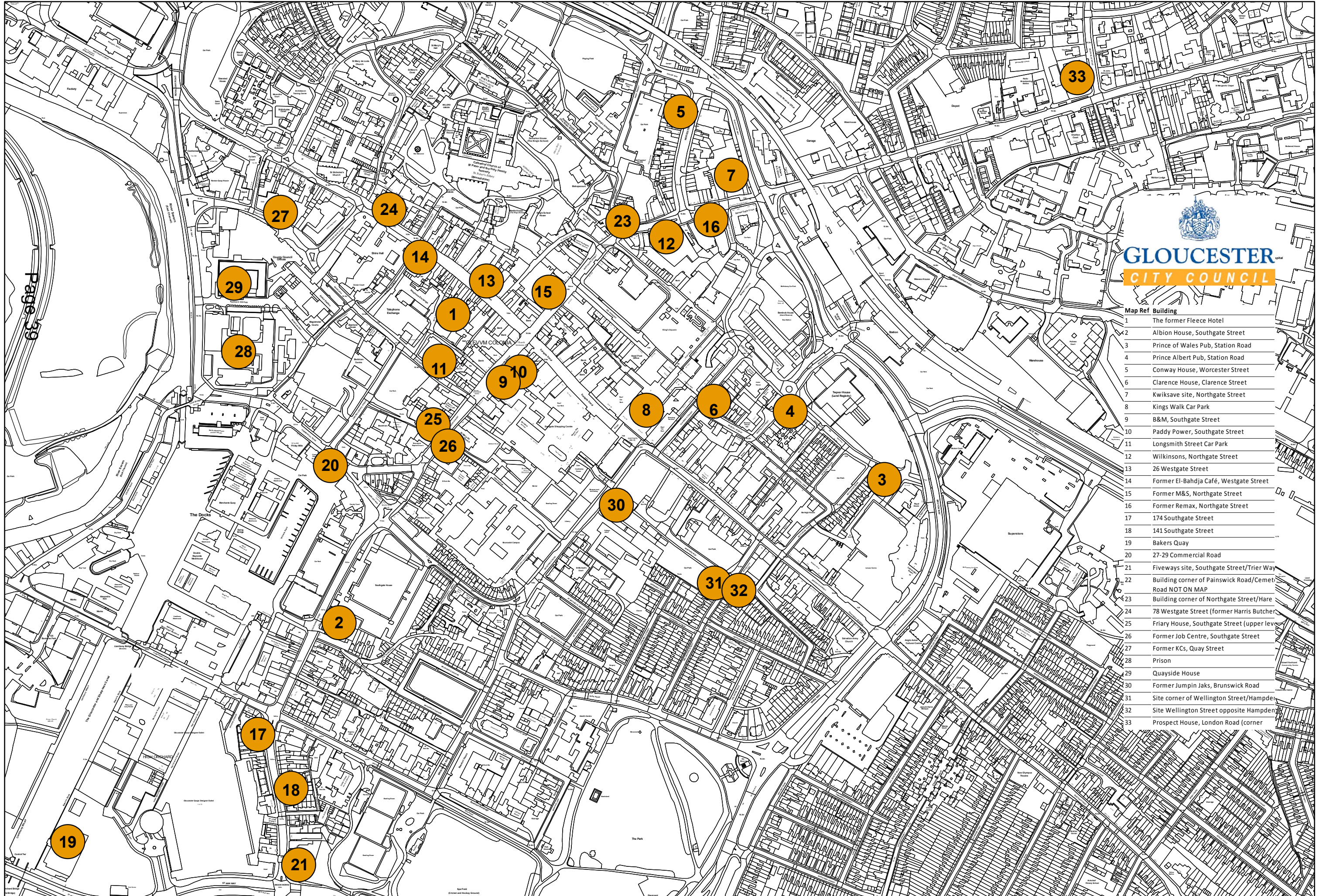
Sustainability

11.2 None

Staffing & Trade Union

11.3

Background Documents: None



Map Ref	Building
1	The former Fleece Hotel
2	Albion House, Southgate Street
3	Prince of Wales Pub, Station Road
4	Prince Albert Pub, Station Road
5	Conway House, Worcester Street
6	Clarence House, Clarence Street
7	Kwiksave site, Northgate Street
8	Kings Walk Car Park
9	B&M, Southgate Street
10	Paddy Power, Southgate Street
11	Longsmith Street Car Park
12	Wilkinsons, Northgate Street
13	26 Westgate Street
14	Former El-Bahdja Café, Westgate Street
15	Former M&S, Northgate Street
16	Former Remax, Northgate Street
17	174 Southgate Street
18	141 Southgate Street
19	Bakers Quay
20	27-29 Commercial Road
21	Fiveways site, Southgate Street/Trier Way
22	Building corner of Painswick Road/Cemet Road NOT ON MAP
23	Building corner of Northgate Street/Hare
24	78 Westgate Street (former Harris Butcher
25	Friary House, Southgate Street (upper level
26	Former Job Centre, Southgate Street
27	Former KCs, Quay Street
28	Prison
29	Quayside House
30	Former Jumpin Jaks, Brunswick Road
31	Site corner of Wellington Street/Hampden
32	Site Wellington Street opposite Hampden
33	Prospect House, London Road (corner

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Meeting:	Cabinet	Date:	15 October 2014
Subject:	Peer Review		
Report Of:	Cabinet Member for Performance & Resources		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Martin Shields, Corporate Director of Services & Neighbourhoods		
	Email: martin.shields@gloucester.gov.uk	Tel: 396326	
Appendices:	1. Peer Challenge Action Plan		

FOR GENERAL RELEASE

1.0 Purpose of Report

- 1.1 To inform members of the progress made against the Corporate Peer Challenge and provide a copy of the Peer Challenge Action Plan.

2.0 Recommendations

- 2.1 Cabinet are asked to **RESOLVE** that the report and action plan be noted and that updates be received on a quarterly basis.

3.0 Background and Key Issues

- 3.1 Members will recall that the Peer Challenge took place between 11th to 13th December 2013 with the final report being signed off on 12th March 2014. The report highlighted many areas of good performance and particularly praised the work done on regeneration in the City but also made reference to areas for improvement. Since then officers have been working with colleagues from the local Government Association (LGA), Cabinet, staff and wider Members to establish how the key points of the Action Plan can be addressed.
