



Overview and Scrutiny Committee

Meeting: Monday, 27th November 2017 at 6.30 pm in Civic Suite, North Warehouse, The Docks, Gloucester, GL1 2EP

Membership:	Cllrs. Coole (Chair), Ryall (Vice-Chair), Finnegan (Spokesperson), Pearsall, Hilton, Lewis, Wilson, Dee, Hampson, Hawthorne, Melvin, Smith, Patel, Pullen and Taylor
Contact:	Simon Byrne Democratic and Electoral Services Officer 01452 396127 simon.byrne@gloucester.gov.uk

AGENDA

1.	APOLOGIES To receive any apologies for absence.
2.	DECLARATIONS OF INTEREST To receive from Members, declarations of the existence of any disclosable pecuniary, or non-pecuniary, interests and the nature of those interests in relation to any agenda item. Please see Agenda Notes.
3.	DECLARATION OF PARTY WHIPPING To declare if any issues to be covered in the Agenda are under party whip.
4.	MINUTES (Pages 7 - 12) To approve as a correct record the minutes of the meeting held on 30 th October 2017.
5.	PUBLIC QUESTION TIME (15 MINUTES) To receive any questions from members of the public provided that a question does not relate to: <ul style="list-style-type: none"> • Matters which are the subject of current or pending legal proceedings, or • Matters relating to employees or former employees of the Council or comments in respect of individual Council Officers
6.	PETITIONS AND DEPUTATIONS (15 MINUTES) To receive any petitions and deputations provided that no such petition or deputation is in relation to: <ul style="list-style-type: none"> • Matters relating to individual Council Officers, or • Matters relating to current or pending legal proceedings

7.	OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME AND COUNCIL FORWARD PLAN (Pages 13 - 36) To receive the latest version of the Committee's work programme and the Council's Forward Plan.				
8.	QUARTER 2 FINANCIAL MONITORING (Pages 37 - 50) To receive the report of the Cabinet Member for Performance and Resources which sets out financial monitoring report details including budget variances, year-end forecasts, and progress made against agreed savings targets for the 2nd quarter ended 30th September 2017.				
9.	MARKETING GLOUCESTER PERFORMANCE MONITORING (Pages 51 - 70) To receive the report of the Chief Executive of Marketing Gloucester concerning Marketing Gloucester's performance.				
10.	PUBLIC SPACE PROTECTION ORDERS (Pages 71 - 88) To consider the report of the Cabinet Member for Communities & Neighbourhoods on the introduction of Public Space Protection Orders.				
11.	EXCLUSION OF THE PRESS AND PUBLIC To resolve:- "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". <table> <tr> <th>Agenda Item No.</th><th>Description of Exempt Information</th></tr> <tr> <td>11</td><td>Paragraph 3: Information relating to the financial or business affairs of any particular person (including the authority holding that information).</td></tr> </table>	Agenda Item No.	Description of Exempt Information	11	Paragraph 3: Information relating to the financial or business affairs of any particular person (including the authority holding that information).
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12.	GOVERNANCE REVIEW: GLOUCESTERSHIRE AIRPORT (Pages 89 - 102) To consider the report of the Cabinet Member for Performance and Resources.				
13.	DATE OF NEXT MEETING 27th November 2017 at 6:30pm in the Civic Suite, North Warehouse.				


Jon McGinty
Managing Director

Date of Publication: Friday, 17 November 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 <ul style="list-style-type: none"> (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) – <ul style="list-style-type: none"> (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 – <ul style="list-style-type: none"> (a) that body (to your knowledge) has a place of business or land in the Council's area and (b) either – <ul style="list-style-type: none"> 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

Agendas and reports can be viewed on the Gloucester City Council website: www.gloucester.gov.uk and are available to view five working days prior to the meeting date.

For further details and enquiries about this meeting please contact Simon Byrne, 01452 3961276, simon.byrne@gloucester.gov.uk.

For general enquiries about Gloucester City Council’s meetings please contact Democratic Services, 01452 396126, 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

Please be aware that meetings may be recorded. There is no requirement for those wishing to record proceedings to notify the Council in advance; however, as a courtesy, anyone wishing to do so is advised to make the Chair aware before the meeting starts.

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

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions:

- 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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OVERVIEW AND SCRUTINY COMMITTEE

MEETING : Monday, 30th October 2017

PRESENT : Cllrs. Coole (Chair), Ryall (Vice-Chair), Finnegan (Spokesperson), Pearsall, Hilton, Wilson, Dee, Hampson, Hawthorne, Smith, Patel, Pullen and Taylor

Others in Attendance

Philip Ardley, Major Projects Consultant
Lloyd Griffiths
Ruth Saunders
Simon Byrne, Democratic and Electoral Services Officer
Tanya Davies, Policy and Governance Manager

APOLOGIES : Cllrs. Lewis and Melvin

49. DECLARATIONS OF INTEREST

49.1 There were no declarations of interest.

50. DECLARATION OF PARTY WHIPPING

50.1 There were no declarations of an existence of a party whip.

51. MINUTES

51.1 That the minutes of the meeting held on the 2nd October 2017 be confirmed as a correct record and signed by the Chair, with the addition of apologies from Councillors Ryall and Pearsall.

52. PUBLIC QUESTION TIME (15 MINUTES)

52.1 There were no questions submitted by the public.

53. PETITIONS AND DEPUTATIONS (15 MINUTES)

53.1 There were no petitions or deputations.

54. OVERVIEW AND SCRUTINY ACTION PLAN

OVERVIEW AND SCRUTINY COMMITTEE
30.10.17

54.1 The Chair advised the Committee that one item was outstanding, namely to provide ASIST training for members. He confirmed that he would ask the Member Development Working Group to add an evening training session to the programme of development.

54.2 **RESOLVED** - That the Action Plan be updated to reflect the discussion.

55. OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME AND COUNCIL FORWARD PLAN

55.1 The Committee considered the Work Programme and Council Forward Plan.

55.2 Councillor Hilton queried the absence of Public Space Protection Orders from the forward plan given it was due to be examined by Cabinet. He suggested the Committee approach this after the relevant consultation. The Chair indicated that this would be examined.

55.3 The Chair raised the Committee's statutory obligations to monitor the Community Safety Partnership. The Committee explored options of meeting to discuss this and agreed on scheduling it for the meeting on 29th January 2018.

55.4 A discussion took place regarding whether to treat the two items on AMEY as one. The Committee agreed to have them discussed at the same meeting but as two, separate items.

55.5 The Chair made the Committee aware of the intention to take agenda item 10 – Seagull Management for 2018/19 - prior to agenda item 9 – Regeneration at King's Quarter.

55.6 **RESOLVED** - To amend the work programme as follows:

- Add the report on Public Space Protections Orders to the work programme once a date for consideration by Cabinet is been confirmed.
- Defer the Amey Management Update on Supervision of the Grounds Crew from the 29 November 2017 meeting to the 8 January 2018 meeting.
- Add Community Safety Partnership monitoring to the 29th January 2018 meeting.

56. SEAGULL MANAGEMENT FOR 2018/2019

56.1 The Committee considered a report of the Cabinet Member for Environment concerning seagull management for 2018/19.

56.2 The Chair welcomed Councillor Cook and the Head of Communities to the meeting.

OVERVIEW AND SCRUTINY COMMITTEE
30.10.17

- 56.3 The Head of Communities provided an overview of the report explained the preferred option.
- 56.4 Councillor Wilson noted that the level of complaints remained at a steady level and questioned whether the number of complaints indicated a level of seagull displacement.
- 56.5 Councillor Hampson shared his experience and perception that there has been displacement of gulls from the City Centre to other wards and enquired as to whether any action was planned to investigate this. He further queried whether there was any requirement for developers to consider gull prevention measures as part of the planning process.
- 56.6 Councillor Pullen strongly requested that work was conducted to address the displacement of gulls having received numerous complaints from residents of his ward.
- 56.7 The Vice-Chair asked whether more detail on the survey could be provided, chiefly in the matter of its scientific basis and whether it could be consider a valid form of measurement.
- 56.8 The Head of Communities stated that there had not been a great deal of research conducted on gull breeding and that the contractors engage in high level inspections of sites when looking for areas with a high breeding rate. He further stated that other local authorities had used this method and that the survey would include the residential areas that Members raised. It was also indicated that relevant variance can be 'in-built' to the design of the survey.
- 56.9 Councillor Hilton enquired as to whether the introduction of food caddies for the disposal of waste had reduced the propensity of gulls to congregate around the Gloucester Household Recycling Centre and further enquired about the Centre's proposed closure.
- 56.10 Councillor Cook confirmed that the Recycling Centre was due to close towards the end of 2019 or early 2020 and that less food waste was going to this centre.
- 56.11 The Chair noted the reduction in funding for the programme if the survey went ahead and asked how it would affect the continuation of its work.
- 56.12 Councillor Patel expressed further concern that the allocated budget was not adequate for the scale of the task and that the displacement of gulls was becoming a serious issue.
- 56.13 Councillor Dee explained that he understood the budgetary constraints. He also expressed that people feeding gulls exacerbated the issue and recommended publishing some public information on this.

OVERVIEW AND SCRUTINY COMMITTEE
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- 56.14 Councillor Hawthorne raised the matter of gulls' laying eggs in April and whether officers of the Council were confident the programme could be effected in timely preparation for this.
- 56.15 The Head of Communities confirmed that they were confident of having the programme in place at a time commensurate with breeding patterns.
- 56.16 With regard to the discussion, the Head of Communities stated that the complaints received were, in the main, related to the feeding of gulls and, as such, did not give an indication of displacement or otherwise. He expressed his appreciation for the points raised by members on the displacement of gulls and that the proposed 2018 survey would look at this question. He further stated that if displacement were to be shown in the survey, guidance would be provided to residents to aid assistance on the issue. It was also confirmed that, upon approval by the Council, a package of public information on the issue will be built.

