



**Gloucester  
City Council**

**Cabinet**

**Meeting: Wednesday, 11th January 2017 at 6.00 pm in Civic Suite, North Warehouse, The Docks, Gloucester, GL1 2EP**

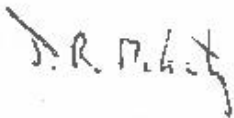
<b>Membership:</b>	Cllrs. James (Leader of the Council and Cabinet Member for Regeneration and Economy) (Chair), Watkins (Deputy Leader and Cabinet Member for Communities and Neighbourhoods), Noakes (Cabinet Member for Culture and Leisure), D. Norman (Cabinet Member for Performance and Resources), Organ (Cabinet Member for Housing and Planning) and Cook (Cabinet Member for Environment)
<b>Contact:</b>	Atika Tarajiya Democratic Services Officer 01452 396127 atika.tarajiya@gloucester.gov.uk

## AGENDA

<b>1.</b>	<b>APOLOGIES</b>  To receive any apologies for absence.
<b>2.</b>	<b>DECLARATIONS OF INTEREST</b>  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.
<b>3.</b>	<b>MINUTES (Pages 7 - 14)</b>  To approve as a correct record the minutes of the meeting held on 7 <sup>th</sup> December 2016.
<b>4.</b>	<b>PUBLIC QUESTION TIME (15 MINUTES)</b>  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"> <li>• Matters which are the subject of current or pending legal proceedings, or</li> <li>• Matters relating to employees or former employees of the Council or comments in respect of individual Council Officers</li> </ul>

<p><b>5.</b></p>	<p><b>PETITIONS AND DEPUTATIONS (15 MINUTES)</b></p> <p>To receive any petitions or deputations provided that no such petition or deputation is in relation to:</p> <ul style="list-style-type: none"> <li>• Matters relating to individual Council Officers, or</li> <li>• Matters relating to current or pending legal proceedings</li> </ul>
<p><b>6.</b></p>	<p><b>LEADER AND CABINET MEMBERS' QUESTION TIME (15 MINUTES)</b></p> <p>Any Member of the Council may ask the Leader of the Council or any Cabinet Member any question without prior notice, upon:</p> <ul style="list-style-type: none"> <li>• Any matter relating to the Council's administration</li> <li>• Any matter relating to any report of the Cabinet appearing on the summons</li> <li>• A matter coming within their portfolio of responsibilities</li> </ul> <p>Only one supplementary question is allowed per question.</p>
<p><b>7.</b></p>	<p><b>PROPOSAL FOR A GLOUCESTER BUSINESS GROWTH GRANT SCHEME</b> (Pages 15 - 32)</p> <p>To consider the report of the Cabinet Member for Regeneration and Economy seeking approval to establish a new Gloucester Business Growth Grant Scheme from 2017/2018, replacing the current Business Grants scheme.</p>
<p><b>8.</b></p>	<p><b>FINAL PHASE OF PUBLIC REALM WORKS WITHIN GLOUCESTER DOCKS</b> (Pages 33 - 42)</p> <p>To consider the report of the Cabinet Member for Regeneration and Economy seeking approval for the intended spend by the Council on the final outstanding phase of the public realm works within Gloucester Docks to a maximum of £600k.</p>
<p><b>9.</b></p>	<p><b>FIXED PENALTY FINES FOR FLY TIPPING OFFENCES</b> (Pages 43 - 48)</p> <p>To consider the report of the Cabinet Member for Environment updating Members of the recent changes in legislation to deal with the significant increase in the reported cases of fly-tipping on public land in England in 2013/2014 and seeking permission to impose Fixed Penalty Fines in line with the legislation.</p>
<p><b>10.</b></p>	<p><b>PROPOSAL TO INTRODUCE A REPLACEMENT WASTE CONTAINER CHARGING POLICY</b> (Pages 49 - 56)</p> <p>To consider the report of the Cabinet Member for Environment seeking approval to introduce a policy to charge for the replacement of waste containers.</p>
<p><b>11.</b></p>	<p><b>GARDEN WASTE COLLECTION SERVICE - REVIEW OF CHARGES</b> (Pages 57 - 64)</p> <p>To consider the report of the Cabinet Member for Environment updating Members on the current charging regime in place in respect of the Council's Garden Waste Collection Service and proposes changes that would properly recover the cost of delivering such a service whilst being mindful of ongoing financial challenges.</p>

<p><b>12.</b></p>	<p><b>EXCLUSION OF PRESS AND PUBLIC</b></p> <p><b>To resolve:-</b></p> <p>“That the press and public be excluded from the meeting during the following item of business on the grounds that it is likely, in view of the nature of business to be transacted or the nature of the proceedings, that if members of the press and public are present during consideration of this item there will be disclosure to them of exempt information as defined in Schedule 12A of the Local Government Act 1972 as amended”.</p> <table border="1"> <thead> <tr> <th data-bbox="236 472 480 506"><b>Agenda Item No.</b></th> <th data-bbox="619 472 1102 506"><b>Description of Exempt Information</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="236 539 277 573">13</td> <td data-bbox="619 539 1430 640">Paragraph 3: Information relating to the financial or business affairs of any particular person (including the Authority holding that information).</td> </tr> </tbody> </table>	<b>Agenda Item No.</b>	<b>Description of Exempt Information</b>	13	Paragraph 3: Information relating to the financial or business affairs of any particular person (including the Authority holding that information).
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13	Paragraph 3: Information relating to the financial or business affairs of any particular person (including the Authority holding that information).				
<p><b>13.</b></p>	<p><b>REGENERATION AT KINGS QUARTER/KINGS WALK (Pages 65 - 126)</b></p> <p>To consider the report of the Cabinet Member for Regeneration and Economy noting the progress made on the public consultation for the new Kings Quarter proposals and the procurement of additional resources to enable a planning application to be made in 2017.</p>				



**Jon McGinty**  
**Managing Director**

**Date of Publication: Tuesday, 3 January 2017**

## 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 Atika Tarajiya, 01452 396125, [atika.tarajiya@gloucester.gov.uk](mailto:atika.tarajiya@gloucester.gov.uk).

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

If you, or someone you know cannot understand English and need help with this information, or if you would like a large print, Braille, or audio version of this information please call 01452 396396.

### **Recording of meetings**

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Any recording must take place in such a way as to ensure that the view of Councillors, Officers, the Public and Press is not obstructed. The use of flash photography and/or additional lighting will not be allowed unless this has been discussed and agreed in advance of the meeting.

### **FIRE / EMERGENCY EVACUATION PROCEDURE**

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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.

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## CABINET

**MEETING** : Wednesday, 7th December 2016

**PRESENT** : Cllrs. James (Chair), Watkins, Noakes, D. Norman, Organ and Cook

### **Others in Attendance**

Jon McGinty, Managing Director

Jonathan Lund, Corporate Director

Anne Brinkhoff, Corporate Director

Anthony Hodge, Regeneration and Economic Development,

Andrew Cummings, Management Accountant e

Shirin Wotherspoon, Solicitor

Atika Tarajiya, Democratic and Electoral Services Officer

### **45. DECLARATIONS OF INTEREST**

Councillor James, (Leader of the Council and Cabinet Member for Regeneration and Economy) declared an interest in agenda item 11 Bakers Quay as an employee of Naylor Powell, who were potentially one of the selling agents for residential development contained within the site. He explained that his role within the organisation was not linked to this area of the business and that having taken advice from the Council Solicitor; he would take part in the debate and vote on this item.

### **46. MINUTES**

#### **RESOLVED:**

The minutes of the meeting held on 9<sup>th</sup> November 2016 be confirmed as a correct record and signed by the Chair.

### **47. PUBLIC QUESTION TIME (15 MINUTES)**

There were no public questions.

### **48. PETITIONS AND DEPUTATIONS (15 MINUTES)**

There were no petitions or deputations.

### **49. FINANCIAL MONITORING QUARTER 2 REPORT**

**CABINET**  
**07.12.16**

The Chair agreed to revise the order of the agenda so a progress update could be provided ahead of budget proposals for the forthcoming financial year.

Cabinet considered the report Cabinet Member for Performance and Resources (Councillor Norman) which outlined year-end forecasts and progress made against agreed savings targets for the 2nd quarter ended 30th September 2016.

Councillor Norman highlighted key areas of the report noting that the Council was in a better position than at the end of quarter 1, thanking officers within the finance team for their hard work and efforts. He acknowledged that the Culture and Leisure and Environment portfolio continued to present challenges but welcomed the additional projects that were currently underway within the Environment portfolio which were expected to generate income.

Councillor Noakes (Cabinet Member for Culture and Leisure) expressed her frustration over the expected £228k overspend within her portfolio commenting that further action would be required to combat this. She reported that the Museums service, which continued to face significant challenges, had recently undergone a review and that the final report, due in early 2017 would include recommendations on the future of the service.

Referring to the expected overspends within the Guildhall and Tourist Information Centre (TIC) services, Councillor Noakes reported that both service leads had been unable to dedicate as much time to their service areas, having been involved in the Together Gloucester project over the previous three months and this had led to a subsequent impact on performance. She expected an improvement in the financial position of the Guildhall, following the successful implementation of the Top Ticks system.

Councillor Watkins expressed disappointment that the transfer of the Shopmobility service to the voluntary and community sector had failed to materialise and that the service continued to remain in house. She reported that modest savings as a result of efficiencies had been made and that the future of the service would be determined as part of the wider transformation programme of the organisation. She concluded by reporting that the Council were looking into new and innovative ways of partnership working with the voluntary and community sector, with a further detailed report coming forward to Cabinet and Overview and Scrutiny Committee next year.

Councillor James commented that the market service continued to present challenges within his portfolio, though analysis of recent trends had demonstrated an increase in occupancy rates. He reported that the regeneration and economy portfolio continued to be bolstered by income resulting from strong parking enforcement and savings from senior management vacancies.

**RESOLVED:**

1. The savings achieved in year to date total £366k with a further £363k in progress.



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2. The forecast year end position is currently for a reduction to the Council's General Fund balance of £132k, an improvement of £125k since Quarter 1.
3. The deficit position includes a proposed transfer to the Business Rates Reserve of £100k
4. The actual and expected levels of income for the Council shown at Appendix 3.
5. The details of specific budgetary issues identified by officers and the actions being taken to address those issues
6. The current level of Capital expenditure as shown on Appendix 2.

**50. RISK BASED VERIFICATION POLICY REVIEW**

Cabinet considered the report of the Cabinet Member for Performance and Resources concerning the review of the Risk Based Verification Policy in determining evidence requirements for the assessment of new Housing Benefit and Council Tax Support claims.

Councillor Norman summarised key areas of the report, noting that the policy complied with recommendations put forward by the Department of Work and Pensions.

**RESOLVED**

1. The reviewed Risk Based Verification Policy for verifying Housing Benefit and Council Tax Support claims as outlined in Appendix 1 be approved.
2. Implementation of the Risk Based Verification Policy in March 2014 by the Cabinet Member for Performance and Resources under delegated powers be noted.

**51. LOCAL COUNCIL TAX SUPPORT**

Cabinet considered the report of the Cabinet Member for Performance and Resources which concerned the requirement to review the Local Council Tax Support scheme (LCTS) 3 years after the Act taking effect and its impact locally, following the consultation results.

Councillor Norman outlined key areas of the report drawing members' attention to paragraph 3.6 of the covering report. He advised that in the current challenging financial climate, the Council could not continue to sustain the level of funding as it had previously. He stated that a number of different options had been explored and similar proposals were also being considered by a number of local authorities. He explained that whilst the pensioners were protected from any changes in levels of funding the Council had discretion on the design of the scheme to cover any shortfall.

Cabinet Members welcomed the proposals, noting that the approach was prudent in light of the challenging financial pressures.