- 3.2 The Action Plan has been evolving over the Summer months, and continues to do so as an ongoing piece of work. Significant progress has been made in terms of staff engagement, budget consultation, understanding of the financial pressures and linking priorities to resources. However, particularly pleasing is the vast improvement in Member/Officer relations. In order to raise awareness of the action plan consultation sessions have been held with Senior Managers, all staff through team meetings and email briefings, Cabinet, Group Leaders and all Councillors'. The feedback from these sessions are all included in the Action Plan which is attached at Appendix 1.
- 3.3 As a result of the above activities an agreed set of recommendations and challenges were identified for the Council to consider and arrangements have been put in place with the support of the LGA to develop the actions in the plan. This includes support from Peers for each of the political parties. Meetings are being

scheduled for the Peers to meet their own political groups before widening the discussions to include staff and cross-party discussions. These are scheduled to take place between September-November 2014.

- 3.4 As Members will see in the action plan a number of issues have already been addressed and in order to monitor progress a RAG (red, amber, green) rating has been added to the action plan for ease of reference

4.0 Alternative Options Considered

- 4.1 This approach has been specifically tailored for the City Council and agreed with Group Leaders. The LGA are responsible for peer challenges nationwide. While other models could be formulated they would not have the cross local government recognition that this will do.

5.0 Reasons for Recommendations

- 5.1 To ensure members are aware of the plans in place to meet the requirements of Cabinet and Audit Governance Committee.

6.0 Future Work and Conclusions

- 6.1 Delivery of the Action Plan will be monitored over the coming year and outcomes reported at the end of financial year 2014/15.