56.17 RESOLVED TO RECOMMEND TO CABINET -

- (1) To procure a contract for a Gloucester City Gull Survey to be carried out during 2018 from within the existing gull management budget (cost – circa £4000 - £6000);
- (2) To procure a contract to continue undertaking a nest & egg removal programme across a reduced number of the existing identified sites (these to be determined through agreement with the contractor upon procurement) or a reduced number of visits across the full range of sites (value - circa £14,000 - £16,000), and
- (3) To use the results of the 2018 Gloucester City Gull Survey to inform our nest & egg removal programme for 2019 and beyond and in particular the location of sites to be focussed on.

57. REGENERATION AT KINGS QUARTER

- 57.1 The Committee considered a report of the Cabinet Member for Regeneration and Economy concerning regeneration at Kings Quarter.
- 57.2 The Chair welcomed Councillor James and Regeneration Consultant, Mr Philip Ardley.
- 57.3 Mr Ardley presented the report, detailing that the proposed business plan had been agreed and that the Council was in the process of procuring a planning team and specialist architects.
- 57.4 Councillor Pullen questioned whether there was any detail on discussions with Debenhams given their status as a major stakeholder in regeneration in the City. He also queried to what extent a Civic Centre was being explored and whether there were any plans to develop such a venture.

OVERVIEW AND SCRUTINY COMMITTEE
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- 57.5 Councillor Hilton shared his view that Gloucester City Council should consider moving to King's Quarter and that doing so would encourage small businesses to trade there. He further suggested that the Council should seriously consider a market in King's Quarter as it would attract custom and be more successful than if it remained in its current location.
- 57.6 Councillor Pullen enquired whether a 'food hub' would serve as a replacement to the market at Eastgate and, if not, was there the potential for a clash of businesses. Mr Ardley advised that they could operate on a complementary basis if set up correctly with this in mind.
- 57.7 Mr Ardley explained the forthcoming planning application would be for Kings Square and the building overlooking the square, currently home to the Chambers public house. He added that there no firm plans to develop a Civic Centre at the site. He confirmed that both Debenhams and Aviva were involved in discussions about the regeneration of the area.
- 57.8 Councillor James elaborated on the work being undertaken on whether building an indoor market was viable. He stated that he hoped there would be further detail by the end of the year. He also posited that a food hub as described in the proposals would attract capital investment to the area. He added the option of moving the Council offices to Kings Quarter would be explored.
- 57.9 **RESOLVED** - That the progress made with the Kings Quarter regeneration be noted.

58. EXCLUSION OF THE PRESS AND PUBLIC

- 58.1 **RESOLVED** - 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 Paragraph 3 of Schedule 12A of the Local Government Act 1972 as amended.

59. REGENERATION AT ST. OSWALD'S RETAIL PARK

- 59.1 The Committee considered a report of the Cabinet Member for Regeneration and Economy concerning regeneration at St Oswald's Retail Park.
- 59.2 **RESOLVED TO RECOMMEND TO CABINET** – That they proceed with the course of action recommended in the exempt report.

60. DATE OF NEXT MEETING

- 60.1 27th November 2017 at 6:30pm in the Civic Suite, North Warehouse.

Time of commencement: 6.30 pm hours

OVERVIEW AND SCRUTINY COMMITTEE
30.10.17

Time of conclusion: 7.47 pm hours

Chair

OVERVIEW AND SCRUTINY COMMITTEE – 17 NOVEMBER 2017

ACTION PLAN

MINUTE NO.	MATTER	CURRENT STATUS	RAG	TARGET DATE	OWNER
<u>Actions arising from meeting held on 12 June 2017:</u>					
9.10	Support the monitoring of the Task and Finish Group on Employment and Skills through quantitative and qualitative case studies.	The Head of Place agreed to explore this in further detail and consider what evidence could be used to support the progress made against recommendations.	A	Summer 2018	AH
9.11	Explore options in committing Developers to source local employment relation to the City's capital projects	The Head of Place agreed to explore commitment s with Developers in relation to local employment.	A	Summer 2018	AH
<u>Actions arising from meeting held on 10 July 2017:</u>					
9.21	Amey annual KPIs to include a qualitative and thematic breakdown on the nature of the complaints received.	Cabinet Member for Environment and Corporate Director to consider this in discussions with Amey.	A	TBC	RC/JL
<u>Actions arising from meeting held on 09 September 2017:</u>					
35.3	Organise ASIST Training for Members	Chair to ask the Member Development Working Group to organise training in an evening at Gloucester City Council so as many members could attend.	A	December 2017	SB

PLEASE NOTE: Rolling agenda items requested by the Committee have not been included above but have been included on the Overview and Scrutiny Committee

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Gloucester City Council

Overview and Scrutiny Committee Work Programme

Updated 06 November 2017

Item	Format	Lead Member (if applicable)/Lead Officer	Comments
27 November 2017			
Marketing Gloucester Performance Monitoring	Written Report	Cabinet Member for Culture and Leisure	Part of Committee's Rolling programme of work
Quarter 2 Financial Monitoring	Written reports	Cabinet Member for Performance and Resources	Part of Committee's Rolling programme of work
Public Space Protection Orders	Written Report	Cabinet Member for Communities and Neighbourhoods	Requested by the Committee
Governance Review Gloucestershire Airport Summary of decision: To seek approval for the revised governance arrangements.	Written report	Leader of the Council	Requested by the Committee
4 December 2017			
BUDGET MEETING – NO OTHER ITEMS			Part of Committee's Rolling programme of work
8 January 2018			
Amey Management Update on Grounds Maintenance Schedule	Presentation/Written report	Cabinet Member for Environment	Requested by the Committee
Amey Management Update on Supervision of the Grounds Crew	Presentation/Written report	Cabinet Member for Environment	Requested by the Committee
Report on the Peer Review	Written report	Leader of the Council	Requested by the Committee
Festivals and Events Programme	Written report	Cabinet Member for Culture	Requested by Committee

Item	Format	Lead Member (if applicable)/Lead Officer	Comments
Summary of decision: To seek approval for the 2018-19 Festival and Events Programme. Wards affected: All Wards		and Leisure	
The Fleece Inn- Gloucester Summary of decision: To provide an update on the development of the Fleece Hotel Wards affected: Westgate	Written report	Cabinet Member for Regeneration and Economy	Requested by Committee
29 January 2018			
Community Safety Partnership	Written Report	Emily Jones	Requested by Committee
Task and Finish Group Update	Verbal Update		Requested by Lead Members
No Current Date for Item			
Deriving Social Benefit from Regeneration Summary of decision: To update Members on current progress and future plans to ensure a positive impact of regeneration and economic growth for disadvantaged communities within the City. Wards affected: All Wards	Written Report	Anthony Hodge/ Anne Brinkhoff	Requested by Lead Members of Overview and Scrutiny 30/5/17
Review of Green Travel Plan	Written report	Cabinet Member for	Requested by Committee for September

Item	Format	Lead Member (if applicable)/Lead Officer	Comments
		Environment	2018
GCC Annual Performance Monitoring	Written Report	Cabinet Member for Performance and Resources	Part of Committee's Rolling programme of work

NOTE: The work programme is agreed by the Chair, Vice-Chair and Spokesperson of the Overview and Scrutiny Committee

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FORWARD PLAN

FROM NOVEMBER TO FEBRUARY 2018

This Forward Plan contains details of all the matters which the Leader believes will be the subject of a Key Decision by the Cabinet or an individual Cabinet Member in the period covered by the Plan (the subsequent 12 months). A Key Decision is one that is:

- a decision in relation to a Cabinet function which results in the Local Authority incurring expenditure or making of a saving which is significant having regard to the budget for the service or function to which the decision relates; or
- a decision that is likely to have a significant impact on two or more wards within the Local Authority; or
- a decision in relation to expenditure in excess of £100,000 or significant savings; or
- a decision in relation to any contract valued in excess of £500,000

A decision maker may only make a key decision in accordance with the requirements of the Cabinet Procedure Rules set out in Part 4 of the Constitution.

Cabinet Members

Portfolio	Name	Contact Details
Leader and Regeneration & Economy (LRE)	Councillor Paul James	6 Mainard Square, Longlevens, Gloucester GL2 0EU Tel: 396151 paul.james@gloucester.gov.uk
Deputy Leader and Communities & Neighbourhoods (C&N)	Councillor Jennie Watkins	14 Topcliffe Street, Kingsway, Gloucester, GL2 2ES Tel: 07912450049 jennie.watkins@gloucester.gov.uk
Culture & Leisure (C&L)	Councillor Lise Noakes	14 Middle Croft, Abbeymead, Gloucester GL4 4RL Tel: 01452 610702 lise.noakes@gloucester.gov.uk
Performance & Resources (P&R)	Councillor David Norman MBE	50 Coltishall Close, Quedgeley, Gloucester GL2 4RQ Tel: 07970593780 david.norman@gloucester.gov.uk
Housing & Planning (H&P)	Councillor Colin Organ	337 Stroud Road, Gloucester GL4 0BA Tel: 07767350003 colin.organ@gloucester.gov.uk
Environment (E)	Councillor Richard Cook	101 Woodvale, Kingsway, Gloucester GL2 2BU Tel: 07889534944 richard.cook@gloucester.gov.uk

The Forward Plan also includes Budget and Policy Framework items; these proposals are subject to a period of consultation and the Overview and Scrutiny Committee has the opportunity to respond in relation to the consultation process.

A Budgetary and Policy Framework item is an item to be approved by the full City Council and, following consultation, will form the budgetary and policy framework within which the Cabinet will make decisions.