**RESOLVED TO RECOMMEND TO COUNCIL**

1. The current Local Council Tax Support scheme be reviewed and considered to be brought in line with recent welfare reforms and changes to Housing Benefit legislation. **(Appendix 1 and 2).**
2. That the recommendations relating to limiting the support for families to two children for new claims and births after 1<sup>st</sup> April 2017, (mirroring the changes to Tax Credits) so that any subsequent children born after April 2017 will not be eligible for further support, be adopted into the Local Council Tax Support scheme from 1<sup>st</sup> April 2017. This is alongside changes to Housing Benefit legislation.

**52. TREASURY MANAGEMENT UPDATE QUARTER 1 REPORT 2016/17**

Cabinet considered the report of the Cabinet Member for Performance and Resources which outlined treasury management activities for the period 1 (April 2016 to 20 September 2016).

Councillor Norman summarised key areas of the report noting that the City Council had not undertaken any long term borrowing within the period, noting the market instability following the EU referendum in June 2016.

**RESOLVED:**

That the contents of the report be noted

**53. DRAFT BUDGET PROPOSALS (INCLUDING MONEY PLAN AND CAPITAL PROGRAMME)**

Cabinet considered the report of the Cabinet Member for Performance and Resources which reviewed the Council's Money Plan 2016-21 and Budget Proposals 2017/18. Councillor James reported that an error in the report title had been realised and that the report related to the budget proposals for 2017-2018 and not 2016/17.

Councillor Norman explained that the Council continued to face a challenging economic environment and continued uncertainties on the level on funding provided by Central Government. He reported that the Council had agreed on 4 year settlement plan, which he hoped would provide some additional certainty noting that the 100% business rates retention proposals and the increase in council tax by £5 a year would help to increase the Council's funds. He advised that the Council aimed to maintain a general fund balance of at least 10% of the overall budget.

Councillor Norman reported that the Together Gloucester team had been tasked with developing a transformation programme for the Council aimed at saving £1 million pound. He explained that the team had come together for three days a week over a three month period to develop the proposals. He thanked the team for their hard and effort, recognising that the process would be painful for some individuals

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but acknowledging that the Council needed to continually evolve and change to remain viable.

Councillor Norman encouraged residents to participate in the budget consultation, noting that consultation would have normally begun earlier but had been delayed to accommodate for the transformation project.

Councillor Noakes highlighted the proposed £100,000 reduction in the Marketing Gloucester grant (MGL), commenting that the Aspire grant would remain the same. She welcomed the Council's continued collaboration with MGL to continue to deliver an exciting programme of events for the City.

Councillor Watkins welcomed the proposals noting that the Council continued to have to make difficult decisions. Referring to her portfolio, she advised that grant funding to the voluntary and community sector groups (VCS) would be reviewed to ensure that the Council spent public money wisely and where most required and would require both parties to work differently. She concluded by reporting that alternative opportunities to support the VCS groups were currently being explored.

Councillor Cook referencing his portfolio, advised that the additional income would be generated through an increase in garden waste charges and a considerable increase in the value of recycle material, which he hoped in future would generate a profit for the Council.

Cabinet Members stressed the importance of these proposals to ensure the Council remained viable. They thanked officers and the Together Gloucester team for all their work in developing the proposals, reporting that the Council would continue to continue to respond to changes from Central Government.

**RESOLVED:**

1. That the assumptions contained in the Council's draft Money Plan from 2017/18 to 2021/22 and revisions to the draft revenue budget be approved.
2. That the uncertainties regarding future incomes, as shown in this report and Appendix 1 and the need to update the Draft Money Plan when there is more certainty regarding Central Government financing be noted.

**54. BAKERS QUAY**

Cabinet considered the Cabinet Member for Regeneration and Economy which sought approval for Gloucester City Council to make available to Rokeby Merchant a regeneration enabling loan to assist with the delivery of the Bakers Quay scheme.

Councillor James explained that the Homes and Community Agency had aided in acquisition of the site, noting that there was a requirement to the developer to report on progress regularly. He stated that supporting the scheme through the regeneration fund would prevent any unnecessary delays and allow work on the site to start as soon as possible. He acknowledged that the site had been derelict for long period of time and welcomed the significant investment that the proposals would generate for the City. He concluded by reporting that the due diligence on the

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proposal had been undertaken, noting that a number of development proposals for the surrounding areas had been granted planning permission.

The Head of Regeneration and Economy reported that the JLL (Jones Lang Lasalle) had been commissioned to undertake due diligence and comment on the security viability against the loan. He reported that they had evaluated the risk and considered the proposals viable but had suggested further due diligence be undertaken before proceeding forward. He stated that the Council had commissioned Trowers and Hamlins to undertake this further due diligence work, noting that an extensive legal agreement with Rokeby Merchant already existed, which required them to provide regular project updates and monitoring reports. He advised that the funds would only be released to the developer on the achievement on key milestones, as outlined in the report. He acknowledged that the proposals contained some risk, as identified by JLL, but stressed the importance of delivering a successful development to aid market confidence and deliver positive outcomes for residents of the City.

In response to Councillor Cook's query regarding timing of payment of the loan, The Head of Regeneration and Economy advised that responding to the query would result in the disclosure of commercially sensitive information and suggested a written response would be provided.

Councillor Norman reported that following the work undertaken on due diligence some of his earlier reservations has been addressed. He welcomed the staggered payments and questioned whether the developer would continue to look for private funding if the Council chose to provide the funding.

The Managing Director advised that as the Council were offering the loan at market rate, the developer was unlikely to get another advantageous loan at this rate and were therefore unlikely to look for further funding.

Cabinet Members welcomed the proposals, accepting that that whilst there was some risk attached to the proposals, a successful development would attract further investment to the City and contribute to tourism and retail offer.

**RESOLVED:**

1. A regeneration enabling loan facility, as detailed in the confidential appendix, that is compliant with Market Economy Investor Principles, be made available through the Regeneration Reserve to Rokeby Merchant for the purposes of contributing towards the delivery of Phase 1 of the Bakers Quay scheme, repayable no later than 24 months after the final payment.
2. Payments to the developer be made on a staged basis to reflect private sector investment and activity on the ground.
3. The Head of Finance, in consultation with the Head of Regeneration and Economy and the Cabinet Member for Regeneration & Economy, be delegated authority to agree final loan terms with Rokeby Merchant, along the lines set out

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in the confidential appendix, and subject to his satisfaction that all necessary due diligence to minimise risk to the Council's investment has been completed.

**Time of commencement: 6.00 pm  
Time of conclusion: 6.45 pm**

**Chair**

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<b>Meeting:</b>	<b>Cabinet</b>	<b>Date:</b>	<b>11<sup>th</sup> January 2017</b>
<b>Subject:</b>	<b>Proposal for a Gloucester Business Growth Grant scheme</b>		
<b>Report Of:</b>	<b>Cabinet Member for Regeneration and Economy</b>		
<b>Wards Affected:</b>	<b>All</b>		
<b>Key Decision:</b>	<b>No</b>	<b>Budget/Policy Framework:</b>	<b>No</b>
<b>Contact Officer:</b>	<b>Peter Smith, Regeneration and Economic Development Manager</b>		
	<b>Email:</b>	<b>peterj.smith@gloucester.gov.uk</b>	<b>Tel:</b> 01452 96972
<b>Appendices:</b>	<b>1. Business Growth Grant Scheme Applicant Guidance</b>		
	<b>2. Business Growth Grant Scheme Expression of Interest Form</b>		
	<b>3. Business Growth Grant Scheme Application Form</b>		

## FOR GENERAL RELEASE

### 1.0 Purpose of Report

- 1.1 To establish a new Gloucester Business Growth Grant Scheme from 2017/2018, replacing the current Business Grants scheme.

### 2.0 Recommendations

- 2.1 Cabinet is asked to **RESOLVE** that:

- (1) A Gloucester Business Growth Grant Scheme be established as set out in the report.
- (2) The Scheme Criteria set out in the report be approved
- (3) £51,685 from the City Centre Investment Fund, together with remaining monies from historic DCLG funding and unallocated income from the Broadband Voucher scheme be allocated to fund the scheme.
- (4) Authority be delegated to the Regeneration and Economic Development Manager, in consultation with the Head of Regeneration and Economic Development, to make decisions on the award of Business Growth Grants based on assessment against the agreed scheme criteria.

### 3.0 Background and Key Issues

#### 3.1 Business Grants Scheme

In 2010 the City Council established a **Business Grant Scheme** aimed at supporting business start-ups and companies looking to relocate or expand in the

City. The Scheme provided 50% grant funding towards first year business rent (to a maximum of £3,000 within the Primary Retail Area, and £1,000 outside) and a contribution to rates within the Primary Retail Area on a sliding scale. The scheme was subsequently extended to provide a suite of grants:

- **Evening Vitality Grant** – aimed at supporting the evening economy restaurant/wine bar offer in the city centre
- **Growth Accelerator** - aimed at encouraging SME's to access the Government's national Growth Accelerator Programme
- **Flexible Support** – aimed at supporting SME's through a flexible small grants programme

3.2 An evaluation of grants provided up to September 2015 demonstrated the beneficial impact of these grants, with a total of 743 jobs created or preserved in the 74 supported businesses that were still trading. Total grant payments at the time of the evaluation were £137,953.48.

Grant scheme	Businesses supported	Still trading in 2015	Jobs created / preserved	Grant payment (£000's)
Rent/Rates	58	43	194	94.4
Growth Accelerator	19	19	468	14.7
Flexible Support	10	10	70	9.7
Evening Vitality	2	2	11	19.2
<b>TOTALS</b>	<b>89</b>	<b>74</b>	<b>743</b>	<b>138</b>

### 3.3 Review of the Business Grants Scheme

The City Vision gives priority to creating a flourishing economy and City Centre which meets the needs of our residents, businesses and visitors; creating a vibrant evening economy; and a City which improves through regeneration and development. The Business Grants scheme has helped to deliver this through supporting business start-up and relocation that create or preserve jobs and stimulate economic growth.