7.0 Financial Implications

- 7.1 There have been no financial implications identified.

(Financial Services have been consulted in the preparation this report.)

8.0 Legal Implications

- 8.1 There have been no legal implications identified.

(Legal Services have been consulted in the preparation this report.)

9.0 Risk & Opportunity Management Implications

- 9.1 This is an opportunity for the Council to identify areas for improvement using a 'critical friend' approach provided by the LGA.

10.0 People Impact Assessment (PIA):

- 10.1 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, there a full PIA was not required.

11.0 Other Corporate Implications

Community Safety

- 11.1 None

Sustainability

11.2 None






Staffing & Trade Union

11.3 None






Background Documents: None

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Peer Review Action Plan

No	Issue Identified	Actions Required	Lead Officer	Progress / Outcome	Timescale	Status
1	Development of Member and staff understanding of the scale of the future financial challenge	Ongoing dialogue throughout the year with Group Leaders and Political Groups in relation to savings, forecasting and challenges.	JT/MG	Portfolio holders to receive monthly budget monitoring updates.	September 2014	
				Monthly report of management accounts to SMT also shared with portfolio holders.	June 2014	
				Quarterly budget monitoring forecast reports to Cabinet and O&S.	April 2014	
		Pick up actions from Financial Peer review report on creating more comprehensive information and management understanding.	SN/JT/ Members	Combine the budget monitoring information and performance reporting to enable a more comprehensive picture. This is currently in discussion between Finance and Business Improvement.	February 2015	
				Improved training and support now offered to managers through	June 2014 and ongoing	





Peer Review Action Plan

				<p>monthly meetings with Management Accountant and updated budget information.</p> <p>Training session offered to all members on Local Government Finance.</p>	<p>September 2014</p>	
		Independent advice for Members in relation to Council finance and risk.	SMT/LG A	LGA to arrange peer support to each political group Sept 2014	To be confirmed with LGA	
2	Alignment of budget setting processes	Involve Members, staff and partners in budget consultation	JT/MG/WJ	<p>Management Accountant meeting all managers to consult with and identify savings from budgets</p> <p>Portfolio holders consulted through cabinet away days, identifying areas for future savings</p> <p>Communications sent out from SMT and Inhouse to alert all staff of opportunity to take part in online budget</p>	<p>Sept / Oct 2014</p> <p>May 2014</p> <p>July & Aug 2014</p>	  







Peer Review Action Plan

				<p>consultation</p> <p>Budget consultation undertaken earlier than previous consultations with reports going to O&S in December 2014</p> <p>Budget savings with partners agreed through strategic meetings and based upon performance and previous savings targets. Ongoing operational / strategic discussion to agree future savings targets.</p>	<p>July 2014 and Ongoing</p> <p>April 2014 and ongoing</p>	 
3	Priorities linked to resources agreed by Cabinet and communicated to staff	Review of Council Plan and resources required for delivery	MS/SN/ Members / All staff	<p>Workshops held with members and staff in identifying commitments, projects and future plans in line with existing strategy and budgets.</p> <p>Council Plan to be reviewed annually alongside performance and budget monitoring</p>	<p>May – September 2013</p> <p>Jan – March 2015</p>	 





Peer Review Action Plan

				Development of new performance indicators to be produced alongside budget information	March 2014	
	Familiarise staff with new plan and link to service performance across the Council	SMT		All services produced yearly delivery plans in line with key objectives in Council Plan and discussed with SMT and shared with Cabinet members.	March – May 2014	
Staff Event in October, themed around Council Plan to promote understanding of strategic direction of the Council and the impact that each employee can make towards the successful delivery of the plan.				October 2014		
Appraisals aligned to service delivery plans to enable transparency of contribution to organisational delivery and performance.				March 2015		