For each decision included on the Plan the following information is provided:

- (a) the matter in respect of which a decision is to be made;
 - (b) where the decision maker is an individual, his/her name and title if any and, where the decision maker is a body, its name and details of membership;
 - (c) the date on which, or the period within which, the decision is to be made;
 - (d) if applicable, notice of any intention to make a decision in private and the reasons for doing so;
 - (e) a list of the documents submitted to the decision maker for consideration in relation to the matter in respect of which the decision is to be made;
 - (f) the procedure for requesting details of those documents (if any) as they become available
- (the documents referred to in (e) and (f) above and listed in the Forward Plan are available on request from the Council's main offices at Herbert Warehouse, The Docks, Gloucester GL1 2EQ. Contact the relevant Lead Officer for more information).

The Forward Plan is updated and published on Council's website at least once a month.

KEY	= Key Decision	CM KEY	= Individual Cabinet Member Key Decisions
NON	= Non-Key Decision	CM NON	= Individual Cabinet Member Non-Key Decision
BPF	= Budget and Policy Framework		

CONTACT:

For further detailed information regarding specific issues to be considered by the Cabinet/Individual Cabinet Member please contact the named contact officer for the item concerned. To make your views known on any of the items please also contact the Officer shown or the portfolio holder.

Copies of agendas and reports for meetings are available on the web site in advance of meetings.

For further details on the time of meetings and general information about the Plan please contact:

Tanya Davies, Policy and Governance Manager on 01452 396125 or send an email to tanya.davies@gloucester.gov.uk.

SUBJECT (and summary of decision to be taken)		PLANNED DATES	DECISION MAKER & PORTFOLIO	NOTICE OF PRIVATE BUSINESS (if applicable)	RELATED DOCUMENTS (available on request, subject to restrictions on disclosure)	LEAD OFFICER (to whom Representations should be made)
DECEMBER 2017						
Page 21	Strategic Risk Register <u>Summary of decision:</u> To update Members on the Council's Strategic Risk Register <i>Wards affected: All Wards</i>	20/11/17 6/12/17	Audit and Governance Committee Cabinet Cabinet Member for Performance and Resources			Stephanie Payne, Group Manager, Audit, Risk and Assurance Tel: 01452 396432 stephanie.payne@gloucester.gov.uk
	Treasury Management Six Monthly Update 2016/17 Report <u>Summary of decision:</u> To update Cabinet on treasury management activities. <i>Wards affected: All Wards</i>	6/12/17	Cabinet Cabinet Member for Performance and Resources			Jon Topping, Head of Policy and Resources Tel: 01452 396242 jon.topping@gloucester.gov.uk

	<p>Financial Monitoring Quarter 2 Report</p> <p><u>Summary of decision:</u> To receive an update on financial monitoring information for the second quarter 2017/18.</p> <p><i>Wards affected: All Wards</i></p>	6/12/17	Cabinet Cabinet Member for Performance and Resources			Jon Topping, Head of Policy and Resources Tel: 01452 396242 jon.topping@gloucester.gov.uk
KEY	<p>Governance Review Gloucestershire Airport</p> <p><u>Summary of decision:</u> To seek approval for the revised governance arrangements.</p> <p><i>Wards affected: All Wards</i></p>	6/12/17 25/01/18	Cabinet Council Leader of the Council			Jon Topping, Head of Policy and Resources Tel: 01452 396242 jon.topping@gloucester.gov.uk
	<p>Draft Budget Proposals (including Money Plan and Capital Programme) Report</p> <p><u>Summary of decision:</u> To update Cabinet on the draft budget proposals</p> <p><i>Wards affected: All Wards</i></p>	27/11/17 6/12/17	Overview and Scrutiny Committee Cabinet Cabinet Member for Performance and Resources			Jon Topping, Head of Policy and Resources Tel: 01452 396242 jon.topping@gloucester.gov.uk

	Public Space Protection Orders	6/12/17	Cabinet Cabinet Member for Communities and Neighbourhoods			Emily Jones, Community Engagement Officer emily.jones@gloucester.gov.uk
	Future Programme for Gull Control <u>Summary of decision:</u> To provide Cabinet with options for the future control and costs to reduce the gull breeding population in the city. <i>Wards affected: All Wards</i>	6/12/17	Cabinet Cabinet Member for Environment			Yvonne Welsh, Environmental Health Practitioner yvonne.welsh@gloucester.gov.uk
Page 23 BPF	Local Council Tax Support scheme review 2018/19 Report <u>Summary of decision:</u> To advise members of the requirement to review the Local Council Tax Support scheme (LCTS) 3 years of the Act taking effect and consider its impact locally, following the consultation results. <i>Wards affected: All Wards</i>	6/12/17 25/01/18	Cabinet Council Cabinet Member for Performance and Resources			Jon Topping, Head of Policy and Resources Tel: 01452 396242 jon.topping@gloucester.gov.uk

	<p>The Fleece Inn- Gloucester Report</p> <p><u>Summary of decision:</u> To provide an update on the development of the Fleece Hotel</p> <p><i>Wards affected: Westgate</i></p>	6/12/17	Cabinet Cabinet Member for Regeneration and Economy			<p>Anthony Hodge, Head of Place Tel: 01452 396034 anthony.hodge@gloucester.gov.uk</p>
JANUARY 2018						
Page 24	<p>Government's National Litter Strategy</p> <p><u>Summary of decision:</u> To consider the Council's response to the Government's National Litter Strategy</p> <p><i>Wards affected: All Wards</i></p>	10/01/18	Cabinet Cabinet Member for Environment			<p>Meyrick Brentnall, City Improvement and Environment Manager Tel: 01452 396829 meyrick.brentnall@gloucester.gov.uk</p>
	<p>Green Travel Plan Progress Report 2017 and Update</p> <p><u>Summary of decision:</u> Annual update on initiatives in the Green Travel Plan</p> <p><i>Wards affected: All Wards</i></p>	10/01/18	Cabinet Cabinet Member for Environment			<p>Lloyd Griffiths, Head of Communities lloyd.griffiths@gloucester.gov.uk</p>

<p>Deriving Social Benefit from Regeneration Report</p> <p><u>Summary of decision:</u> To update Members on current progress and future plans to ensure a positive impact of regeneration and economic growth for disadvantaged communities within the City.</p> <p><i>Wards affected: All Wards</i></p>	<p>10/01/18</p>	<p>Cabinet Cabinet Member for Communities and Neighbourhoods, Cabinet Member for Regeneration and Economy</p>			<p>Anne Brinkhoff, Corporate Director, Anthony Hodge, Head of Place anne.brinkhoff@gloucester.gov.uk, Tel: 01452 396034 anthony.hodge@gloucester.gov.uk</p>
<p>Festivals and Events Programme Report</p> <p><u>Summary of decision:</u> To seek approval for the 2018-19 Festival and Events Programme.</p> <p><i>Wards affected: All Wards</i></p>	<p>10/01/18</p>	<p>Cabinet Cabinet Member for Culture and Leisure</p>			<p>Jonathan Lund, Corporate Director jonathan.lund@gloucester.gov.uk</p>

	<p>Gloucester Culture Trust Update Report</p> <p><u>Summary of decision:</u> To provide Members with an update on the work undertaken by the Gloucester Culture Update</p> <p><i>Wards affected: All Wards</i></p>	10/01/18	Cabinet Cabinet Member for Culture and Leisure			Jonathan Lund, Corporate Director jonathan.lund@gloucester.gov.uk
Page 26	<p>Purple Flag Action Plan Report</p> <p><u>Summary of decision:</u> To review and approve the action flag in relation to the achieving purple flag status.</p> <p><i>Wards affected: Westgate</i></p>	10/01/18	Cabinet Cabinet Member for Communities and Neighbourhoods			Ismael Rhyman, City Centre Improvement Officer ismael.rhyman@gloucester.gov.uk
	<p>Review of the Economy Development Strategy Report</p> <p><u>Summary of decision:</u> To conduct a review of the current Economic Development Strategy.</p> <p><i>Wards affected: All Wards</i></p>	10/01/18	Cabinet Cabinet Member for Regeneration and Economy			David Evans, City Growth and Delivery Manager david.evans@gloucester.gov.uk

FEBRUARY 2018

BPF	Council Tax Setting 2018/19	7/02/18	Cabinet			Jon Topping, Head of Policy and Resources Tel: 01452 396242 jon.topping@gloucester.gov.uk
		22/02/18	Council Cabinet Member for Performance and Resources			
	<u>Summary of decision:</u> To seek approval for the resolutions relating to the setting of Council Tax for 2018/19 <i>Wards affected: All Wards</i>					

MARCH 2018

Page 27	Pay Policy Statement 2018-19	22/02/18	Council			Jon Topping, Head of Policy and Resources Tel: 01452 396242 jon.topping@gloucester.gov.uk
		7/03/18	Cabinet Cabinet Member for Performance and Resources			
	<u>Summary of decision:</u> To seek approval for the annual Pay policy Statement 2018-19 in accordance with Section 38 of the Localism Act 2011. <i>Wards affected: All Wards</i>					

Page 28	Treasury Management Strategy <u>Summary of decision:</u> To seek approval for the Treasury Management Strategy. <i>Wards affected: All Wards</i>	7/03/18 22/03/18	Cabinet Council Cabinet Member for Performance and Resources			Jon Topping, Head of Policy and Resources Tel: 01452 396242 jon.topping@gloucester.gov.uk
	Financial Monitoring Quarter 3 Report <u>Summary of decision:</u> To receive an update on financial monitoring information for the third quarter 2017/18. <i>Wards affected: All Wards</i>	7/03/18	Cabinet Cabinet Member for Performance and Resources			Jon Topping, Head of Policy and Resources Tel: 01452 396242 jon.topping@gloucester.gov.uk