3.4 The evaluation above demonstrated good value for money, at £186 per job created overall. The Growth Accelerator grants were, in effect, an incentive to access Government support, but even excluding that scheme, the cost per job was £448. However, as the current scheme has evolved, eligibility criteria have become complex, as recognised by the introduction of the flexible grant scheme to support projects that delivered sustainable jobs and which did not meet the criteria of the other grant schemes. Criteria include:

- Location – with different grant funding available within and outside the Primary
- Tenancy – with grant funding available to tenants and not owner occupiers
- Eligible costs – these vary dependent upon the grant scheme between variable rent and rate subsidies and contributions to set up costs



- 3.5 The focus of the current scheme is upon supporting business start-ups and relocation of small and medium sized enterprises (SME's) into the City. However, evidence suggests that a significant proportion of jobs growth is from existing businesses that invest and grow - firms are three to four times more likely to grow once they achieve a £1 million turnover.
- 3.6 Under the current scheme, non-recoverable grant funding is provided, irrespective of the financial success of the business. Loan funding requires complex administration and (in order to meet State Aid requirements) must be offered on a commercial basis which is often unattractive to SME's. A straightforward mechanism for grant aid to be eligible for repayment once a business has achieved a specified annual financial turnover would allow grant money to be 'recycled' to support further business growth.
- 3.7 Under the current scheme, no time limit is specified for drawing down grant aid following approval. This has resulted in budget resources being committed but not drawn down over extended periods of time, restricting the ability to consider new applications. A 12 month limit on drawing down grant aid following approval would encourage applicants to deliver and enable grant funding to be made available for new applications in a timely manner.
- 3.8 Gloucester Business Growth Grant scheme proposal  
The need to promote economic and jobs growth in the City to help deliver the City Vision remains. Based upon the review of the current Business Grants scheme, it is proposed to replace the scheme with a single Gloucester Business Growth Grant scheme with the following key features:
- a. Supporting business start-up and growth proposals that will create sustainable jobs
  - b. Available City-wide for start-up businesses and Small and Medium Sized Enterprises (SME's, employing under 250 employees)
  - c. Providing up to 50% funding towards eligible capital costs within the Primary Retail Area and up to 30% funding towards eligible capital costs outside the Primary Retail Area. Most grants will be in the region of £1,000 to £5,000 but can up to a maximum of £10,000 in exceptional cases
  - d. Grant shall be repayable once the grant funded business has achieved a turnover on £1m per annum in any single year
  - e. Applicants must demonstrate, via a robust Business Plan, that grant aid is required to enable that investment to occur
  - f. Capital (premises and equipment) funding only, the scheme will not support revenue costs (including rent and rate subsidies)
  - g. Grant aid must be claimed within 12 months of approval
  - h. Available to any start up or growth business irrespective of whether they are tenants or owner occupiers
- 3.9 Applicant guidance notes for the Gloucester Business Growth Grant are attached at Appendix 1, including: eligibility criteria; grant aid conditions; and details of the application process
- 3.10 The application, assessment and approval process for the Business Growth Grant scheme would replicate the current two stage Business Grant Scheme process. At stage 1, applicants would be invited to complete an Expression of Interest form (contained at Appendix 2) and submit along with a copy of their business plan

containing details of the investment proposed. This would be assessed by the Grant Review Panel who (subject to requesting further information from the applicant) make a recommendation to the Regeneration and Economic Development Manager. Subject to consultation with the Head of Regeneration and Economic Development, the applicant would be invited to submit a full application (contained at Appendix 3) with supporting documentation. Once grant approval was confirmed, grant would be paid on receipt evidence of expenditure incurred. Timescales for the process would be fixed:

- a) Expression of Interest (Eoi) decision – 1 month from submission of completed Eoi (subject to the need for further information)
- b) Full application decision – 1 month from submission of full application
- c) Grant payment on submission of evidence of incurred expenditure (within 12 months of full approval unless agreed otherwise)

- 3.11 To support the City Vision focus on promoting growth in the City Centre, it is proposed to offer a higher intervention rate of up to 50% towards eligible costs within the Primary Retail Area, and a lower intervention rate of up to 30% across the remainder of the City. It is also proposed to allocate two thirds of the initial budget allocation for grant aid within the Primary Retail Area. The take up of grant aid within and outside the Primary Retail Area will be monitored and these budget allocations adjusted accordingly to ensure maximum impact.
- 3.12 Subject to approval, the scheme would be publicised through a marketing campaign comprising press releases, business newsletter, information on the Council website, and via partner agencies (including the Growth Hub and Gloucestershire Enterprise Limited)
- 3.13 The impact of the scheme will be closely monitored and an evaluation report prepared on an annual basis. Successful applicants will be responsible for informing the Council if the business supported achieves an annual turnover in excess of £1 million per annum and repaying the grant awarded so that it can be 'recycled' through the scheme. However, officers will undertake sample monitoring through reviewing information on the Companies House database.

#### **4.0 Reasons for Decision**

- 4.1 To develop a Business Growth Grant scheme to support business start-up and growth in the City.

#### **5.0 Financial Implications**

- 5.1 It is proposed to allocate the remaining £51,685 in the City Centre Investment Fund to the scheme, together with £13,732 historic grant funding from DCLG, and remaining funding from the previous grant scheme of £5,172, totalling £71,589. Less current remaining potential commitments of £9,375 from the previous scheme, this amounts to £61,214 to fund the scheme. The Council has received income for administering a broadband voucher scheme on behalf of the Government. This scheme is now closed and, once financial information has been reconciled, any remaining income from this scheme will be added to the Business Growth Grant scheme budget.

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

## **6.0 Legal Implications**

6.1 The Council should have regard to the following issues:

6.1.1 **Power to Create Scheme:** The Council is empowered to set up the scheme by the general power of competence contained in the Localism Act 2011.

6.1.2 **State Aid:** As mentioned in paragraph 3.6 there may be state aid implications. However, given the total fund available for the scheme (£62,214) any payment from it to an individual business is likely to fall within the de minimis exemption (E200,000 over any three year period). There will need to be a standard state aid notification in the grant award paperwork advising the recipient that it is de minimis aid.

6.1.3 **Other Grants:** It is noted from paragraph 5.1 that it is proposed to amalgamate a number of previously existing funds to create the grant scheme. Some of these funds may be subject to main grant conditions that restrict their use e.g. to be repaid to central government if not used for the purpose originally intended and/or not to be used for other than the stated purpose. The Council should assure itself that it is allowed to reallocate the monies in the manner proposed.

6.1.4 **Repayment Terms-** condition (d) at paragraph 3.8 requires repayment of the grant in specific circumstances. This means that the Council will need to carefully monitor the growth of the businesses to ensure that this condition is met.

(One Legal has been consulted in the preparation of this report).

## **7.0 Risk & Opportunity Management Implications**

7.1 There is a risk associated with the operation of the Business Growth Grant scheme that businesses supported will fail and that job and economic growth outcomes will not be delivered. This will be mitigated by due diligence through the application and approval process, including independent assessment of applications by a Grants Panel.

## **8.0 People Impact Assessment (PIA):**

8.1 The actions outlined in this report will benefit the residents and business in the City through supporting economic growth and prosperity.

## **9.0 Other Corporate Implications**

### Community Safety

9.1 Support for start-up and growth businesses will support the growth of the economy of the City which will have a beneficial impact on crime and anti-social behaviour.

Sustainability

9.2 There are no direct sustainability implications arising directly from this report.

Staffing & Trade Union

9.3 There are no direct staffing and Trade Union issues arising from this report

## Appendix 1

# Gloucester Business Growth Grants Applicant Guidance Notes



Gloucester City Council gives priority to creating a flourishing economy and a City Centre which meets the needs of residents, businesses and visitors; creating a vibrant evening economy and a City which improves through regeneration and development. To help deliver this ambition, the City Council operates the Gloucester Business Growth Grant Scheme which is available on a discretionary basis City-wide. It is available to start-up businesses and SME'S (Small and Medium Sized enterprises employing under 250 employees) as a grant contribution towards a capital investment where it can be demonstrated that new sustainable jobs will be created. The Business Growth Grant scheme is administered through the Regeneration and Economic Development Service at Gloucester City Council.

### How the scheme will operate:-

- The scheme will provide support for business start-ups and SME growth proposals that will create sustainable jobs.
- The scheme will provide up to 50% funding towards eligible costs within the 'Primary Retail Area', and up to 30% funding towards eligible costs outside the 'Primary Retail Area' (see map). The applicant will be required to produce a comprehensive statement of the capital costs for which they are applying for funding.
- The majority of grants will be in the region of £1,000 to £5,000 but can be up to a maximum of £1,000 in exceptional cases.
- The scheme will be available City-wide and available to any start-up or SME growth business irrespective of whether they are tenants or owner occupiers.
- The grant to be eligible for repayment once the applicant (the grant funded business) has achieved a turnover of £1 million in any single year.
- The Applicant will be required to adhere to all requests for information, providing them within the stated timeframe.

### Eligibility Criteria

In order for businesses to qualify for the Scheme they must:-

- Be a start-up business or SME employing no more than 250 full time (or full time equivalent) employees and located within Gloucester City.
- Have good employment growth prospects and be able to demonstrate that a grant will create sustainable jobs or growth.
- Be able to demonstrate that the grant would be for capital costs.
- Be sole traders, partnerships, co-operatives, social enterprises or limited companies.

**Businesses will NOT be eligible if:-**

- They are already receiving government funding (excluding small business rate relief) or other local authority funding.
- Any account which the applicant/business has with Gloucester City Council is in arrears.
- They are engaged in political activity or lobbying at any level or activity of an exclusively religious nature.
- They are a charity organisation benefiting from rate relief.
- They are occupying premises owned by Gloucester City Council.

**Conditions of Grant Aid:-**

- Only one grant per business.
- The Business Growth Grant Scheme is supported and administered by Gloucester City Council via the Regeneration and Economic Development Service.
- Applicants must be 18 or over and be permanently resident within the UK.
- Gloucester City Council reserves the right to recover all or part of the grant awarded to the businesses if that businesses relocates outside of Gloucester City within a 78 week period from receipt of the grant, or the business ceases to trade for whatever reason.
- Grant aid must be drawn down within 12 months of the approval date of the full application. If grant aid is not drawn down within this period, any further application will be subject to the availability of resources within the scheme.
- Employees and Members of Gloucester City Council and its economic partners are not eligible for the scheme. This includes direct involvement or having a directorship of the applicant business.
- All proposals and supporting documents must not infringe on any existing patent or copyright and therefore must be the property of the applicant.
- All applications will be dealt with in the strictest of confidence
- The decision of the Regeneration and Economic Development Service is final.
- Successful applicants will be required to provide information on the impact of the grant.
- The grant to be eligible for repayment once the applicant (the grant funded business) has achieved a turnover of £1 million or more in any single year.

- It is the responsibility of the applicant to inform the City Council if the grant funded business achieves a turnover of £1 million or more in any single year and to arrange for repayment of grant aid
- Gloucester City Council reserves the right to publicise the details of any grant awarded under the scheme and will explore opportunities for marketing and promotion of the scheme, which may require recipient businesses being named as part of a media campaign.

### The Application Process

If a business is eligible for a grant they will need to follow the following procedure:-

- Read the Applicant Guidance Notes thoroughly
- Complete and return an **Expression of Interest form** along with a copy of their business plan. The business plan will be sent for review by an independent panel that will make a recommendation whether or not to proceed. At this stage the panel may request further information from the applicant. (The Expression of Interest form contains a web link where you can access information re completing a business plan if necessary)
- Subject to consultation with the Head of Regeneration and Economic Development, the applicant will be invited to submit a full **Application form** with supporting documentation, including...
  - A signed copy of the SME Declaration form
  - A completed copy of the City Council's Equal Opportunities Monitoring form.
  - A copy of the company's Equal Opportunities Policy (guidance notes are available)
  - copy of the company's Environmental Policy
- Negative reviews from the independent panel and/or the Head of Regeneration and Economic Development will result in applicants not being invited to submit a full application and the application not proceeding to the next stage. (Unless further information is requested from the applicant to inform the decision).
- Payment of the grant will be made by BACS into a business account following submission of evidence of incurred expenditure.
- The Applicant will be required to adhere to all timescales advised or their application will be cancelled.

### Information and Support

- Businesses have access to a variety of business support mechanisms. Gloucestershire Growth Hub provides comprehensive advice and guidance on a number of topics to help businesses grow and realise their full potential. The Growth Hub is a partnership between the University of Gloucestershire and GFirst LEP: [www.thegrowthhub.biz](http://www.thegrowthhub.biz)
- Gloucestershire Enterprise provides training and support for start up businesses in the County: [www.gloenterprise.co.uk](http://www.gloenterprise.co.uk)

- For further information about any aspect of The Gloucester Business Growth Grant scheme, please contact Gloucester City Council's Regeneration and Economic Development Service by email ([eds@gloucester.gov.uk](mailto:eds@gloucester.gov.uk)) or call 01452 396972.