Peer Review Action Plan

4.	Improve Internal communications with staff	Review current use of internal communication channels and format.	Cabinet/ SMT/ MS	<p>Introduce a 'get to know your Cabinet Member' briefing note for all staff.</p> <p>SMT to attend service 'Team Times' to discuss key issues, performance, events, changes.</p> <p>Weekly blog from Corporate Director – In place from May 2014.</p> <p>Introductions between Cabinet Members and teams undertaken.</p> <p>Development of Council Intranet to enable discussion on hot topics, wellbeing, updates and news.</p>	<p>Completed August – September 2014</p> <p>Dec 2014 – March 2015</p> <p>May 2014 ongoing</p> <p>Completed July – Sept 2014</p> <p>To be scoped with Civica</p>	    
		Staff Survey to be undertaken to understand and inform engagement and organisational health	RA	Annual staff survey to collect baseline information on staff engagement, adaption to change and perception of how we are doing.	March 2015	






Peer Review Action Plan

5	United Leadership approach across Directors, SMT and Cabinet	Visibility, jointly supportive, avoiding duplication or crossing into each others roles	SMT & Cabinet	<p>'Top Team' event facilitated by the LGA to cover Member / officer relations.</p> <p>Understanding of the respective roles and acknowledgment of the member / officer protocol.</p> <p>Facilitated sessions with Peers to include discussion and agreement of roles and responsibilities of Officers and members, to improve working relationships and purpose.</p>	Sept/Nov 2014	
				<p>Include members in distribution of 'In House' publications</p>	Completed May 2014	
6	Training for members and officers to help understand each others roles	Support from LGA to establish and agree roles, responsibilities, existing protocols.	MS/SMT / Cabinet & Group Leaders	<p>LGA attending Cabinet / SMT away days and further meetings with Corporate Directors.</p>	March 2014 and ongoing	
				<p>Offer training through outside body e.g South West Councils for staff to understand Councillor</p>	Jan 2015	





Peer Review Action Plan

				<p>and Officer roles and responsibilities in local government.</p> <p>Staff Inductions to include information relating to working in local government and the role of Councillors.</p> <p>Make available training on professional matters e.g planning, heritage, conservation, urban design etc- currently being considered via LGA and other sources of training in specialist areas.</p> <p>The LGA New Members guide has been shared with Group Leaders for them to share with their groups.</p>	<p>March 2015</p> <p>To be confirmed with LGA</p> <p>June 2014</p>	  
7	Provide opportunities for all staff to have input and feed in ideas,	Ensure that decision making responsibilities are correctly aligned with roles and recorded	SMT	Constitution updated with new responsibilities identified for relevant officers.	Updated and continually reviewed	

Peer Review Action Plan

	encouraging staff to make decisions without fear of getting them wrong			Revised spending limits to meet operational requirements and support decision making responsibilities.	Completed and continually reviewed	
		Build confidence amongst staff by ensuring decision making processes are understood by officers (correct forms signed by relevant officer/Member and stored for audit purposes)	SMT/Committee Section	Procedures written up and circulated to all managers to share with teams.	January 2015	
		Do 'pulse checks' quarterly amongst staff, consisting of a few open ended questions, to encourage and enable 'fearless feedback' (covering engagement, strategy, budgets, operations, organisational health, etc)	SMT/Internal Comms	Pilot being held at Annual Staff Event to be adopted once trialed	Oct 2014	
		Provide channel for all staff to put forward ideas in relation to service improvements to develop learning environment, budget savings, improved communications etc. Relevant service then assist with delivery e.g Business Improvement, Internal Communications, SMT.	Business Imp, Internal Comms, SMT	Offer practical help with associated with delivery of suggestions and ideas through communicating with all stakeholders, channel options, scripting and process mapping.	Nov 2014 – Jan 2015	
8	Link the physical and social aspects of regeneration together	Ensure that social regeneration is considered in all regeneration schemes.	AH/EP	Work has already begun with initiatives involving jointly funded 'community builders', further work to be done	April 2014	