	<p>Matson and Podsmead Estate Regeneration</p> <p><u>Summary of decision:</u> to outline the development proposals for the regeneration of estates within Matson and Podsmead.</p> <p><i>Wards affected: Matson and Robinswood; Podsmead</i></p>	7/03/18	Cabinet Cabinet Member for Regeneration and Economy			<p>Anthony Hodge, Head of Place Tel: 01452 396034 anthony.hodge@gloucester.gov.uk</p>
APRIL 2018- Items to be advised						
JUNE 2018						
	<p>2017-18 Financial Outturn Report</p> <p><u>Summary of decision:</u> To update Cabinet on the Financial Outturn Report 2017-18.</p> <p><i>Wards affected: All Wards</i></p>	13/06/18	Cabinet Cabinet Member for Performance and Resources			<p>Jon Topping, Head of Policy and Resources Tel: 01452 396242 jon.topping@gloucester.gov.uk</p>

Page 30	Treasury Management Six Monthly Update 2017/18 <u>Summary of decision:</u> To update Cabinet on treasury management activities. <i>Wards affected: All Wards</i>	13/06/18	Cabinet Cabinet Member for Performance and Resources			Jon Topping, Head of Policy and Resources Tel: 01452 396242 jon.topping@gloucester.gov.uk
	Strategic Risk Register <u>Summary of decision:</u> To update Members on the Council's Strategic Risk Register <i>Wards affected: All Wards</i>	13/06/18	Cabinet Cabinet Member for Performance and Resources			Stephanie Payne, Group Manager, Audit, Risk and Assurance Tel: 01452 396432 stephanie.payne@gloucester.gov.uk
	JULY 2018					
	City Centre Investment Fund Allocations and Update <u>Summary of decision:</u> To update Members on the progress towards the delivery of the City Centre Investment Fund <i>Wards affected: Westgate</i>	11/07/18	Cabinet Cabinet Member for Regeneration and Economy			Anthony Hodge, Head of Place Tel: 01452 396034 anthony.hodge@gloucester.gov.uk

	Social Impact Bond- Mid Term Update <u>Summary of decision:</u> To receive an mid- term update on the Gloucestershire Social Impact Bond/. <i>Wards affected: All Wards</i>	11/07/18	Cabinet Cabinet Member for Housing and Planning			Helen Chard, Housing Manager Tel: 01452 396534 helen.chard@gloucester.gov.uk
AUGUST 2018- No meetings						
SEPTEMBER 2018						
Page 31	Financial Monitoring Quarter 1 Report <u>Summary of decision:</u> To receive an update on financial monitoring information for the first quarter 2018/19 <i>Wards affected: All Wards</i>	3/09/18	Overview and Scrutiny Committee			Jon Topping, Head of Policy and Resources Tel: 01452 396242 jon.topping@gloucester.gov.uk
		12/09/18	Cabinet Cabinet Member for Performance and Resources			
OCTOBER 2018						

Page 32	<p>Energy Costs and Reduction Projects Annual Report</p> <p><u>Summary of decision:</u> To update Cabinet on the City Council Energy Costs and Reduction Projects.</p> <p><i>Wards affected: All Wards</i></p>	10/10/18	Cabinet Cabinet Member for Performance and Resources			Anthony Hodge, Head of Place Tel: 01452 396034 anthony.hodge@gloucester.gov.uk
	<p>Armed Forces Community Covenant Update</p> <p><u>Summary of decision:</u> To update Cabinet on the work done by Gloucester City Council to support current and ex-service personnel as part of the Gloucestershire Armed Forces Community Covenant.</p> <p><i>Wards affected: All Wards</i></p>	10/10/18	Cabinet Cabinet Member for Communities and Neighbourhoods			Lloyd Griffiths, Head of Communities lloyd.griffiths@gloucester.gov.uk

NOVEMBER 2018

KEY	<p>Review of Shopmobility Fee Schedule</p> <p><u>Summary of decision:</u> To seek approval to review the current charging schedule for the Shopmobility Service</p> <p><i>Wards affected: All Wards</i></p>		Cabinet Cabinet Member for Culture and Leisure			Lucy Chilton, Visitor Experience Manager Tel: 01452 396570 lucy.chilton@gloucester.gov.uk
KEY	<p>Gloucester Social Enterprise Partnership</p> <p><u>Summary of decision:</u> To develop a Gloucester Social Enterprise Partnership</p> <p><i>Wards affected: All Wards</i></p>		Cabinet			
KEY	<p>Housing Development Company</p> <p><u>Summary of decision:</u> To seek approval to establish a housing development company.</p> <p><i>Wards affected: All Wards</i></p>		Cabinet Cabinet Member for Regeneration and Economy			Jon McGinty, Managing Director jon.mcginity@gloucester.gov.uk

	<p>Energy Savings Projects Report</p> <p><u>Summary of decision:</u> To update Cabinet on the City Council Energy Costs and Reduction Projects.</p> <p><i>Wards affected: All Wards</i></p>		<p>Cabinet Cabinet Member for Environment</p>			<p>Meyrick Brentnall, City Improvement and Environment Manager Tel: 01452 396829 meyrick.brentnall@gloucester.gov.uk</p>
<p>Page 35</p>	<p>Air Quality Management Areas</p> <p><u>Summary of decision:</u> To seek approval to review the air quality management areas within the City.</p> <p><i>Wards affected: All Wards</i></p>		<p>Cabinet Cabinet Member for Environment</p>			<p>Wayne Best, Environmental Protection Service Manager wayne.best@gloucester.gov.uk</p>

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Meeting:	Cabinet Briefing Overview and Scrutiny Cabinet	Date:	15th November 2017 27th November 2017 6th December 2017
Subject:	Financial Monitoring Quarter 2		
Report Of:	Cabinet Member for Performance and Resources		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Andrew Cummings, Accountancy Manager		
	Email: andrew.cummings@gloucester.gov.uk Tel: 396242		
Appendices:	1. Progress against savings targets 2. Capital monitoring		

FOR GENERAL RELEASE

1.0 Purpose of Report

- 1.1 For Cabinet to note year-end forecasts, and progress made against agreed savings targets for the 2nd quarter ended 30th September 2017.

2.0 Recommendations

- 2.1 Overview & Scrutiny Committee is asked to, 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 it be noted that:
- 1) The savings achieved in year to date total £1.694 million with a further £511k in progress.
 - 2) The forecast year end position is currently for a reduction to the Council's General Fund balance of £163k.
 - 3) The details of specific budgetary issues identified by officers and the actions being taken to address those issues
 - 4) The current level of Capital expenditure as shown on Appendix 2.

3.0 Background and Key Issues

- 3.1 The figures contained within this report forecast the best estimate at the current time of the year-end position on the Council's General Fund.
- 3.2 A summary table below shows the projected position for each portfolio with a further detailed table analysing the variances in more detail.

4.0 Whole Council Summary

- 4.1 The forecast position is a reduction of the Council's General Fund by £163k as shown in the table below. This is an improvement of £198k since Quarter 1 as forecasts have improved in a number of areas. This report will largely focus on significant changes and risks that have developed or arisen in the second Quarter.

Council Summary	17/18 Budget	Actual	17/18 Forecast	Variance	Change from Q1
Regeneration and Economy	(1,364)	(18,896)	(1,097)	266	28
Communities and Neighbourhoods	701	298	724	22	(30)
Performance and Resources	5,109	2,578	5,119	11	(2)
Culture	1,032	1,018	1,239	207	(5)
Planning and Housing	1,092	278	1,358	266	64
Environment	3,549	1,428	3,515	(34)	(71)
Corporate and Funding	(10,119)	12,801	(10,694)	(575)	(181)
Total	0	(495)	164	163	(198)

- 4.2 This position includes a full estimate of the likely impact of the Together Gloucester Savings programme. It is now clear that the restructure has removed the targeted £1m from budgets and an additional £230k. This additional saving is being held within the "Corporate and Funding" line and is contributing to the underspend in that section.
- 4.3 The staff restructuring arising out of the Together Gloucester project is largely complete and the authority has incurred redundancy costs in year. These costs are to be met from capital receipts as agreed in the Council's flexible use of Capital Receipts policy. This means that they will have no final impact upon the General Fund and are not included within the forecasts in this report.
- 4.4 The restructuring of staff structure has had minimal impact on portfolio organisation and therefore the format of reporting in this document remains largely intact with only a few minor changes.
- 4.5 The Kings Walk shopping centre deal has resulted in a significant cash inflow to the Authority which is either earmarked for capital works or to be held in reserve for future repair costs at the centre. Where income from investment properties exceeds the budgeted amounts as a result of the Kings Walk deal any surplus will be added to the sinking fund as a protection against future costs.

5.0 Regeneration and Economy

Regeneration and Economy	17/18 Budget	Actual	17/18 Forecast	Variance	Change from Q1
ED and Regeneration	210	159	235	25	(23)
Asset Management	891	675	964	72	35
Commercial Property	(1,598)	(19,580)	(1,591)	7	(45)
Parking	(1,006)	(235)	(1,006)	0	(42)
Senior Management	463	204	471	8	39
Markets and Street Trading	(324)	(119)	(170)	154	64
Total	(1,364)	(18,896)	(1,097)	266	28

- 5.1 This portfolio is currently forecasting a deficit of £266k, a slight increase in the deficit since Quarter 1.
- 5.2 The overall forecast for Economic Development and Regeneration has reduced by £23k in the quarter. Estimated costs have reduced in a number of areas, most particularly advertising and publicity. Overall a small overspend is still expected and this is a result of the transition to the new Together Gloucester Structure.
- 5.3 The improvement in forecast parking income is a result of the introduction of new parking tariffs. The additional income generated by these tariffs is expected to offset the budget pressure earlier in the year from problems with the Kings Walk car park barrier system.
- 5.4 The improvement to the position on Commercial properties relates to an assumption of some income from the Kings Walk property deal being added to the General Fund position. This income has arisen as the rent the Council receives from the centre has increased from the previous lease arrangement.
- 5.5 The anticipated overspend in Asset Management has increased since Quarter 1. This is mostly due to an increase in repair costs. These will be managed through the remainder of the year and if necessary some funds will be transferred from the Repairs Reserve to the General Fund. The forecast for this area does now anticipate receipt of rental sums from the North Warehouse arrangement which has improved the overall position.
- 5.6 Forecasts for markets and street trading worsened in a number of areas. Repair costs of £20k have been incurred for repairs to the surfacing at the Hempsted site which is not covered by that repairs budget. The estimate of income for Eastgate Market has decreased by £25k, partly as a result of more analysis of the data available. However, the opening of new stalls recently may help to increase this figure by the end of the year. The forecast for income from street trading licenses has also decreased by £10k but it is hoped this will improve by the end of the financial year.