**Gloucester Business Growth Grant  
Expression of Interest Form**

Applicant Name, Address and Contact Details	
<b>Title</b>	
<b>First Name</b>	
<b>Surname</b>	
<b>Postal Address (inc. postcode)</b>	
<b>Telephone Number</b>	
<b>Email address</b>	

Company Details			
<b>Organisation Name</b>			
<b>Contact Name</b>			
<b>Address (inc. postcode):</b> 1. Contact address 2. Address of premises for which grant funding sought (if different)	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top; padding: 5px;">1.</td> <td style="width: 50%; vertical-align: top; padding: 5px;">2.</td> </tr> </table>	1.	2.
1.	2.		
<b>Telephone Number</b>			
<b>Email address</b>			
<b>Describe the nature of business and provide details of the proposal that you are seeking grant funding for.</b>			

<b>Number of employees</b>	

Terms and Conditions – please tick the boxes to confirm:	
	I have a relevant and up-to-date Business Plan for my business as described. (You must have this before you can apply for a grant. <b>For further information on business plans see the link below</b> ). Please send a copy of your business plan with this form.
	I give my permission for Gloucester City Council to share my information with the Review Panel

Signature	
Date	

[Further information on drawing up a business plan](https://www.gov.uk/write-business-plan)

(This is a link to the website <https://www.gov.uk/write-business-plan>)

Please ensure you have ticked the terms and conditions boxes and return the signed form together with your business plan to:

Economic Development Service,  
Gloucester City Council,

Herbert Warehouse,  
The Docks,  
Gloucester GL1 2EQ  
Tel: 01452 396972 / 74 / 86  
Email: [eds@gloucester.gov.uk](mailto:eds@gloucester.gov.uk)

For Official Use Only

Date Completed Form Received	
Follow-Up Action	

## Gloucester Business Growth Grant Application Form - Confidential

Please read the SCHEME GUIDANCE NOTES FOR APPLICANTS before completing this form	
Project Title (if any)	
Company Name	
Company Registration Number	
Date Registered	
Postal Address	
Telephone Number	
Fax Number	
Email	
Website	
Address of premises for which grant sought (if different from above)	
Nature of business Describe briefly the main product(s) and/or services(s) your business provides	
Type of Business Structure e.g. Sole Trader, Partnership, Limited Company	
Does any Partner or Director of the business have connections with, or to, any person connected with Gloucester City Council?	YES <input type="checkbox"/> NO <input type="checkbox"/>

If YES please provide details	
-------------------------------	--

<b>Are you / is your business:</b>		
Receiving government subsidised funding?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Engaged in political activity or lobbying of a religious nature?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Engaged in activities where special European Community rules governing State Aid apply?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
A charity organisation benefiting from rate relief?	YES <input type="checkbox"/>	NO <input type="checkbox"/>

Project funding Profile - please outline all funding sources				
Project Funding	Amount	Applied for	Secured	Date when funds will be received
Gloucester City Council, Business Growth Fund				
Private (e.g. bank loan) (Specify)				
Own Funds				
Other (Specify)				

Outputs and other Benefits - Project Output Profile (As applicable)		
Outputs	Quantity	Date to be achieved (Month and Year)
No. of Vacant Premises Brought into Use		
No. of Business Premises Improved		
No. of Businesses Supported		
No. of new Businesses Started		
No. of Jobs Created <ul style="list-style-type: none"> <li>• Total number</li> <li>• Full time equivalent</li> </ul>		
No. of Businesses Safeguarded		
Amount of Private Sector Investment		

--	--	--

**How calculated: Explain how the outputs you have detailed above have been calculated**

**Further Information: Please add any information you feel may be relevant**

--

## Declaration

Please read carefully -

- I will provide Gloucester City Council with evidence that my business is trading upon request.
- I confirm that my business has all the necessary permissions and licenses to operate from my business address.
- I do not object to Gloucester City Council Economic Development Service seeking information from other Gloucester City Council services re Council Tax, Business Rates, Licensing etc.
- The City Council reserves the right to reclaim all or part of the funding if any of the following circumstances should apply within twelve months from the award date:
  - The ownership of the business changes (including ownership changes of the majority shareholding of a limited company)
  - The business moves from the project premises (unless the move is required for business expansion within the City of Gloucester)
  - The principal business activity conducted in the project premises changes from that stated in the application
  - The business is declared bankrupt, or has a Receiving Order or Administration Order made against it
  - The European Union judges that State Aid limits have been exceeded and that any grant paid should not have been paid, or a decision of the European Commission or the European Court of Justice requires payment to be withheld or recovered
- I confirm that the details given in this application are full and complete to the best of my knowledge. I understand that false declarations will invalidate my application.

## Signature

Please sign and date this application (if you have completed the form electronically you will need to print off a hard copy to sign)

<b>Signature</b>	
<b>Name (Block Capitals)</b>	
<b>Position in Organisation</b>	
<b>Date</b>	

## Application checklist

Please check that you have **included** with this application :

- **A copy of your Business Plan**
- **A full breakdown of the capital costs of the items you are seeking funding for**
- **Relevant specifications, plans and design details for the items you are seeking funding for**
- **Accounts from last financial year (if applicable)**
- **Cashflow forecast (3 years) - if this is not included in your Business Plan**

Please return the completed signed application to: Economic Development Service, Gloucester City Council, Herbert Warehouse, The Docks, Gloucester GL1 2EQ | Tel: 01452 396986 / 72 | email: [eds@gloucester.gov.uk](mailto:eds@gloucester.gov.uk)

For Official Use Only

<b>Date Completed Form Received</b>	
<b>Follow-Up Action</b>	





<b>Meeting:</b>	<b>Cabinet</b>	<b>Date:</b>	<b>11 January 16</b>
<b>Subject:</b>	<b>Final phase of public realm works within Gloucester Docks</b>		
<b>Report Of:</b>	<b>Head of Regeneration</b>		
<b>Wards Affected:</b>	<b>Westgate</b>		
<b>Key Decision:</b>	<b>Yes</b>	<b>Budget/Policy Framework:</b>	<b>No</b>
<b>Contact Officer:</b>	<b>Mark Dix, Surveyor and Valuer</b>		
	<b>Email: mark.dix@gloucester.gov.uk</b>	<b>Tel:</b>	<b>396106</b>
<b>Appendices:</b>	<b>1. Scheme</b> <b>2. Costings</b>		

**FOR GENERAL RELEASE**

**1.0 Purpose of Report**

1.1 The purpose of the report is to recommend approval of the intended spend by the Council on the final outstanding phase of the public realm works within Gloucester Docks to a maximum of £600k.

**2.0 Recommendations**

2.1 Cabinet is asked to **RESOLVE** that the City Council commit a maximum spend of £600k to the completion of the final public realm phase of Gloucester Docks.

**3.0 Background and Key Issues**

3.1 The works consist of the final phase of the public realm works within Gloucester Docks, this phase having been left incomplete and awaiting the redevelopment of Nos 23 to 29 Commercial Road. This is partly because the treatment of the interface between the Commercial Road properties and 'public realm' will have been unclear until firm plans for those properties have been established and also funding reasons.

3.2 An Agreement between the South West Regional Development Agency and the City Council on transfer provided for the City Council to complete the public realm works. Further the City Council's agreement with Ladybellgate Estates Limited with regards the sale of the Commercial Road properties also provides for the City Council to complete the public realm areas within a

timeframe linked to Ladybellgate Estates Limited's development (which it directly abuts) and in accordance with certain drawings to ensure consistency. (The sale was the subject of a cabinet decision in September 2015)

- 3.3 Planning consent was granted for the public realm works some years ago. It has been agreed by the Senior Planning Officer and Head of Development Control that the proposed works can be dealt with by a non material amendment to the existing planning permission hence saving project time.
- 3.4 The redevelopment of the Commercial Road buildings and the completion of the public realm to the south is a vital regeneration project which will enhance the quality and character of the Docks area and help to better connect the Docks with the City Centre, via Ladybellgate Street and Commercial Road.
- 3.5 The combination of the new restaurant uses and an enhanced area of public realm will combine to create a new destination which could help to draw focus in the direction of the City Centre and boost the appeal of the Docks area, while also complimenting the new restaurant units within the Merchants Quay development.
- 3.6 The scope of the project is the completion of the public realm. Ladybellgate Estates Limited, the purchasers of the Commercial Road properties have assembled a project team to deliver their development and the same team are working up proposals for the public realm works. Designs have reached a point where clarity as to available budget is required in order to freeze a final design.
- 3.7 A separate contract is to be entered into whereby Ladybellgate Estates Limited deliver the works on behalf of the City Council, a waiver having been agreed from following the usual required procurement arrangements. Collateral warranties will be agreed as part of the contract to give the City Council a direct contractual relationship with Ladybellgate Estate Limited's contractors.
- 3.8 A draft design is shown on the attached layouts at Appendix 1, the project quantity surveyors have prepared costs as attached with the budget cost showing as £670 k. Asset Management and Planning team representatives have liaised closely as part of the Client team with the Quantity Surveyors and have identified savings that will result in a scheme being delivered at some £600k. Further value management may be possible although the impact upon quality and potential impact upon scheme objectives may result.
- 3.9 A project briefing used to inform the project team at initial concept stage is attached for information (Appendix 2)

#### **4.0 Asset Based Community Development (ABCD) Considerations**

4.1 This is not appropriate in this case, noting that the project team has already been formed.

## **5.0 Alternative Options Considered**

5.1 The City Council is under a contractual obligation to complete the outstanding public realm works within a timeframe and to a similar standard as the previous phases, this follows the agreement for the sale of 27 and 29 Commercial Road to Ladybellgate Estates Limited. The City Council also agreed to complete the public realm as part of the agreement with the South West Regional Development Agency relating to the transfer of various assets to the City Council.

5.2 It may be possible to pare down the quality and hence spend on the public realm works, however this will impact upon the attractiveness of the location and general area, and will not fulfil the aspirations of the project as a whole.

## **6.0 Reasons for Recommendations**

6.1 The proposal addresses the requirement and the City Council's contractual obligation to complete the public realm works within this sector of the docks.

## **7.0 Future Work and Conclusions**

7.1 The project team will finalise designs for the outstanding public realm and go out to tender for these works in conjunction with the main building works for the Commercial Road properties.

7.2 Officers within the Asset Management team at the City Council and One Legal will finalise the commercial contract between the Council and Ladybellgate Estates Ltd with regards delivery of the public realm.

## **8.0 Financial Implications**

8.1 The sale of the properties on Commercial Road have generated a net capital receipt of £622k. These funds are required to be used on regeneration projects within the City. The proposed public realm works are a suitable use of those funds.

8.2 Any funds remaining after the public realm work may be used for other regeneration projects therefore the costs of these works must be contained within the proposed budget. Any savings against the budget may also be utilised on other schemes.

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

## **9.0 Legal Implications**

- 9.1 A very early draft development agreement suggested to be used, once fully agreed, as an agreement between the City Council and Ladybellgate Estates Limited has been sent to Ladybellgate Estates Limited with regards the delivery of the works. This will include the maximum level of spend by the City Council.
- 9.2 Associated with the draft development agreement draft co-lateral warranties have been sent to Asset Management to forward to Ladybellgate Estates Limited and their advisors. The entering into these would normally be included as part of Ladybellgate Estates Limited's conditions for their contractors. These will give contractual rights to the City Council to take action under the warranties given.
- 9.3 Negotiations are proceeding with the Ministry of Defence (MOD) for an agreement with regards securing the Ministry's approval to the intended works to the steps adjacent to the Soldiers of Gloucester Museum. (The steps falling within the MOD's ownership)

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

## **10.0 Risk & Opportunity Management Implications**

- 10.1 The commercial contract will provide for a maximum spend of £600k. Ladybellgate working with the project team will manage out risks of overspend, carrying out further value management as required.

## **11.0 People Impact Assessment (PIA):**

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

## **12.0 Other Corporate Implications**

### Community Safety

- 12.1 The project design team will seek to ensure that best practice is adopted to ensure that the final design mitigates any risks to the community. This can be achieved through good lighting schemes, designing out any hidden areas and also taking best advice in providing for the mobility impaired.