Peer Review Action Plan

				<p>around the return on investment.</p> <p>Work with relevant stakeholders to make most of employment, skills, training and development initiatives in local areas. Using information in City Plan and Regeneration Strategy to engage and develop linkages between social and physical regeneration.</p> <p>Possible linking to the Gloucester Regeneration Advisory Board.</p>	<p>Ongoing</p> <p>Under consideration</p>	 
9	<p>Develop the Councils organisational values, attitudes and behaviours in line with evolving environment and challenges</p>	<p>Work with all staff and Members to identify what type of organisation we are and need to be in order to thrive and be successful</p> <p>Progress the achievements of the workshops provided by the LGA, SfJ and Birmingham City Council:</p> <ul style="list-style-type: none"> Business Canvas Model (see attached) 	SN/RA	<p>Workshops undertaken with Members and staff to discuss and identify challenges and values associated with the Council.</p> <p>Workshop identified 3 key areas for Officers to focus on to assist with</p>	<p>Sept 2014</p> <p>March 2015</p>	 

Peer Review Action Plan

		<ul style="list-style-type: none"> Workforce Canvas (see attached) 		<p>identifying 'what type of organisation we are' and key issues.</p> <ol style="list-style-type: none"> Key Activities Value Proposition Cost Structure <p>Work on development of key issues identified within the canvas e.g Apprenticeships / 'workforce passport scheme'</p> <p>Understanding workforce today and requirements for future delivery and skills required.</p>	March 2015	
10	SMT & Cabinet to lead the way in demonstrating the Values, Attitude and Behaviours desired by the Council	<p>Joint walkabouts with SMT & Cabinet members to engage teams</p> <p>Acknowledgement of good performance including 'Thank You' and 'Well Done' notes</p>	SMT / Cabinet	<p>Cabinet/SMT interacting with teams on an informal basis, increasing visibility.</p> <p>Reward scheme</p> <p>Visit from SMT/Director or Cabinet Member to</p>	<p>Jan 2015</p> <p>Under consideration</p> <p>Oct 2014</p>	

Peer Review Action Plan

		Ensure appropriate resource is allocated to support Head of Paid Service		recognise and note achievements.		
				Excellent performance / achievements to be reported in 'In House' communications and at Staff Award event.	Ongoing	
				Peter Jones, Gloucestershire County Council to support Head of Paid Service.	Ongoing	
				Heads of Service empowered to make decisions within areas of responsibility.	Ongoing	

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Meeting:	Cabinet	Date: 15 October 2014
Subject:	Proposal to join 'One Legal' Shared Service	
Report Of:	Cabinet Member for Performance & Resources	
Wards Affected:	N/A	
Key Decision:	No	Budget/Policy Framework: No
Contact Officer:	Martin Shields, Corporate Director Services & Neighbourhoods	
	Email: martin.shields@gloucester.gov.uk	Tel: 396745
Appendices:	None	

1.0 Purpose of Report

1.1 The report seeks Cabinet's approval, subject to a satisfactory Business Case, to join the existing One Legal Shared Service which operates between Cheltenham Borough Council and Tewkesbury Borough Council.

2.0 Recommendations

2.1 That Cabinet resolves:

Subject to the approval of a Business Case (including the financial case) by the Head of Paid Service in consultation with the Cabinet Member for Performance and Resources and the s151 Officer:

1. To approve, the joining of the Gloucester City Council's legal services with Cheltenham Borough Council and Tewkesbury Borough Council (One Legal).
2. To transfer Gloucester City Council's legal services to staff to Tewkesbury Borough Council under the principles of the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) on 31st January 2015 or such other date as is agreed
3. To delegate Gloucester City Council's legal service functions to Tewkesbury Borough Council, as host authority, in accordance with section 101 (1) of the Local Government Act 1972 and under Part 1A Chapter 2 section 9EA of the Local Government Act 2000 and pursuant to the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012.
4. To delegate authority to the Head of Paid Service in consultation with the Cabinet Member for Performance and Resources and the s151 Officer, to enter into the s101 Agreement, other legal documentation and to take all necessary steps to implement the above mentioned resolutions.