6.0 Communities and Neighbourhoods

Communities and Neighbourhoods	17/18 Budget	Actual	17/18 Forecast	Variance	Change from Q1
Voluntary Sector Grants	170	57	159	(11)	(1)
Community Wellbeing	319	85	287	(31)	(38)
Licensing	(256)	(122)	(228)	28	6
Shopmobility	60	23	60	0	(10)
Health and Safety	22	49	34	12	(3)
Environmental Health	387	207	411	24	14
Total	701	298	724	22	(30)

- 6.1 This portfolio is expected to be only over budget by £22k as a result of some smaller variances. This is an overall improvement of £30k from Quarter 1.
- 6.2 The largest overspend is in licensing. This is a result of a refund paid for a licensing fee which was overcharged in a prior financial year. This was a one off issue which is now resolved and will not impact on the performance of the service in future.
- 6.3 There has been an improvement in the income forecasts of the Shopmobility Service meaning that it is now hoped that this will be on budget for the year. Shopmobility is now part of the Visitor Experience Team and it is hoped that this will bring benefits to the operational and financial performance of the service.
- 6.4 There has been a reduction in estimated costs in Community Wellbeing (formerly Community Safety in financial monitoring reports) with the biggest contributor to that reduction being a short term vacancy in the Project SOLACE team. The new Community Wellbeing Manager entered the post during Quarter 2 and will be leading this team in future.

7.0 Performance and Resources

Performance and Resources	17/18 Budget	Actual	17/18 Forecast	Variance	Change from Q1
Internal Audit	182	47	182	0	0
Financial and Corporate	1,382	624	1,159	(223)	(62)
Revenues and Benefits Admin	717	939	719	2	(0)
Housing Subsidy	(479)	(793)	(385)	93	93
IT	1,418	1,050	1,492	74	(17)
Human Resources	271	29	301	29	(21)
Communications	86	(10)	87	0	0
Legal Services	385	89	384	(1)	(1)
Contact Centre and Customer Services	421	254	486	66	9
Democratic Services	726	348	696	(30)	(4)
Total	5,109	2,578	5,119	11	(2)

- 7.1 The portfolio is expected to currently forecast to have a small overall overspend of £11k, a reduction of £2k from the Quarter 1 position.
- 7.2 There continues to be a large saving expected within the area of finance and corporate costs. This is a result of additional budgets which have not been required as part of the restructure and also the previously reported saving in the Business Support Team.
- 7.3 The contact centre and customer services are currently forecast to overspend by £66k. . This team has seen a significant reduction in numbers but the service as a whole remains above the target structure in the Together Gloucester plan. The new Customer Service and Transformation Manager began work in this Quarter and will be looking at new ways to bring innovation and improvement to this area.
- 7.4 The current level of IT spending on new products and transformation projects suggests there will be an overspend this year, even after allowing for charging some new purchases to capital budgets. The IT budget has seen increases in previous years but is not high enough for the current levels of new investment and transformation. The final level of expenditure is difficult to predict at the current time but it is estimated at £74k over budget.
- 7.5 Within Human Resources, the saving of £50k for changes to staffing terms and conditions has not yet been achieved. However, the number of apprentices employed by the Council during the year has been less than that allowed for by the budget and therefore the anticipated overspend for HR as a whole is only £29k.
- 7.6 The move to the new four year City Council election cycle and the resulting lack of a City election in year has created an underspend in Democratic Services. This is because the costs of staging elections in 2017 have been met by the relevant organisations holding those elections.

8.0 Culture and Leisure

Culture	17/18	Actual	17/18	Variance
	Budget		Forecast	
Museums	379	238	564	186
Food and Drink	(89)	41	(86)	3
Guildhall and Blackfriars	172	19	181	9
Aspire Client	227	196	227	0
TIC	(24)	155	(14)	9
Marketing Gloucester	367	368	367	0
Total	1,032	1,018	1,239	207

- 8.1 This portfolio is expected to overspend by £207k, a small improvement of £4k over the Quarter 1 position. No change figures are included in the table above as the portfolio has been restructured to include the whole food and drink function. This makes like for like comparison to Q1 on the service lines misleading.
- 8.2 Food and Drink is expected to be close to budget for the year. This depends upon the achievement of very challenging savings targets and will be closely monitored.

When reporting on Quarter 1 a deficit was forecast for the Guildhall Bar so this represents an improvement for that position.

- 8.3 With the new structure of the portfolio the majority of the overspend is now shown against the Museums line. This is predominantly a result of the £132k savings target which remains against the service and has not been achieved. In addition, like many service areas, the new structure was implemented only part way through the year resulting in higher costs than budgeted for staffing.
- 8.4 The Dinosaur Exhibition was a success and income targets for the year are likely to be achieved. However, there were costs incurred in creating the exhibition and these have offset the majority of the additional income. A surplus on the scale of the Robots exhibition is not likely to be repeated. However, with the limited planning opportunity created by the restructure timescale the Dinosaur exhibition can still be viewed as a success financially.
- 8.5 Although the Guildhall and Blackfriars are now shown as being close to budget this is dependent upon the achievement of challenging income targets over the winter months. Monitoring will be undertaken throughout the remainder of the year to determine the performance against those targets.
- 8.6 A small pressure is currently anticipated at the TIC as a result of predicted shortfall in profit in the shop. As this small variance has occurred for a number of years it is likely to be considered for revision in the upcoming Money Plan.
- 8.7 All of these areas are part of the Cultural and Trading services team in the new Council structure and the Head of Service has recently begun work. By working together under a newly appointed Head of Service it is hoped that benefits can be realised across the service, and the gap between income targets and actual performance will significantly narrow. The financial benefits of the more joined up service are likely to be limited in 2017/18 but it is still hoped there will be some improvement in performance as the year progresses.
- 8.8 No variances are expected in the contractual arrangements with either Marketing Gloucester or Aspire.

9.0 Planning and Housing

	17/18 Budget	Actual	17/18 Forecast	Variance	Change from Q1
Planning and Housing					
Housing Strategy	22	(55)	39	16	(6)
Private Sector Housing	20	93	42	22	(0)
Homelessness	898	229	962	63	18
Planning	152	12	316	164	52
Total	1,092	278	1,358	266	64

- 9.1 This portfolio is currently forecast to be overspent by £266k during the year, an increase of £64k from Quarter 1.
- 9.2 The Council continues to experience an increase in cost against budget of the provision of temporary accommodation to prevent homelessness. This level of demand, and a shortage in supply, often means that the Council has to utilise more expensive forms of accommodation. This increase in cost is partly recoverable through the housing subsidy system and steps have been put in to maximise the amount recovered. Current forecasts also include using £150k of the Flexible Homelessness Prevention Grant to support this overspend. The remainder of this grant is anticipated to be used on managing the demand or sourcing alternative accommodation.
- 9.3 There are a number of factors which contribute to the overspend in planning. The principal cause is a total £65k overspend on temporary staff and consultancy. This includes staff covering vacant posts and costs associated with consultancy work involving flood prevention. As the key posts within the service are filled the reliance on, and therefore cost of, temporary staffing should reduce.
- 9.4 The planning overspend also includes a one off refund of Building Control income received by the Council which was owed to the Building Control shared service. This refund of approximately £20k is a one off matter and does not create an on-going budget pressure.
- 9.5 Income from Planning Fees is a significant source of funding for the Service and must therefore be viewed as a risk area. However, the current forecast is for income to be only £15k short of a target of over £600k. This would be a significant achievement. Upcoming legislation will allow for an increase in fee levels although much of this would be reinvested into the service rather than contributing to the income target.

10.0 Environment

Environment	17/18 Budget	Actual	17/18 Forecast	Variance	Change from Q1
Waste and Streetcare	4,514	1,908	4,460	(54)	(69)
Neighbourhood Management	45	18	41	(4)	(6)
Countryside and Allotments	80	33	89	9	1
Head of Service	68	28	63	(4)	(0)
Cemetery and Crematorium	(1,264)	(594)	(1,217)	47	(1)
Flooding and emergency planning	106	35	78	(28)	3
Total	3,549	1,428	3,515	(34)	(71)

- 10.1 This portfolio is now forecast to have a small overall underspend of £34k, a significant improvement on the overspend position of £37k reported at Quarter 1.
- 10.2 The Amey contract has a savings target remaining of £241k and forecast continue to suggest that the new recycling service, along with smaller service variations, are

likely to lead to the majority of that savings target being reached in year. The major risk factor, as in previous years, is the level of income achieved from the sale of recyclable material. Work undertaken by Amey and the Council during Quarter 2 has brought more certainty to the forecasts of recycling income and recycling credits. The position on recycling credits (income received as a reward for diverting waste from landfill) has improved since Quarter 1 and leads to the overall expected underspend on Waste and Streetcare.

- 10.3 A shortfall against budget is still being predicted for the Cemetery and Crematorium Service. 2017/18 income targets are set at a higher level than in previous years meaning that cost overspends are not covered by income surpluses. The primary budget pressure this year is the cost of organists who are not included in the organisational structure. This pressure of approximately £30k is likely to be addressed in the upcoming Money Plan. The second half of the year is likely to contribute a significant proportion of the income target and levels will continue to be monitored closely.

11.0 Progress against savings targets

- 11.1 Full details of the Council's progress against its savings targets are shown at Appendix 1.
- 11.2 The largest savings challenge for 2017/18 was the introduction of a £1m target to be achieved through organisational redesign. As this process is currently forecast to achieve savings of £1.23 million this provides some additional certainty to cover any savings targets which may be, or become to be, at risk during the year.