### Sustainability

- 12.2 The project team will be briefed as to the Council's commitment to sustainability issues.

Staffing & Trade Union

12.3 No issues to consider.

**Background Documents:** None

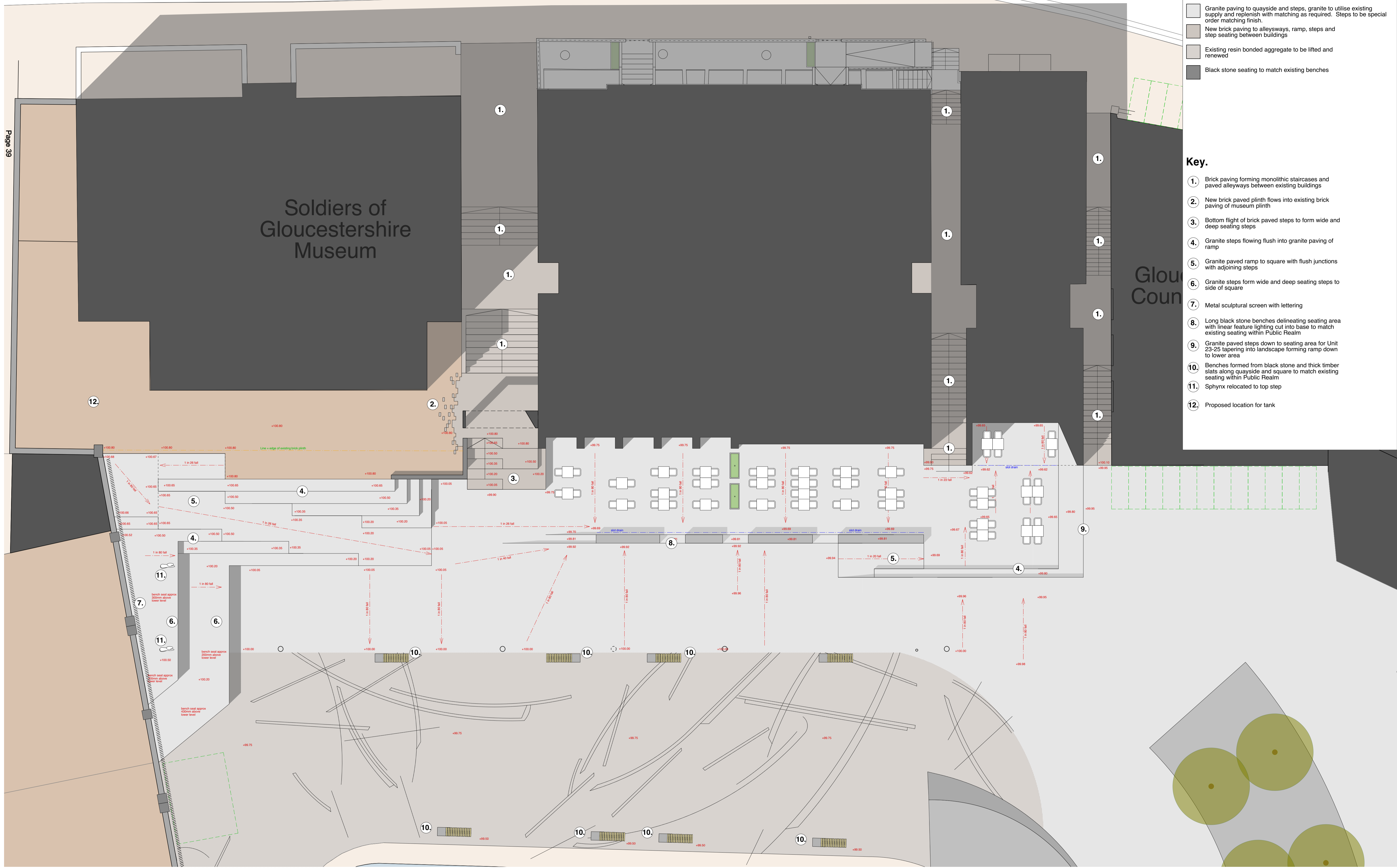
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# Soldiers of Gloucestershire Museum

# Gloucestershire County Council

- Key.**
- 1 Granite paving to quayside and steps, granite to utilise existing supply and replenish with matching as required. Steps to be special order matching finish.
  - 2 New brick paving to alleysways, ramp, steps and step seating between buildings
  - 3 Existing resin bonded aggregate to be lifted and renewed
  - 4 Black stone seating to match existing benches

- Key.**
- 1. Brick paving forming monolithic staircases and paved alleyways between existing buildings
  - 2. New brick paved plinth flows into existing brick paving of museum plinth
  - 3. Bottom flight of brick paved steps to form wide and deep seating steps
  - 4. Granite steps flowing flush into granite paving of ramp
  - 5. Granite paved ramp to square with flush junctions with adjoining steps
  - 6. Granite steps form wide and deep seating steps to side of square
  - 7. Metal sculptural screen with lettering
  - 8. Long black stone benches delineating seating area with linear feature lighting cut into base to match existing seating within Public Realm
  - 9. Granite paved steps down to seating area for Unit 23-25 tapering into landscape forming ramp down to lower area
  - 10. Benches formed from black stone and thick timber slats along quayside and square to match existing seating within Public Realm
  - 11. Sphinx relocated to top step
  - 12. Proposed location for tank



**general**

- all drawings are copyright
- do not scale drawing
- report all discrepancies to project administrator
- all dimensions to be checked on site

**key**

**notes**

**rev**  
**DRAFT FOR COMMENT**

project title: <b>Ladybellegate Quay</b>	date: 20/06/16	scale: 1:100@A1	drawn: wh
drawing title: <b>Public Realm Proposals</b>	job no: <b>1115</b>	drawing no: <b>GA-300</b>	rev: <b>T5</b>

**gillespie yunnie architects**

Lower Tweed Mill Shimmers Bridge Dartington Devon TQ9 6JB t 01803 860010 f 01803 864929 e info@gyarchitects.co.uk

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## Ladybellgate Quay, Commercial Road

### Public Realm Works Only - Costs Extracted from Overall Cost Plan with Comparison to Original Feasibility Costs

Date: 12 October 2016

Rev

Based on:

Tender Drawings - not all complete

Gross Internal Floor Area - new build / extension

27-29 Commercial Road  
23-25 Commercial Road

340	m <sup>2</sup>
188	m <sup>2</sup>

Note: 340m<sup>2</sup> excludes the roof top terrace.

Gross Internal Floor Area - alterations / refurb

27-29 Commercial Road  
23-25 Commercial Road

806	m <sup>2</sup>
297	m <sup>2</sup>

	Initial Costs (Dated 24/11/15)	quantity	unit	rate	total	Current Costs (Council Funded)	Notes on Cost Variance
<b>EXTERNAL WORKS</b>							
<b>Museum Side Ramp/Steps Reconfiguration</b>	<b>59,695</b>					<b>48,471</b>	Costs reduced now we have initial design information
Enabling works					1,400.00		
Demolition/Removal					6,465.00		
Breaking up surfacing					3,990.00		
Remedial works to Museum wall					3,460.00		
Fill to revised levels					2,050.00		
New Steps					8,825.00		
New Retaining Walls					4,290.00		
Brick pavings					13,161.00		
Handrails					4,830.00		
<b>External Surfacing</b>	<b>110,511</b>					<b>219,853</b>	Scope of works significantly increased to include greater area, more complex levels, steps to Museum, terraced seating and resurfacing to the feature artwork.
Excavations & Disposal					22,527.50		
Surfacing and sub-base					170,950.00		
Steps etc					21,375.00		
Modifications to surface water drainage					5,000.00		
<b>Works to Commercial Road side of buildings</b>	<b>Excluded</b>					<b>5,000</b>	
Infilling, making good, re-paving					5,000.00		
<b>Street Furniture</b>	<b>66,400</b>					<b>152,610</b>	Addition to previous scheme
Gateway portal					19,500.00		
Sculpted steel railings					10,800.00		
Seating					46,850.00		Solid granite with timber seating. Note this is a potential area for value engineering.
Other work					200.00		
External Lighting					75,260.00		
<b>Drainage</b>	<b>Excluded</b>					<b>10,000</b>	
Provisional allowance for Public Realm Area only					10,000		
<b>External Works Total</b>	<b>236,606.00</b>					<b>435,934</b>	
<b>SUMMARY AND ONCOSTS</b>							
<b>Building Works Total</b>	<b>236,606</b>					<b>435,934</b>	
<b>Preliminaries</b>							
General Preliminaries	35,490.90	15.0	%			65,390	
Special Preliminaries:							
Archaeological Watching Brief Compliance	5,000.00					5,000.00	
Hoardings with Graphics	5,000.00					5,000.00	
	<b>282,097</b>					<b>511,324</b>	
<b>Overheads and Profit</b>							
Head office overheads	11,830.30	5.0	%			25,566	
Profit	7,098.18	3.0	%			15,340	
	<b>301,025</b>					<b>552,229</b>	
<b>Contingency</b>							
Contingency	15,051	5.0	%			27,611	
<b>Works Cost Total</b>	<b>316,077</b>					<b>579,841</b>	
<b>Fees</b>							
Professional Design Team fees	46,765		%			46,765	
Surveys	0				0		
Legal	0				0		
Management fee		7.50	%			46,995	
	<b>362,842</b>					<b>673,601</b>	
<b>Other Costs</b>							
Planning fees	0					0	
Building Control fees	1,000					1,000	
	<b>363,842</b>					<b>674,601</b>	
<b>Base Cost</b>	<b>363,842</b>					<b>674,601</b>	
<b>Cost Limit (excluding inflation)</b>	<b>363,842</b>					<b>674,601</b>	
<b>Inflation</b>							
Prices current at 3Q2016				TPI			
Tender inflation to 3Q2016	0	0.0	%	277 287		0	
<b>Cost Limit (including inflation)</b>	<b>363,842</b>					<b>674,601</b>	
<b>VAT</b>							
Value Added Tax - standard rate	0	20.0	%			0	
Value Added Tax - reduced rate	0	5.0	%			0	
Value Added Tax - zero rate	0	0	%			0	
Value Added Tax - exempt	0	0	%			0	
Value Added Tax - outside scope of VAT	0	0	%			0	
<b>Project Total</b>	<b>363,842</b>					<b>674,601</b>	

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<b>Meeting:</b>	<b>Cabinet</b>	<b>Date:</b>	<b>11th January 2017</b>
<b>Subject:</b>	<b>Report into Fixed Penalty Notices for the offence of Fly Tipping</b>		
<b>Report Of:</b>	<b>Cabinet Member for Environment</b>		
<b>Wards Affected:</b>	<b>All Wards</b>		
<b>Key Decision:</b>	<b>No</b>	<b>Budget/Policy Framework:</b>	<b>No</b>
<b>Contact Officer:</b>	<b>Wayne Best, Environmental Protection Service Manager</b>		
	<b>Email: Wayne.Best@gloucester.gov.uk</b>	<b>Tel: 396307</b>	
<b>Appendices:</b>	<b>None</b>		

## FOR GENERAL RELEASE

### 1.0 Purpose of Report

- 1.1 To update Members of the recent changes in legislation to deal with the significant increase in the reported cases of fly-tipping on public land in England in 2013/2014 and to seek permission to impose Fixed Penalty Fines in line with the legislation.