3.0 Background and Key Issues

- 3.1 One Legal was formed in 2009 as a shared service between Tewkesbury and Cheltenham Borough Councils with Tewkesbury acting as the Host Authority for 'pay and rations' purposes. The new service was established within 7 months of the idea being initiated by discussions at the Chief Executive and senior Member level and it has a successful track record of delivering savings whilst also improving service delivery to its client councils.
- 3.2 The proposal is for Gloucester City Council to delegate its legal service function to One Legal's host authority, Tewkesbury Borough Council, by 31st January 2015 although this date may change, should the preparation of the Business Case and the implementation procedures take longer than anticipated. The delegation will be set out in an agreement entered into under the legislation as laid out in 2.1, 3 above
- 3.3 The proposal is that Gloucester's legal staff would transfer to the host authority under the principles of the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE). This ensures that staff terms and conditions are protected. The arrangement is proposed to continue for a term of 10 years but with an option to review in November 2019 when the current arrangements between Cheltenham and Tewkesbury are scheduled for review.
- 3.4 The governance arrangements are to be considered in detail as part of the Business Case but the intention is to continue with One Legal's current arrangement which consists of a Member/Client group, known as the joint Monitoring and Liaison Group.
- 3.5 The success of the shared service has been demonstrated by being invited to undertake work for a broad spectrum of local authority and other public bodies (such as districts, unitaries, and wholly-owned local authority companies) which has resulted in surpluses being delivered to the partner Councils.
- 3.6 Given that One Legal is now well established with a track record of high performance it seems timely for the City Council to consider joining the partnership. A review of the Legal Service has been on the 'agenda' for some time now and posts have not been filled when they became vacant pending the outcome of this review. This has meant that the service has become less resilient and has had to rely on a steady succession of locums to provide the services required of the team.
- 3.7 In addition, there is a need for the Legal Service to deliver £50,000 worth of savings and this can be best achieved through entering into a partnership arrangement.

4.0 The Key Benefits of the Shared Legal Service

- 4.1 The Business Case will set out the benefits of the shared service in detail but in summary the expanded One Legal Shared Service should provide the following benefits:
- Potential cashable savings through the following means:
 - Service rationalisation
 - External spend reduction
 - Third party work.

- A revitalised lean and highly skilled team with a focus on efficient service delivery will maximise opportunities for undertaking third party work which should reduce the overall cost of the service to partner authorities.
- This shared service opportunity will enable the Shared Service to be a leading player in the largest shared legal service in the South West with excellent prospects for being the public sector legal supplier of choice in the region, with significant reputational benefits for partner authorities.
- The retention and attraction of high calibre legal staff combined with robust management and a business like worth ethic will drive improvements in service quality to the benefit of the partner authorities.
- The provision of face to face advice at short notice
- Local knowledge
- On site presence to meet clients' needs, if required.

5.0 Key Objectives of the Shared Legal Service

- To provide an excellent legal service
- To act quickly to establish good working relationships with client officers, Members and key stakeholders
- To immediately identify priorities for legal tasks based on a risk and urgency assessment having taken into account high profile/politically sensitive and financially vulnerable matters
- To add value and provide supportive influence when required, always identifying and embracing the corporate context
- To embed robust processes and procedures to ensure good communication including a case management system
- To develop, in partnership with clients, specific core service standards against which service performance may be monitored
- To tailor the case and file management processes to meet clients' needs.

6.0 The Delivery and Governance Arrangements

6.1 The governance arrangements will be considered in detail as part of the Business Case but the intention is to continue with One Legal's current arrangement which consists of a Member/Client group, known as the Joint Monitoring and Liaison Group.

7.0 Exit Strategy

7.1 The Shared Legal Service will be provided under the s101 Agreement for a term of 10 years but with an option to terminate in November 2019 when the current arrangements between Cheltenham and Tewkesbury are scheduled for review.

8.0 Impact on Stakeholders

8.1 The intention is that the provision of legal services will be "business as usual" for stakeholders. During the Implementation stage, clients, Members and other stakeholders will have clear guidance on how and where to access legal services. The increased pool of staff with their expertise and knowledge will enhance the current service to stakeholders. Furthermore, the ability to balance workloads should improve service response times.