12.0 Capital Programme

- 12.1 The Capital Programme budget for the year is £9.225 (£10.193m including S106 projects). The budget increased to include the public realm work at the rear of Commercial Road which is funded from capital receipts. Expenditure for quarter 2, including amounts committed totals £2.8m. Quarter 2 reports continued progress on the Kings Quarter Development with regards the Bus Station, £1.7m has been spent this year, with highways work in Bruton Way largely complete as work continues on preparation for the start of construction in quarter 3. Public realm work at Commercial Road got started within the quarter, £476k has been spent this year on this project.
- 12.2 The nature of capital projects means that many of them span a number of financial years, budgets are set per project any unspent budgets at the end of any one financial year may be carried forward into the next
- 12.3 A summarised table for the Capital Programme is shown as Appendix 2.

13.0 Prompt payment performance

- 13.1 The Council aims to make payments to all suppliers promptly and in accordance with contract terms. The performance on invoice payments during the quarter is below. The average number of days to pay in invoice in Quarter 2 has remained at 5 as it was in Quarter 1.

	<u>July</u>		<u>August</u>		<u>September</u>		<u>Qtr 2</u>	
Number paid within 30 days	523	99%	488	96%	558	94%	1,569	96%
Number paid over 30 days	5	1%	18	4%	35	6%	58	4%
Average Days to Pay (from receipt of invoice to payment date)	4		5		6		5	

14.0 Asset Based Community Development (ABCD) Considerations

14.1 There are no ABCD implications as a result of this report.

15.0 Alternative Options Considered

15.1 When consider how to reduce budgetary pressure or make savings officers explore a wide range of options.

16.0 Reasons for Recommendations

16.1 It is a good practice for members to be regularly informed of the current financial position of the Council. This report is intended to make members any of any significant issues in relation to financial standing and any actions that officers are taking in response to identified variances.

17.0 Future Work and Conclusions

17.1 Work will continue to reach savings targets or limit in year budget pressures. A further financial monitoring report will be produced for members at the end of the second quarter.

18.0 Financial Implications

18.1 All financial implications are contained within the report which is of a wholly financial nature.

19.0 Legal Implications

19.1 There are no legal implications from this report

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

20.0 Risk & Opportunity Management Implications

20.1 There are no specific risks or opportunities as a result of this report

21.0 People Impact Assessment (PIA):

- 21.1 A PIA screening assessment has been undertaken and the impact is neutral. A full PIA is not required.

22.0 Other Corporate Implications

Community Safety

- 22.1 None

Sustainability

- 22.2 None

Staffing & Trade Union

- 22.3 None

Savings Monitoring 2017/18

Appendix 1

Prior Year Savings

Service	Details: aim of the project	Target £000	Achieved £000	In Progress £000	At Risk £000	Comments	Status
Place	Amey contract review, ongoing project from 2013/14 with requirement to identify further savings	(241)	0	(241)	0	New recycling services is delivering increased recycling income. The final value will be known at the end of the year.	☹️
Place	Planning Services Review	(40)	(40)	0	0	Achieved through organisational redesign	😊
Cultural and Trading	Guildhall Operational review	(55)	0	(55)	0	Forecasts for income are still similar to last year. New service area is hoped to lead to increased income.	☹️
Cultural and Trading	Museums Operational Review	(132)	0	(30)	(102)	New Cultural and Trading Services area should help to increase income received	☹️
Policy and Resources	Introduction of charges for street naming and numbering	(12)	0	(12)	0	Income is expected to be received in year	😊
Communities	Increase advertising on the website	(3)	0	(3)	0	Income is expected to be received in year	😊
Total		(483)	(40)	(341)	(102)		

Savings Target 2016/17

Service	Details: aim of the project	Target £000	Achieved £000	In Progress £000	At Risk £000	Comments	Status
Place	Review of garden Waste Charges	(100)	(100)	0	0	Changes to charges have been introduced and will be implemented in the October billing period	😊
Place	Introduce charges for replacement Wheelie Bins	(5)	0	0	(5)	Charges not introduced	☹️
Communities	Review of Voluntary Sector Grants	(145)	(145)	0	0	Budgets have been reduced and new apportionment agreed by Cabinet	😊
Policy and Resources	Review of Car park Strategy	(150)	0	(150)	0	Charges likely to be introduced later in 2017/18	☹️
Cultural and Trading	Reduction of MGL Fee	(100)	(100)	0	0	Grant reduction agreed	😊
Policy and Resources	Remove Quedgeley Parish Council Grant	(27)	(27)	0	0	Grant reduction agreed	😊

Service	Details: aim of the project	Target £000	Achieved £000	In Progress £000	At Risk £000	Comments	Status
Policy and Resources	Reduce postage costs	(20)	0	(20)	0	Digital mail project is currently underway	☹️
Communities	Review of customer services systems	(22)	(22)	0	0	Changes have been made and saving delivered	😊
Senior Management	Review of Staff Terms & Conditions	(50)	0	0	(50)	Changes not yet introduced	☹️
Senior Management	Review of City Life Magazine including advertising	(30)	(30)	0	0	Achieved in 2016/17	😊
Council Wide	Organisational Redesign	(1,000)	(1,230)	0	0	Full restructure achieved more than budgeted.	😊
Total		(1,649)	(1,654)	(170)	(55)		
Savings Brought Forward		(483)	(40)	(341)	(102)		
Total		(2,132)	(1,694)	(511)	(157)		

Capital Programme 2017/18**Appendix 2**

Scheme	Revised budget	
	2017/18	Forecast
Kings Quarter development	5,302,000	4,200,000
City Centre Investment Fund	649,880	155,000
HCA Regeneration - Commercial Rd Public Realm	599,100	599,100
GCC Building Improvements	220,915	160,000
ICT Projects	320,700	150,000
Housing projects	1,060,370	520,000
Drainage and Flood Protection Works	193,490	125,000
Townscape Heritage Initiative - HLF	539,300	250,000
Ranger Centre Barns/Storage	67,490	67,490
Horsbere Brook Local Nature Reserve works	44,795	10,000
Play Area Improvement Programme	61,685	62,685
Crematorium Cremator Improvements	11,160	0
Grant Funded Projects	35,090	24,925
Elmbridge Open Space Improvements	1,990	1,990
Robinswood All Paths Project	24,025	24,025
GL1 Emergency Works	46,490	20,000
Retaining Wall Works	47,000	47,250
TOTAL CAPITAL PROGRAMME	9,225,480	6,417,465

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Meeting:	Overview and Scrutiny Committee	Date: 27th November 2017
Subject:	Marketing Gloucester Performance Report	
Report Of:	Jonathan Lund, Corporate Director	
Wards Affected:	All	
Key Decision:	No	Budget/Policy Framework: No
Contact Officer:	Jonathan Lund, Corporate Director	
	Email: jonathan.lund@gloucester.gov.uk Tel: 396276	
Appendices:	Appendix 1 MGL Half Year Performance Report	

FOR GENERAL RELEASE

1.0 Purpose of Report

- 1.1 To present the Marketing Gloucester Limited half year performance report.

2.0 Recommendations

- 2.1 Overview & Scrutiny Committee is asked to **RESOLVE** that

(1) The report be noted.

3.0 Background and Key Issues

- 3.1 A 2015/16 Audit Report recommended a review of the managing documentation between the City Council and Marketing Gloucester and a revision to arrangements for reporting and reviewing performance.
- 3.2 Actions have been taken to implement the recommendations and a follow-up audit report said...

“The findings from this follow-up review confirm that the Corporate Director (as lead officer) has a clear strategy to regularise the Council’s relationship with MGL and to further strengthen the governance arrangements (including performance and financial monitoring).”

- 3.3 The Cabinet portfolio holder, Councillor Lise Noakes and Corporate Director, Jonathan Lund, meet with the Chief Executive of Marketing Gloucester quarterly to review a performance report based upon the activity commissioned by the City Council from Marketing Gloucester.

This activity is set out in a Contract for Services between the City Council and MGL.

- 3.4 A copy of the half year performance report for 2017/18 is attached at appendix 1. This report is due to be considered at the next Quarterly Performance Report meeting but is provided to the Overview and Scrutiny Committee now in order to demonstrate the framework used to capture and report MGL performance and to facilitate discussion at the Committee.

4.0 Asset Based Community Development (ABCD) Considerations

- 4.1 This report is for noting therefore there are no ABCD implications.

5.0 Alternative Options Considered

- 5.1 None

6.0 Reasons for Recommendations

- 6.1 To enable the Committee to receive and consider MGL Performance

7.0 Future Work and Conclusions

- 7.1 None arising from the content of this report

8.0 Financial Implications

- 8.1 Last year the Council paid MGL £464,000 to deliver the services set out in the Contract for Services. This year the payment has reduced by £100,000 and will reduce by a further £100,000 next year as part of the Council's budget plans. The Council has an expectation that MGL will be able to supplement this reduction by generating additional income which will mean that the level of service provided to the Council will not reduce.