### 2.0 Recommendations

- 2.1 Cabinet is asked to **RESOLVE** that

- (1) Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 which came into force on 9<sup>th</sup> May 2016 be noted.
- (2) The penalty charge for Unauthorised Deposit of Waste (Fixed Penalty Notices) be set at £400 (four hundred pounds) reduced to £300 (three hundred pounds), if paid within 10 days.
- (3) That authority be delegated to the Strategic Director under the Environmental Protection Act 1990 (as amended) to make appropriate arrangements for the issuing of fixed penalty notices for the unauthorised deposit of waste.
- (4) Officers be supported in investigating and utilising additional resources and new technology (mobile CCTV) to reduce incidents of fly tipping across the City.
- (5) The growing importance of partnership working (including County wide), information sharing, education and tougher enforcement to deal with the growing issue of fly tipping be recognised.

### 3.0 Background and Key Issues

3.1 There are a large number of reported incidents of fly tipping in Gloucester City annually, see table 1 below.

**Table 1 No. of reported fly tips per year**

<b>Year</b>	<b>Number of Reported fly tips</b>
2013	1876
2014	1787
2015	2540
2016	2144 (up to 1 <sup>st</sup> Dec)

3.2 It costs approximately £1m a year to keep the city clean. A significant proportion of this can be attributable to the costs associated with dealing with fly tipping from the point of contact through to the removal and disposal of waste.

3.3 Over the last 18 months Gloucester City Council has successfully taken 10 prosecutions for fly tipping offences. In addition a further 6 cases are being processed for prosecution.

3.4 There are huge environmental, social and financial impacts associated with fly-tipping and the illegal dumping of waste.

3.5 Fly tipping undermines legitimate waste businesses where unscrupulous operators undercut those operating within the law.

3.6 In 2014/15, the estimated cost of clearance of fly-tipping to local authorities in England was nearly £50 million (Defra, Fly-tipping statistics for England, 2014 to 2015).

3.7 Due to the national increase in fly tipping incidents and Government acknowledgement that prosecutions are difficult and costly, new powers have been introduced for local authorities in England to deal with fly tipping. District Councils can now issue fixed penalty notices for small scale fly tipping offences pursuant to the Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016. In addition to the seizing of vehicles and/ or their contents because of suspected involvement in fly tipping however this will require the support of Gloucestershire Constabulary.

3.8 We are looking to set fines for small scale fly tipping offences at the maximum permitted level of £400 and a reduction to £300 if paid within 10 working days.

3.9 The Parliamentary Under-Secretary of State Communities and Local Government (Mr Marcus Jones) has described both litter and fly-tipping as: “antisocial environmental crimes that pose risks to human health and animal welfare, spoil relationships between neighbours and their wider community, and affect the way people feel about the place that they call home”.

### **3.10. Why is there a problem?**

3.10.1 The National Fly-Tipping Prevention Group notes that the causes of fly-tipping are many and varied including:

- financial gain or saving by the perpetrator;
- a lack of waste disposal facilities or access to them; and
- laziness and an attitude that someone else will clear up the waste.

3.10.2 Witnesses representing local councils and landowners pointed to the introduction of charges for collection of household items and garden waste by waste collection authorities.

### **3.11.0 What the City Council is currently doing to reduce fly tipping**

3.11.1 Tri-signs are deployed in fly tip hot spot areas as an educational and enforcement tool whilst encouraging residents to report incidents and demonstrating that we are taking action to deal with the issue.

3.11.2 Depending on available resources, size of the fly tip and evidence available we will look to take a prosecution wherever possible.

3.11.3 We can issue a fixed penalty notice to those carrying trade waste without a Waste Carriers Licence from the Environment Agency (EA). Those caught carrying waste illegally will also be reported to the EA.

3.11.4 Visits and inspections of businesses which produce waste to ensure that they have a current trade waste agreement in place. Those businesses which do not have a trade waste agreement in place are given a reasonable time to comply. If they still fail to comply a staged enforcement approach will be taken, ranging from the service of a formal notice, issuing of a fixed penalty notice and ultimately prosecution.

3.11.5 Waste education visits are carried out to assist residents with managing their waste correctly.

3.11.6 The City Council is part of a new joint group consisting of District councils, the National Farmers Union, National Trust and Parish Councils looking at how we can collectively deal with fly tippers including a possible County wide fly tipping campaign.

3.11.7 The City Council is looking to make savings of £1m from our overall budget in addition to a reduction in the street cleansing and grounds maintenance budget of a further £432k. It is anticipated that the increase in FPN fines will reduce the number of fly tipping incidents and the associated cost to the authority.

## **4.0 Alternative Options Considered**

4.1 **Do nothing;** it is likely that the situation would become worse resulting in increasing numbers of reported incidents of fly tipping and an increase in associated costs to investigate, remove and dispose of fly tipped waste.

4.2 **Doing the minimum;** introducing the minimum fine of £150 is also anticipated to result in high or increasing levels of fly tipping. There is also an expectation by residents and businesses that the City Council will reduce the number of fly tipping incidents and take robust action against those responsible.

## **5.0 Reasons for Recommendations**

- 5.1 To reduce the number of reported fly tipping incidents across the City and County and thus reducing the overall associated costs/resources of dealing with fly tipping.
- 5.2 To work more closely with existing partners and seek out new stakeholders who can assist with reducing the number of fly tip incidents and deal with organised crime.
- 5.3 One of the City Plan's objectives is a Greener Gloucester, and to "Produce a Cleaner/Greener (Enforcement) strategy for the City" which the increase in FPN's will form part of.
- 5.4 To continue to investigate and utilise additional sources of funding and resources to deliver improvements by reducing fly tipping incidents across the City.
- 5.5 To investigate improving the effectiveness of our resources with the aid of new technology, better signposting and assisting communities with taking ownership of the problem.
- 5.6 Issuing increased FPN fines for smaller fly tipping incidents will be less resource intensive for the authority than taking a prosecution, look to focus minds and will free up valuable court time for more serious offences. Those FPN's which are not paid in full will be followed up by prosecution.
- 5.7 The local authority is also likely to come under increasing pressure to introduce fines for FPN's given the number of reported fly tipped incidents within the city.

## **6.0 Future Work and Conclusions**

- 6.1 The City Council will continue to prioritise resources to deal with the issue of fly tipping to improve our communities and the City overall.
- 6.2 The City Council will look to invest in new technology to assist with the reduction in the number of fly tipping incidents and will use the technology to secure prosecutions wherever possible.
- 6.3 The City Council will continue to work with partner organisations to share information, knowledge and best practice to deliver improvements.
- 6.4 An update report will be provided for Members on an annual basis regarding; number of reported fly tip incidents, number of FPN's issued, number of prosecutions taken, update on the progress and results of the joint fly tipping group.

## 7.0 Financial Implications

- 7.1 With the ongoing constraints on the Local Authority and partner organisations budgets there is a need to investigate alternative sources of funding whilst prioritising existing resources.
- 7.2 The City Council will be proactive in securing additional funding from external sources for the purpose of the purchasing of mobile CCTV cameras which can be deployed at known hotspot areas.
- 7.3 Income generated from the issuing of the increased FPN's can and will be used to purchase mobile CCTV cameras and the ongoing associated costs.
- 7.4 Financial Services have been consulted in the preparation this report.

## 8.0 Legal Implications

- 8.1 Local authorities are responsible for dealing with investigating, clearing and taking appropriate enforcement action in relation to smaller scale fly-tips on public land (including public roads and highways within their responsibility).
- 8.2 The local authority will comply with the relevant legislation and continue to consult with legal as and when required In relation to the use of mobile CCTV cameras.
- 8.3 Legal Services have been consulted in the preparation this report.

## 9.0 Risk & Opportunity Management Implications

- 9.1 See table below -

Risk	Opportunities
<p><b>Income generated</b> The introduction of the FPN's to deal with small scale fly tipping may be seen as an income generation driven.</p> <p><b>Managing Expectations</b> There could potentially be a resource implication in relation to the number of FPN's that we are able to issue and may have to be managed on a resource based approach</p>	<p>The City Council will be able to deal with smaller scale fly tipping offences with a lesser burden of evidence than is required for a prosecution and for offences that we have not previously been able to deal with due to resources and the public interest test.</p> <p>We will be able to demonstrate to our communities that we are able and willing to take robust action against those responsible.</p> <p>Income generated from the issuing of FPN's can be used to purchase mobile CCTV cameras and the ongoing associated costs.</p> <p>To prioritise resources on hotspot areas and to work with partners to deliver outcomes this may include the training of additional officers to issue FPN's including the Police and PCSO's.</p> <p>Press Release to raise the issue of fly tipping</p>

<p>and/or severity of fly tip.</p>	<p>and the City Council's commitment to deal with the issue of fly tipping and rouge traders.</p> <p>The City Council to work with communities to promote the implementation of FPN's and to encourage participation i.e. reporting incidents and offenders, organising clean up events etc. This can also have a number of positive outcomes including residents taking ownership of their area and feeling better about the area in which they live.</p> <p>Promote a programme of community events which we could publicise through the Partnerships and Community Groups.</p>
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## 10.0 People Impact Assessment (PIA):

- 10.1 The introduction of fines for FPN's will not prejudice against any one group or community. Reducing fly tipping is essential to providing re-assurance and comfort to those communities and groups affected by this crime.
- 10.2 The introduction of FPN's will also support legitimate businesses who are involved with the transportation and disposal of waste.
- 10.3 The PIA Screening Stage was completed and did not identify any potential or actual negative impacts; therefore a full PIA was not required.

## 11.0 Other Corporate Implications

### Community Safety

- 11.1 The reduction in fly tipping incidents has a critical role to play in relation to residents feeling safe in the areas where they live, visit and play whilst reducing the risk of attracting other low level crimes.

### Sustainability

- 11.2 Given the ongoing reductions to local authority resources there is a need to support communities to become more resilient by supporting them to take ownership of their areas and the associated issues including fly tipping and low level crime.
- 11.3 It is anticipated that the cost of purchasing and the ongoing costs of mobile CCTV cameras can be offset by the reduction in fly tipping incidents and the associated costs involved in addition to the issuing of FPN's.

### Staffing & Trade Union

- 11.5 The potential need to train additional staff to issue FPN's for fly tipping incidents.

**Background Documents:** None



# Gloucester City Council

<b>Meeting:</b>	<b>Overview &amp; Scrutiny Committee</b>	<b>Date:</b>	<b>9<sup>th</sup> January 2017</b>
	<b>Cabinet</b>		<b>11<sup>th</sup> January 2017</b>
<b>Subject:</b>	<b>Proposal to Introduce a Replacement Waste Container Charging Policy</b>		
<b>Report Of:</b>	<b>Cabinet Member for Environment</b>		
<b>Wards Affected:</b>	<b>All</b>		
<b>Key Decision:</b>	<b>No</b>	<b>Budget/Policy Framework:</b>	<b>No</b>
<b>Contact Officer:</b>	<b>Lloyd Griffiths, Head of Neighbourhood Services</b>		
	<b>Email:</b>		<b>Tel:</b>
	<b><a href="mailto:lloyd.griffiths@gloucester.gov.uk">lloyd.griffiths@gloucester.gov.uk</a></b>		<b>39(6355)</b>
<b>Appendices:</b>	<b>1. Breakdown of Requests for Waste Containers 2013 – 2016 (to date)</b> <b>2. Benchmarking of Replacement Waste Container Policies</b> <b>3. Draft Replacement Waste Container Charging Policy</b>		

## FOR GENERAL RELEASE

### 1.0 Purpose of Report

- 1.1 This report proposes the introduction of a policy to charge for the replacement of waste containers.

### 2.0 Recommendations

- 2.1 Overview & Scrutiny Committee is asked, subject to any recommendations it wishes to make to Cabinet, to **note** the contents of the report.

- 2.2 Cabinet is asked to **RESOLVE** that:

- (1) The Draft Replacement Waste Container Charging Policy included at Appendix 3 be approved for introduction on 1<sup>st</sup> April 2017;
- (2) To levy a charge of £40 per black or green wheeled bin where a replacement with delivery is required and a charge of £30 where delivery is not required, to commence on 1<sup>st</sup> April 2017;
- (3) The said charges be annually reviewed as part of the Fees & Charges Review Process.