9.0 Implementation

- 9.1 A Joint Legal Service team will be established to implement the decision of Cabinet. The team will include officers from each authority (Gloucester, Tewkesbury Borough Council and Cheltenham Borough Council) and One Legal together with client representatives to ensure that client views on the proposals are considered.

10.0 Alternative Options Considered

- 10.1 No change – This is not seen as a viable option as this will not address the need to make savings or provide resilience to the service. Also, there has been difficulty in recruiting to vacant posts in the past and there is no evidence that the quality of service will improve.
- 10.2 Transfer to the Private Sector – There is no evidence that this would be of benefit to the Council. There would also need to be a full EU procurement process. There would be no opportunity to share surpluses or retain a role in governance and there is no evidence that there are a sufficient number of quality firms able to undertake the wide range of Council functions. This would inevitably result in work being farmed out to specialist firms reducing the ability to build last relationships and trust.
- 10.3 Use of existing framework agreements/contracts with other providers in the Local Government Service Sector – This arrangement would not allow for any sharing of surpluses or a role in the governance arrangements. Also, there are no local providers so there is no local knowledge to draw up and locums would be called upon to support meetings. This significantly reduces the ability to build relationships.

11.0 Reasons for Recommendations

- 11.1 By joining 'One Legal' all Councils will benefit from having a joint service that is efficient, resilient and cost effective. There are real benefits in working locally with other District Council's in a partnership and profit share arrangement. One Legal also support Tewksbury and Cheltenham on the JCS so joining the partnership would have real benefits for Gloucester in this piece of work alone.

12.0 Future Work

- 12.1 Subject to approval by Cabinet, a Business Case will be prepared which will consider potential savings, service delivery arrangements and staffing implications. Cabinet is advised that One Legal is currently in discussions with Gloucestershire County Council and will, therefore, need to keep them advised of progress of this project.

13.0 Financial Implications

- 13.1 Despite not having a Business Case at this stage, savings should be achievable through:
- Sharing books and publications
 - Reduction in payments to third parties (particularly contract staff and Counsel advice) in recognition that a shared service will provide greater resilience and specialist advice.

- 13.2 Any savings will undoubtedly be partly offset by increased travelling costs to reflect the increased travel between Tewkesbury and Gloucester.
- 13.3 One Legal costs, under the current delegated arrangements, are split proportionately between Councils on the basis of an assessment of case workloads at the commencement of the service. As part of the Business Case for Gloucester a workload assessment would be undertaken to determine the proportionate split of work between the new partner councils.

(Financial Services have been consulted in the preparation of this report.)

14.0 Legal Implications

- 14.1 The Shared Legal Service arrangements will be the subject of a formal agreement between the Councils under sections 101 (1) of the Local Government Act 1972 and under Part 1A Chapter 2 section 9EA of the Local Government Act 2000 and pursuant to the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012.
- 14.2 It should be noted that the principles of the Transfer of undertakings (Protection of Employment) Regulations 2006 shall apply.
- 14.3 Consideration will need to be given to the role of monitoring Officer as there are a number of options as to how this statutory role will be fulfilled.

(Legal Services have been consulted in the preparation of this report.)

15.0 Risk & Opportunity Management Implications

- 15.1 A Review Log will be prepared as part of the Business Case and will be kept under review by the joint Legal Services Project Team.

16.0 People Impact Assessment (PIA)

- 16.1 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, there a full PIA was not required.

17.0 Other Corporate Implications

Community Safety

- 17.1 There would be fast and effective support for officers dealing with community safety matters.

Sustainability

- 17.2 By joining the partnership resilience increases and the organisation is better supported across a range of service areas.

Staffing & Trade Union

- 17.3 Staff have been advised of this proposal and if approved, staff and the trade Unions will be consulted and fully informed throughout the implementation stages.

Background Documents: None