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

9.0 Legal Implications

- 9.1 None

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

10.0 Risk & Opportunity Management Implications

- 10.1 N/A

11.0 People Impact Assessment (PIA):

- 11.1 N/A

12.0 Other Corporate Implications

Community Safety

12.1 None

Sustainability

12.2 None

Staffing & Trade Union

12.3 N/A

Background Documents: None

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HALF YEAR PERFORMANCE MANAGEMENT REPORT

Reporting Period April to September 30th 2017
Report Author Marketing Gloucester

Activity relating to MGL objects

Promotional Activity – PLEASE SEE marketing

Activity	Audience	Purpose	Result	Resource	Impact	One off/ ongoing

Influencing Policy

Activity	Audience	Purpose	Result	Resource	Impact	One off/ ongoing
Supporting a PSPO	City Councillors/officers. Trade bodies in the city/VCS	To create a safer city through awareness of a PSPO with regulations directly related to needs of the city To raise awareness with BID to ensure that City Protection Officers (CPOs) could have powers to enforce PSPO	PSPO is now on the agenda for City Council and supported by Trade Bodies/BID	CEO and Staff time and costs associated with travelling to other areas with PSPO (Oxford)	PSPO when introduced will give CPO's powers to create a safer and cleaner city	ongoing
Developing and promoting Digital strategy for the city to become a pathfinder and test bed for UK in development of future city and digital high street solutions	GFirst LEP, City Council, Business Community, ATCM, Central Government	To generate inward investment by focussing city strategy on being a digital leader	Marketing Gloucester CEO sits on advisory board for ATCM (Association of Town and City Management) and APPG (All Party Parliamentary Group) for city centres and retail. £135,000 funding from Great Places scheme for destination marketing is focussed on digital	£9,600 cash plus staff time estimated at £20,000	Further funding of £400,000 is currently being applied for to support digital strategy/retail lab see "Income" field below	ongoing

HALF YEAR PERFORMANCE MANAGEMENT REPORT

			Over £300,000 of external funding from Innovate UK invested in Gloucester being the first city in UK with new digital solutions for retail			
High Street	GFirst LEP, City Council, Business Community	To create a thriving high street and attract and support new retailers	Invited to apply for £400,000 High Street Lab to be a pathfinder for UK	CEO and one member of staff time approximately 60 days	To be measured – scheduled to start April 2018	ongoing
Wardens/enforcement	Gloucester BID, City Council, City Safe Police and PCCO	To create and maintain for five years a force of four full time equivalent City Protection Officers	Funding now in place of £700,000 from BID, Police and Gloucester City Council to fund CPOs	CEO and one member of staff time approximately 30 days	To be measured – scheduled to start September 2017	ongoing
Regeneration/Inward investment	City Council, Investors, Developers Government GFirst LEP	To bring in investors and influence regeneration policy to align with Place strategy that is also attractive to investors	Multiuse venue is now in all three of city council strategies. Research and growth has led to Hotel groups and other investors now perceiving Gloucester as positive place to invest	MGL CEO advocacy + independent research £3,000 per annum + travel and expenses		ongoing
Cultural Strategy	Communities of Gloucester, Councillors and Culture Board	To develop Gloucester as a place where culture thrives and benefits the whole city economically and socially. Support cabinet member for culture and leisure	Development of cultural strategy participated in by Marketing Gloucester now being supported by Gloucester Cultural Trust £1.49 million raised through Great places scheme	Office space made available to GUST, Theatre Gloucestershire, Strike a light, Create Gloucestershire, significant staff time/cash/in kind support estimated at £40,000	Cultural trust founded and £1.49 million initial funding sourced	ongoing
Digital Strategy	LA, Businesses,	To set out aspiration for city	Draft Strategy now	£4,850 staff time	Draft Strategy assisted	ongoing

HALF YEAR PERFORMANCE MANAGEMENT REPORT

	Gov, LEP, DCMS	of 2050 by 2025, maximising investment, skills and growth opportunities through development of a digital strategy to give Gloucester competitive advantages	produced and utilised for Future Fibre Network Expression of Interest		in BID for £400k funding and to be used in application for £14 million FFN Challenge funding	
Business Support						
Activity	Audience	Purpose	Result	Resource	Impact	One off/ongoing
Residents Weekend	Businesses and public (Residents and Visitors)	Promoting local businesses and attractions when footfall is low	Footfall increased by 20%	£3,000 plus discounts from retailers amounting to £50,000 and 30 staff days	20% footfall increase if accompanied by increased spend estimated would impact locally by £200,000 extra spend in Gloucester over residents weekend based on typical basket size of £26	Happens every year
Launch of GL Card	Businesses and public (Residents and Visitors)	Promoting Gloucester as a place with added value for shoppers and visitors	Over 3,250 physical cardholders registered, 7000 total cards issued	£9,600 cost and staff time approx. 30 days	Over 3,000 activated cards with more in circulation. Continuous flow of new businesses wanting to provide offers	Ongoing
GL Mobile App/website/touchpoints	Businesses and public (Residents and Visitors)	Mobile version of GL card	In July 378 unique users of APP, 5088 unique users of website version of app and 523 visitors to touchpoints with 69% printing vouchers	Cost included above total leveraged from Innovate UK £373,000	352 apps downloaded	ongoing
Licenced Victuallers Association (LVA)	LVA members and evening/night time economy	To aid communication and support to the LVA members	Supported LVA to promote Gloucester BID and in calls for PSPO and to stop a late night Levy being introduced	Staff time of one day per month	Late Night Levy not being brought in. PSPO under consideration. Funding committed of £5k to contribute to taxi	ongoing

HALF YEAR PERFORMANCE MANAGEMENT REPORT

			and support for taxi marshals		marshals	
Gloucester BID	Businesses – engagement with 588 businesses three times	To lead on Gloucester BID. Develop business plan, liaise with council and BID. Marketing Gloucester now appointed to manage Gloucester BID	30 th June 2017, Gloucester BID won ballot with nearly 86% majority	£30,000 of staff time. Newsletters, Business Plan and Voting slips Also face-to-face and phone calls.	£2.5 million over 5 years to be put into local economy by the BID	Business Plan Will be ongoing
Marketing						
Activity	Audience	Purpose	Result	Resource	Impact	One off/ ongoing
Markets Marketing Campaign	Public and potential traders	Increase awareness and footfall	10 videos produced and social media accounts established	£4850	TBC	
Record Number of Tall Ships FB post	West Midlands & Wiltshire	Increase pre-sales	206.3k reach inc 1.7k shares	£200	123 sales in Swindon 140 sales in West Midlands	
Citizen Competition FB Post	Global	Like and Share	114k reach	£0	4.7k likes 2.6k shares	
Cineworld Competition FB Post	County	Like and share	38.5k reach	£50	1k likes 1.4k shares	
Tall Ships Day 1 Post	County	Spur on the day 1 sales	14k reach	£50	573 like 441 shares	
Day 1 review	Global	Spur day 2 sales	18.4k reach	£0	1.7k likes 476 shares	
Flux Media Footage	Global	Spur day 2 sales	49.5k reach	£50	9.1k likes 987 shares	
Day 2 Review	Global	Spur day 3 sales	11.1k	£0	1.2k likes 257 shares	
Total FB Post impressions					800,016	
Berrows wrap		Promote to Worcestershire area	40,000 circulation	Contra deal with Three Counties Show		
Ross Advertiser		Promote to Ross Area	15,000 circulation	£200		
GWR Escape magazine		Promote along London Paddington to the West	75,000 circulation	£425		

HALF YEAR PERFORMANCE MANAGEMENT REPORT

		trainline				
Heart Radio		Promote to Gloucestershire and Wiltshire listeners	123,000 reach	£4,300		
SoMAC Brochure	800,000	Promoting SoMAC	30,000 brochures printed			
Press releases			1,612 communications with press during period			
GLcard FB	Businesses, residents and visitors	Promotion of Gloucester Businesses, Attractions and Events			16.14k Impressions Growth of 20.3% in Followers	ongoing
GLcard Twitter	Businesses, residents and visitors	Promotion of Gloucester Businesses, Attractions and Events	88.8k Reach		162.9k Impressions 1033 New Followers	Ongoing
GL card Website	Businesses, residents and visitors	Promotion of Gloucester Businesses, Attractions and Events	8,963 Sessions 4,660 Users 21,748 Page Views 2.5 Mins Average Duration		8,963 Sessions 4,660 Users 21,748 Page Views 2.5 Mins Average Duration	ongoing

Income Generation

Activity	Audience	Purpose	Result	Resource	Impact	One off/ ongoing
Lampost banners	Visitors and Residents to Gloucester, resource for events organisers	Promoting city events and providing sponsorship opportunities	Awaiting planning response (over eighteen months)	£3,500 to be spent on planning applications potential income £50 per banner with 100 initially applied for	Will generate income and provide savings in promoting city events and wider promotion	ongoing
Digital Signage/Way finding	Visitors and Residents to Gloucester, resource for events organisers	Promoting city events and providing sponsorship opportunities	Awaiting Great places match funding	£105,000 £80,000 private sector investment, £30,000 Great Places	Will generate income and provide savings in promoting city events and wider promotion. Also improve perceived linkages between Docks, historic city centre and cathedral	ongoing

HALF YEAR PERFORMANCE MANAGEMENT REPORT

Touchpoints advertising	Visitors and Residents to Gloucester	Promotion of Gloucester Businesses, Attractions and Events	Sample ads promoting Gloucester Events, finalising commercial agreement	ongoing		ongoing
Sponsorship Henson	Visitors and Residents to Gloucester	Promotion of Gloucester and sponsors brands and connecting with county	£70,000 income all from private sector investment 50 artists commissioned, 21 schools and community groups involved	£70,000 of staff time, materials and other costs	50 artists commissioned, 21 schools and community groups involved	ongoing
Other Sponsorship	businesses	To raise funds to cover Marketing Gloucester Costs		£21,000		
Tall Ships Income (sales/Sponsorship /commercial		To raise funds to cover Marketing Gloucester Costs associated with Tall Ships	£154,000 tbc from commercial income	£154,000 tbc from commercial income, sponsorship and sales + £12,500 from events budget. Income would have been higher but top level of terrorism alert throughout UK affected visitor numbers. Staff time equates to £40,000	For second time, event has not been reliant on large amounts of city council funding	ongoing
Retail/Digital Lab	Retailers in Gloucester/ GFirst LEP/Growth	To develop a retail incubator in Gloucester with a strong focus on digital high street/future	If successful 15 start-up businesses in Gloucester per annum for 3 to 5 years	£400,000 grant income applied for	Potentially a healthier high street and new businesses and Gloucester being	ongoing