### 3.0 Background and Key Issues

- 3.1 On average the Council spends £100,000 annually on the provision of new and replacement waste containers. With the City forecast to grow by over 4000 residential units over the next 6 years, the amount of money spent on waste containers is set to increase. During this same period the Council is required to

make significant savings from its Streetcare Contract ('the contract') from within which waste & recycling services are delivered.

3.2 A breakdown of the number of requests for waste containers is included at Appendix 1 and it can be seen that in 2015, the Council upon request replaced over 8,800 containers, broken down as follows –

- 3868 Food Caddies
- 3157 Recycling Boxes
- 1332 Black Wheeled Bins (Residual Waste)
- 445 Garden Wheeled Bins (Garden Waste)

It should be noted that with the Council's recent Waste Reduction Project focussing on encouraging food waste recycling, the number of food caddies replaced in 2015 is inflated and in the previous year 1731 requests were received.

3.3 It is proposed to introduce a charge for the replacement of black and green wheeled bin where bins except where the bin has been damaged or put beyond use by fault of the City Council or its contractor. Furthermore where bins are reported as lost or stolen then in order to receive a free replacement bin a resident will need to supply a crime number after having reported the matter to Gloucestershire Constabulary.

3.4 A charge of £40 per replacement wheeled bin is proposed where delivery is required, this charge reducing to £30 where a resident is able to collect the bin from the Eastern Avenue Depot. In respect of 2015 figures, introducing such a charge would have the potential to reduce the total annual spend on containers by £53,000. If all requests did not meet the criteria for a free replacement this reduction would potentially increase to £71,000.

3.5 These figures are indicative as indirectly, such a policy would also be likely to result in the number of requests for replacement containers decreasing due to residents taking more responsibility for these items.

3.6 Charging policies of this nature are commonplace and at Appendix 2 benchmarking information is presented in respect of neighbouring and comparator Councils. Over half of the Councils benchmarked have a policy or mechanism in place to make a charge for replacement wheeled bins including garden waste bins. Only one Council has a charge in place in respect of a recycling container. For those Councils that do have a charge in place in respect of wheeled containers, charges range from £30 - £84 based on capacity of container i.e. 180ltr, 240ltr or 360ltr.

3.7 Introducing such a policy would also result in a further reduction in waste destined for landfill through the provision of lesser capacity replacement black wheeled bin. This will encourage residents to recycle more in order to manage a reduced residual capacity. It is important however to build flexibility into the policy to support for instance, large families who require similar or increased capacity. This would not apply to green wheeled bins.

3.8 A Draft Replacement Waste Container Charging Policy is included at Appendix 3 and includes information for residents on when a charge will be applied and how the Council will deal with situations where a replacement bin is sourced by a resident but is found to be non-compliant.

3.9 With the City's recycling rate improving due to the Waste Reduction Project and further improvements to be delivered in January 2017 through the implementation of an enhanced recycling service that will see cardboard, mixed plastics and textiles able to be recycled at the kerbside, the proposed policy does not include a charge for replacement food caddies or recycling boxes when we are seeking to further encourage residents to recycle more.

#### **4.0 Asset Based Community Development**

4.1 Introduction of the policy encourages our residents and communities to manage waste containers more responsibly and in doing so understand and potentially collaborate around how they can support each other where a bin has gone missing, been stolen or requires minor repairs rather than replacement.

#### **5.1 Alternative Options Considered**

5.1 **No Charge:** With the City forecast to grow by over 4000 residential units through to 2022, continuing to finance the provision of all replacement wheeled bins will result in an increase in costs at a time when the Council is looking to make savings in respect of the contract.

5.2 **Introduce Replacement Charge for Recycling Containers (inc. Food Caddies):** As outlined within this report at para 3.9, it is not considered prudent to levy a charge for replacement recycling containers when we are actively encouraging our residents to recycle more through the ongoing Waste Reduction Project and the implementation of an enhanced recycling service.

5.3 **Levying a charge on Developers for New Bins:** With an estimated 3000 first time waste containers provided to new build or newly converted residential units during 2015, this forms a considerable amount of the £100,000 spent annually on bins & boxes. Although an increasing number of Councils are levying charges on developers to cover the costs of containers through existing development plan policies or supplementary planning guidance, it is emerging that requiring such contributions via these routes does not meet the statutory tests of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). The available option would be to simply levy a charge against a developer and notify them at the pre-application stage. Payment would be entirely voluntary and agreement would be required prior to commencement of development. Where agreement cannot be achieved with a developer the charge would instead be levied on the new occupiers of the development in question in accordance with the Environmental Protection Act 1990.

#### **6.0 Reasons for Recommendations**

6.1 Introducing a charge for replacement containers will enable the Council to significantly reduce its annual spend on containers.

6.2 Introducing the new policy will encourage residents to look after and use their waste containers more responsibly.

6.3 Encouraging residents to manage their waste containers more responsibly will have a positive impact on the street scene.

- 6.4 Introducing a lesser charge for those residents who wish to collect their container directly from the Eastern Avenue Depot will release contractor resource that is currently deployed on delivering containers, thus allowing us to redeploy this resource or manage it as a financial saving.

## **7.0 Future Work and Conclusions**

- 7.1 Subject to approval, Officers would ensure that any new charging regime is included within the Council's 2017/2018 Fees & Charges Report and subsequent 2017/2018 Fees & Charges Schedule.
- 7.2 Officers will work closely with our Streetcare Contractor, in order to ensure that a robust arrangement is in place to manage the delivery of bins in a timely manner in compliance with relevant performance indicators.
- 7.3 As the Council seeks to implement channel shift it will be necessary to ensure that residents have up to date information on our website and are able to request and pay for a replacement bin online.

## **8.0 Financial Implications**

- 8.1 The proposed £30 charge, excluding delivery, is based upon the wholesale costs of purchasing a bin plus a reasonable allocation of the Council's cost of administering the process.
- 8.2 Implementing a charge for wheeled bins will partially cover the costs of providing bins to residents. If demand remains the same then income can be expected to be in the region of £50k.
- 8.3 If demand for boxes falls then income received will be reduced but the Council will still benefit from a saving through the reduced requirement to purchase bins which it would otherwise have incurred.

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

## **9.0 Legal Implications**

- 9.1 Under the Environmental Protection Act 1990, the Council has a legal obligation to collect household waste, but only from specific containers. Recyclable and non-recyclable waste will only be collected if they are contained within a Gloucester City Council marked wheelie bin, food caddy and recycling boxes. If a resident chooses not to pay for the delivery of relevant containers, the Council will refuse to make the relevant collection and alternative arrangements will need to be made.
- 9.2 Section 46(3) of The Environmental Protection Act 1990, the Council can amongst other things make a charge to the householder for containers.
- 9.3 Residents who decline to pay for the supply of a waste container may be served with a Section 46 notice under the Environmental Protection Act 1990 and or other relevant legislation. The notice would require the householder to use containers

provided by the Council for their waste. Failure to comply with this notice may lead to the Council issuing a Fixed Penalty Notice and/or prosecution by the Council.

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

## **10.0 Risk & Opportunity Management Implications**

- 10.1 Without introducing such a policy the Council's annual expenditure on waste containers will continue to increase with over 4000 additional residential units forecast to be developed over the next 6 years. This increase in expenditure is at odds with the Councils Strategic Financial Plan which requires significant savings to be made from within the Council's Streetcare Contract within which waste & recycling services are delivered.
- 10.2 The policy stipulates that where residents do not purchase a replacement wheeled bin from the Council and fail to provide a compliant wheeled bin through another means then their waste will not be collected. There is existing legislation that would allow the Council to formally request that the resident provides adequate arrangements and thus minimises the risk of these instances occurring.
- 10.4 Implementing this policy provides the Council with an opportunity where practical to provide residents with a lesser capacity black wheeled bin that in turn will encourage more recycling through a need to manage their residual waste more effectively.

## **11.0 People Impact Assessment (PIA):**

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

## **12.0 Other Corporate Implications**

### Community Safety

- 12.1 Introduction of such a policy will encourage residents to manage their waste containers more responsibly and this should have a positive impact on the street scene which can also have a positive impact on how safe residents feel within their communities.

### Sustainability

- 12.2 Reducing the amount of money the Council spends on waste containers contributes to the Council's financial sustainability by off-setting the cost of the Council's Streetcare contract.

### Staffing & Trade Union

- 12.3 N/A

**Background Documents:** N/A

**Appendix 1 – Breakdown of Requests for Waste Containers 2013 – 2016 (to date)**

Description	2013	2014	2015	2016 up to 31/10)
Replace Existing Black Bin	1172	1266	1332	829
Provision of New Black Bin	635	726	727	450
<b> </b>				
Replace Existing Garden Waste Bin	151	178	445	246
Provision of New or 2 <sup>nd</sup> Garden Waste Bin	464	509	638	490
<b> </b>				
Replacement Existing Food Caddy	1569	1731	3868	1331
Provision of New Food Caddy	622	774	851	582
<b> </b>				
Replace Existing Recycling Box	2733	2405	3157	1283
Provision of New or 2 <sup>nd</sup> Recycling Box	2655	2648	3478	1578

## Appendix 2 – Benchmarking of Replacement Waste Container Policies

Local Authority	Charging Policy / Fees & Charges (Y / N)	One off Replacement Charge (£'s)	Concessionary Charge (£'s)	Additional Notes
Tewkesbury Borough Council	N			
Cheltenham Borough Council	Y	39.80 (180/190ltr) 84 (360ltr)	No	Damaged bins generally repaired or replaced it unless it was entirely destroyed by criminal activity in which case the replacement fee would be charged and the customer advised to claim against their home insurance policy.
Cotswold District Council	N	40 (garden waste wheeled bin)	N/A	This applies to wheeled bins that have been damaged by resident or have been lost or stolen
Forest of Dean District Council	N	N/A	N/A	N/A
Stroud District Council	Y	26	No	Fee applies where bin is damaged or can be proven to have been reported as stolen with Police Crime Reference Number
Peterborough City Council	N	N/A	N/A	N/A
Reigate & Banstead Borough Council	Y	30 (140ltr) 40 (240ltr)	No	N/A
Aylesbury Vale District Council	Y	30 (wheeled bin) 10 (food caddy)	No	N/A
Oxford City Council	Y	50 (wheeled bin)	N/A	N/A

## **Appendix 3 – Draft Replacement Waste Container Charging Policy**

### **Replacement Containers**

The Council has provided all existing households with a black wheeled bin for residual waste and an internal and external food caddy free of charge. All waste containers provided by the Council remain the property of the Council.

From 1<sup>st</sup> April 2017 the Council now charge for replacement black wheeled bins, replacement food caddies (internal or external) and green wheeled bins, according to the criteria below and at the cost published in the Councils Annual Fees & Charges.

The Council will cover the cost of a broken, damaged or lost wheeled bin or caddy if –

- a) The container is damaged or lost by the Councils waste collection crew or any contractor acting on behalf of the Council; or
- b) The container is stolen, in which case it should be reported to the police and a crime number obtained

To qualify for a free container, occupants reporting a missing or broken bin and requesting a replacement, are required to make an application online together with a signed declaration, prior to the bins being delivered. The declaration should confirm that the occupant has undertaken all reasonable enquiries to locate their bin(s) and the bin is in fact missing, lost or stolen

If the resident requires the Council to deliver their replacement container to their property then a £10.00 deliver charge will be applied. To avoid a delivery charge the customer can collect the container from the Councils Eastern Avenue Depot, Eastern Avenue, Gloucester, GL4 6PG.

Any wheeled bin or waste container that is damaged by the householder through misuse, loss or fire damage will be charged to replace the bin(s) at the current rate as published in the Councils Annual Fess & Charges. All waste containers remain the property of the Council.

A requirement of the Environmental Protection Act 1990 is that the resident may choose to provide their own containers. This is allowed as long as the containers meet the required specification. Bins must comply with the BS EN 840 standard and with t5he Councils specifications, dimensions, colours and markings. If your bins do not meet these criteria, then the Council will not collect them and note confirming why will be tagged to your bin.

Residents who do not acquire the appropriate container (either through the Council or privately) will not receive a collection service from the Council and in such cases the Council through service of a legal notice on the occupier (Environmental Protection Act 1990 – Section 46(3)) will formally request appropriate containers are provided.





<b>Meeting:</b>	<b>Overview &amp; Scrutiny Committee</b>	<b>Date:</b>	<b>9<sup>th</sup> January 2017</b>
	<b>Cabinet</b>		<b>11<sup>th</sup> January 2017</b>
<b>Subject:</b>	<b>Garden Waste Collection Service – Review of Charges</b>		
<b>Report Of:</b>	<b>Cabinet Member for Environment</b>		
<b>Wards Affected:</b>	<b>All</b>		
<b>Key Decision:</b>	<b>No</b>	<b>Budget/Policy Framework:</b>	<b>No</b>
<b>Contact Officer:</b>	<b>Lloyd Griffiths, Head of Neighbourhood Services</b>		
	<b>Email:</b>	<b><a href="mailto:lloyd.griffiths@gloucester.gov.uk">lloyd.griffiths@gloucester.gov.uk</a></b>	<b>Tel: 39(6355)</b>
<b>Appendices:</b>	<b>1. Benchmarking of Garden Waste Collection Service Charges</b> <b>2. Potential Financial Impact of Increasing GWCS Charge based on Demand</b>		

## FOR GENERAL RELEASE

### 1.0 Purpose of Report

1.1 This report reviews the current charging regime in place in respect of the Councils Garden Waste Collection Service and proposes changes that will properly recover the cost of delivering such a service whilst being mindful of ongoing financial challenges.

### 2.0 Recommendations

2.1 Overview & Scrutiny Committee is asked, subject to any recommendations it wishes to make to Cabinet, to **note** the contents of the report.

2.2 Cabinet is asked to **RESOLVE** that:

- (1) A fixed annual charge of £42.00 per bin be introduced for membership of the Garden Waste Collection Service in 2017/2018, with a concessionary charge of £24.00, and
- (2) A fixed annual charge of £44.00 per bin be introduced for the 2018/2019 membership period, with a concessionary charge of £26.00.

### 3.0 Background and Key Issues

3.1 The chargeable Garden Waste Collection Service ('the service') was introduced by the Council in April 2011 at a standard charge of £36, with a concession of 50% for those residents who are in receipt of Housing Benefit or Council Tax Benefit. These charges, although reviewed previously, have not increased since the introduction of the scheme. Collection of garden waste is a non-statutory function and was introduced by Councils as a way to meet statutory targets relating to recycling and diversion of waste from landfill.

- 3.2 The service provides a fortnightly collection of garden waste over 50 weeks of the year (the service is postponed for 2 weeks over Christmas and New Year) in a green wheeled bin for those residents who are members of the scheme. In 2015 the service was reviewed and a fixed annual subscription charge accompanied by a fixed annual renewal date (October) was introduced. This replaced the rolling 'opt in opt out' service which made administering the scheme resource intensive and costly. At this time the 50% concession was maintained.
- 3.3 Provision of the service is an important component of the Council's ambition to recycle/compost 50% of all material it collects by 2020. Since a charge was introduced, garden waste has consistently contributed around one third of all material diverted from landfill. In 2015/2016 over 5500t of garden waste was collected and subsequently processed into soil enhancing material.
- 3.4 Appendix 1 includes information from a benchmarking exercise of neighbouring Gloucestershire District Councils and a handful of Council's from other parts of England. Within this group of Council's the cost of delivering a garden waste collection service ranged from £28 - £58, with only one other Council in addition to us offering a concession of any type.
- 3.5 Only two of the Council's offered a direct debit discount with one Council accepting direct debit membership only. Nationally the cost of joining a Local Authority garden waste collection service ranges from £20 - £69. The charge of £42 for 2017/2018 and £44 for 2018/2019 proposed by this report would result in the Council providing a service that costs our residents £1.75 and £1.83 per available collection respectively over the next two annual membership periods. This is considered good value for money particularly compared to those schemes which are comparable in price but reduce their level of service during winter months, or in some cases withdraw their service.
- 3.6 This report proposes to maintain a concessionary charge whereby a resident who is in receipt of housing or council tax benefit would receive the existing discount of £18.00. This would result in the concessionary charges for 2017/2018 and 2018/2019 being £24.00 and £26.00 respectively.
- 3.7 At present 10% of members (2071) benefit from this concession. Offering such a concession is not a statutory obligation and when the charge of £18.00 is broken down, a member is currently paying approximately 0.75p per available collection and to have their renewal/sign up processed once a year. This charge does not cover the actual cost of delivering this service and therefore the increases proposed are still considered good value for money at £1.00 and £1.08 per collection over the next two membership periods.
- 3.8 Officers continue to undertake work to streamline the administration and processing of the scheme. A critical factor if we are to achieve this goal however is to encourage more members of the scheme to sign up or renew by direct debit and further work will be undertaken to achieve this moving forward.

#### **4.0 Asset Based Community Development**

4.1 N/A

## **5.1 Alternative Options Considered**

5.1 **Cease Operating the Service during Winter Months** – There are a number of Council's who reduce the frequency of collections or in some cases suspend their service during the winter months. This presents an opportunity to operate with fewer or no trucks during this period. Such an arrangement has been considered previously by officers but would not deliver savings as the resource in place to deliver the service during the winter months is contractual provided and the financial risks associated with removing this resource would lie with the Council.

5.2 **Retain Current Membership Fee of £36 but remove Concessionary Charge** – Implementing such a change would not generate the levels of additional income required to meet the Council's budget and provision of a concessionary charge to support those residents who require financial support is deemed important.

5.3 **Introduce Direct Debit Sign Up Only** – With channel shift an emerging priority for the Council and work already underway to try and streamline how the service is administered then it is essential we encourage as many customers as possible to sign up or renew by direct debit. Implementing such a change at this time would prove challenging due to other IT works underway across the Council and consideration to be given to its implementation during 2018.

5.4 **Offer 3 Year Sign Up (2017/2018 Season) for £100** – With further savings to be made moving forward, such an offer may be considered more useful to market in 2018/2019 and beyond in order to generate additional income in advance without the need for further price increases.

## **6.0 Reasons for Recommendations**

6.1 Since the introduction of a charge in April 2011 no increase has been applied. Many chargeable services the Council provide have seen year on year increases in order to generate additional income that will support the Council's savings plan.

6.2 The service is non-statutory and the proposed charge continues to provide a service that represents value for money.

6.3 The Council is required to make a significant amount of savings in 2017/2018 and increasing the charge will assist the Council in off-setting the cost of its biggest single contract from within which it is delivered, the Streetcare Contract.

6.4 If membership numbers continue to rise in excess of 20,000, additional resource to provide the service will need to be employed. Additional resource (i.e. 1 x Refuse Collection Vehicle, 1 x Driver and 2 x Loader) would be for the Council to fund in accordance with the terms of its Streetcare Contract and an increase in fees would offset this financial impact.

## **7.0 Future Work and Conclusions**

7.1 Subject to approval, Officers would ensure that any new fee structure is included within the Councils 2017/2018 Fees & Charges Report and subsequent 2017/2018 Fees & Charges Schedule.

7.2 Officers will continue to work on improving the administrative process that sits behind the service so that customers are receiving an efficient and effective service.

## **8.0 Financial Implications**

8.1 With delivery of the Councils Streetcare Contract costing £6,400,000 annually, the surplus generated through the service contributes towards offsetting this contract sum from within which it is delivered.

8.2 The Council's Financial Plan for 2017/2018 requires further significant savings to be made in respect of the Streetcare contract. Additional generation of income through utilising contract resource, in order to further off-set the contract sum is considered prudent.

8.3 Appendix 2 outlines the financial impact of the proposed charging regime based on varying demands for the service. In calculating financial impact the existing proportion of concessionary scheme members and direct debit members have been applied. Based on membership levels remaining unchanged, the proposed option would generate an additional £104,400 in 2017/2018 and a further £37,400 in 2018/2019, amounting to £141,800 over the next two annual subscription periods.

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

## **9.0 Legal Implications**

9.1 The Controlled Waste Regulations (CWR) 2012 allow for a Waste Collection Authority (WCA) such as a District Council to levy a charge for the collection of garden waste. The setting of a charge rests with the individual WCA but it should be at a "reasonable" level as provided by section 45(3)(b) of the Environmental Protection Act 1990. The Act does not define "reasonable" but it is generally taken to mean of a level that achieves full cost recovery of providing the service.

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

## **10.0 Risk & Opportunity Management Implications**

10.1 The main risk from making changes to the charging regime is that of a reduction in demand for the service. Appendix 2 assesses the financial impact of changes having regard to varying levels of demand. Minimising this risk can be off-set by continuing to provide a reliable and effective service.

10.2 Another perceived risk is that of an increase in fly-tipping as a result of charges increasing and membership of the scheme decreasing. Nationally there is no evidence to indicate that fly-tipping has increased as a result of introducing a charge or increasing the charge for a GWCS. There are several other outlets for garden waste including home composting, House Recycling Centre or use of a private contractor.

**11.0 People Impact Assessment (PIA):**

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

**12.0 Other Corporate Implications**

Community Safety

12.1 N/A

Sustainability

12.2 An increase in income generated by delivery of the GWCS contributes to the Council's financial sustainability by off-setting the cost of the Council's Streetcare contract.

Staffing & Trade Union

12.3 N/A

**Background Documents:** N/A

## Appendix 1 – Benchmarking of Garden Waste Collection Service Charges

Local Authority	Standard Charge per Bin (£'s)	Direct Debit Discount / Early Payment Discount	Concessionary Charge (£'s)	Frequency / Term of Service
Gloucester City Council	36	No	18	Fortnightly / 50 weeks of the Year
Tewkesbury Borough Council	42	No	No	Fortnightly / 50 weeks of the Year
Cheltenham Borough Council	38	2	No	Fortnightly / 50 weeks of the Year
Cotswold District Council	30	No	15	Weekly
Forest of Dean District Council	28	No	No	Fortnightly
Stroud District Council	36 (with an additional £20 in Year 1 for purchasing the bin)	No	No	February – November Service
Peterborough City Council	39 (one off £20 per additional bin)	No	No	Monthly collections in December & January
Reigate & Banstead Borough Council	55	No (DD customers only)	No	Fortnightly / 50 weeks of the Year
Oxford City Council	46	3	No	Fortnightly / 50 weeks of the Year

## Appendix 2 – Financial Impact of Increasing GWCS Charge based on Demand

Charging Option	Net Financial Position Resulting from Proposed Change ( + / - £'000s)			
	Current Membership Levels	-5% Drop Off	-10% Drop Off	- 15% Drop Off
Additional Income in 2017/2018 - £42 Fee & £24 concession	+ 104.4	+ 67.1	+ 29.9	+ 8.1
Additional Income in 2018/2019 - £44 Fee & £26 concession	+ 37.4	+ 35.5	+ 33.7	+ 31.8
<b>Additional Income Generated over 2 Years</b>	<b>+ 141.8</b>	<b>+ 102.6</b>	<b>+ 63.6</b>	<b>+ 39.9</b>

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