HALF YEAR PERFORMANCE MANAGEMENT REPORT

	fund	city technologies	Leveraging additional future funding for fibre to building and 5G		perceived as a key place to invest moneys in developing future high street initiatives bringing in extra 200 jobs by year 3	
Visit England destination development for USA visitors	Tourists from USA	To develop and promote tourism products aimed at attracting visitors from USA	Now Successful, Marketing Gloucester, with 4 partner cities' DMO's will receive share of £500,000 fund (reduced from initial £700,000) to develop products and marketing	CEO time £3000 likely income c. £100,000. Cash match funding required £20,000	If successful, increasing numbers of US visitors and a higher profile for Gloucester	ongoing
Activity relating to the City Events Programme						
Event	Audience	Purpose	Result	Resource GCC Grant (Other Funds)	Impact	One off/ ongoing
Carnival (preparation) Carnival Arts Partnership planning and preparation	15,000	Community cohesion Putting Gloucester on the map. Celebration of Gloucester and its communities. Civic Pride	34 groups took part which was highest to date	£20,000 In kind sponsorship from Keyway £10,000 (GP) seed funding	Inclusion of 200 children from across diverse communities. Many of which face challenges to inclusion.	Ongoing (81 years)
Art in the City	50,000	Provided quality visual spectacle in the City and opportunities for participation. Support creative economy. Drive footfall	Vibrant arts scene supported by commerce. Gloucester on the map for visual arts.	£23,500 £3,500 sponsorship	Increased trading in the City. Creative economy supported. Council venues supported.	ongoing
Fireworks in the park	12-14,000	Provided opportunities for local performers to showcase the work. Give diverse programme of entertainment.	Biggest audience in recent history universally praised	£21,0000	The most diverse audience building civic pride and giving local performers an opportunity	

HALF YEAR PERFORMANCE MANAGEMENT REPORT

SoMAC stage (Urban Weekender) Local and National music showcase. Theatre day	15,000	Provided 14 days of opportunities for local artists to showcase the work. Give high quality diverse programme of entertainment. Drive footfall	Give Gloucester its Mojo. Attract people into the City Centre during school holidays. Support creative economy.	£27,000 £3000 sponsorship	Quality entertainment in the City Centre. Partnership working with creative professionals and local venues. Greatly improved Kings Square	ongoing
Retro Festival	50,000	A great spectacle and a City Centre buzzing with people on a traditionally quiet trading day. Drive footfall	Fabulous day out. Bring lots of non-local people into the City	£3500 £3500 sponsorship	Improved trading for City Centre businesses. Quality entertainment and a great buzz	ongoing
Lantern Procession planning	10,000	To celebrate the festive season and bring life into the City Centre, bring together communities. Drive footfall	Local schools get to participate. Local artists are given employment.	£12000	Support creative economy and local schools, City Centre and Cathedral.	ongoing
Supporting event organisers to plan events in the City	unknown	To support event organisers to bring plans to fruition	A more diverse range of events	Unknown	unknown	ongoing
Tall Ships Festival/Sea Shanty Festival	120,000	To raise profile of city and drive footfall, improve destination tourism	Widespread TV and Press coverage including BBC Points West, Midland Today and Sunday politics, large number of attendees from all over UK from around the UK	See above	10 times more coach sales than in 2015 £30,000 of online presales, total presales exceeding £43,000 Approx. GVA £9 million	
Activity relating to the Civic Events Programme						
Event	Participants	Purpose	Result	Resource GCC Grant (Other Funds)	Impact	One off/ ongoing
Flag Raising (AFD)	Dame Janet	Annual act of	Successful event	£1,000 of staff time	Honouring heritage	Yearly

HALF YEAR PERFORMANCE MANAGEMENT REPORT

	Trotter, Richard Graham MP, Lt Gen. Tim Radford, Mayor, Sheriff, RBL, MD and CS of Gloucester City Council, City Marshal, Sword Bearer and Custodian	remembrance to celebrate Armed Forced Week				
Activity relating to the delivery of City Council Strategies, Plans and Policies						
Activity	Audience	Purpose	Result	Resource	Impact	One off/ongoing
Meetings with developers and investors, assistance in drawing up business plans		Delivery of New Venue Investigate opportunities with commercial partners, LA and Arts Council for funding to create the much-needed multiuse space in the city	Examining new venue is now a priority for Great Places fund with £154,000 external funding won to deliver feasibility study and partnership	Initially staff Time to produce strategy and update research including fact finding visits to multiple venues across UK	New Venue with 1,300 seats would bring between 180,000 and 360,000 visitors per annum with a direct economic impact of between £9 million to £18 million (£54 GVA per visitor) Venue would also act as catalyst for local creative sector	ongoing
Publicise current research to investors and hotel owners and actively pursue potential investors in new hotels. Work with City	Investors Hotel Brands City/County Council officers and Councillors	Encourage more 4* Hotels in Gloucester, creating jobs and changing perception of the city	One hotel at draft heads of terms for Indigo brand (120 rooms) with another two sites being identified by investors and IHG as ideal for development of 4* hotels including one of	Independent research on tourism £3000 per annum plus staff time supporting Hotel Groups and Investors approx. £13,000 staff time	Indigo potentially bringing in up to £3m revenue to Gloucester City Council. Economic impact of £26 million GVA based on 500 additional hotel rooms	Ongoing, contracts for Indigo to be completed. Support still being given to

HALF YEAR PERFORMANCE MANAGEMENT REPORT

Council to identify key sites for Hotel development			176 rooms Easy Hotel interested in Gloucester location		at 80% occupancy 1.5 people per room estimating £120 GVA. 486 FTE Jobs created based on GVA £54,000 creating 1 FTE Job (FTE=Full time equivalent)	investors and city council
Launch Visitors card/City Pass similar to Big Residents' card examine York's model and see how it could apply to Gloucester, TIC to investigate Marketing Gloucester to implement	Tourists and residents	To be able to market to the "audience of one" and develop coordinated marketing across the county. Produce an improved offer for visitors and residents	Launch of GL card and booths, software ecosystem research into expansion	Match Funding from Innovate UK of £333 k Additional £40k match secured in June £3k Events Budget £80 k Great Places	Launch has already attracted another £40k Innovate UK to expand trial of SMS module	ongoing
Using Apps, city dressing, traditional and new electronic signage, funded by sponsorship aim to close the gap between the "two city centres" and unify into one experience. One board centrally placed near the Quays may also be valuable to	Tourists and residents	Using Apps, city dressing, traditional and new electronic signage, funded by sponsorship aim to close the gap between the "two city centres" and unify into one experience and provide tourist information and information on events. One board centrally placed near the Quays may also be valuable to driving visitors from Quays into the Historic	Planning permission now achieved for eight units	See above for apps which are funded and delivered by this programme. Electronic Signage funded £30k Great Places £100k Private sector	To be confirmed when installed.	ongoing

HALF YEAR PERFORMANCE MANAGEMENT REPORT

driving visitors from Quays into the Historic City Centre.		City Centre.				
Improve Perceptions of Safety in the Evening Economy	Students, Licensed premises, general public, investors	promote a safe and vibrant evening economy	Purple Flag Scheme -	Jason Smith sits on Advisory Board for ATCM and has met with GCC staff and put them in contact with delivery people	Ongoing to be assessed	ongoing
Form a voluntary creative hub, utilising the best of local and national talent with experience of raising funding from the Arts Council and elsewhere	Local creative community	act as catalyst and drivers for growth in this sector in Gloucester	Building now established, awaiting contracts to allow artists to take residency	£13,500 of marketing Gloucester budget to refit building, plus staff time and management ½ day per week	To be assessed	ongoing
Improve delivery & promotion of events. Ensure event organisers are utilising the coordinated calendar of events	Public and events organisers	To ensure that events are coordinated throughout the city and well publicised	a full and diverse programme that drives footfall and encourages civic pride and attracts good audiences	Websites/Social media accounts/ Coordinated calendar of events. cost including websites and staff to maintain and upload content is approx.£70,000 per annum	Large increases in visitor numbers	ongoing
Work to develop “Fringe” festivals for “Three Choirs” and “Crucible” and “Tall Ships”	Public and events organisers	Expansion of independent festivals.	Sea Shanty Festival is now established 3 years Free Classical Music for All festival now in 2nd year Art in The City now in second year and suitable to fit with	£40,000 cash and staff time	New festivals now established and entering the calendar	ongoing

HALF YEAR PERFORMANCE MANAGEMENT REPORT

			Crucible when repeated			
Look for additional self-funding large popular events to fill "dead" years	Public, businesses and events organisers	Increase footfall driving signature events	Advanced stages of feasibility for Life leisure and Adventure Show	Approx. 1/2 day per week of staff time at present	Proposals for 2020 being put together	ongoing
Find commercial funding for digital information boards	Visitors and residents	Provide wayfinding and visitor information digitally	Done, ready to be installed, more to be applied for	£30,000 plus match funding £100,000	To be assessed	ongoing
Explore options and implement a series of city dressing initiatives including, hanging baskets, flags, banners	Visitors and residents	Improve city environment	Done, ready to be installed, more to be applied for, Gloucester BID agreed additional funding	£42,000	A brighter more attractive city	ongoing
Use Believe in Gloucester Campaign through initiatives such as BiG awards, BiG Residents' Card	Residents and local businesses, community groups etc.	To raise civic pride	Awards ceremonies and positive news stories are changing perceptions and the city is now being viewed as a place that is going somewhere	Assigned £1500 budget to Battle of the bands Assigned £2,500 budget to believe in Gloucester Awards	A recent Cotswold life editorial summed it up by saying that "the sands are shifting Gloucester is resurgent"	ongoing
Markets Commercial review	GCC/traders	Options exercise for Gloucester Markets and especially Eastgate market	Arrive at options for Eastgate market and possible procurement process	CEO/Staff time/Travel £20,000	Thriving Markets with possible uplift in income of £350,000 over 5 years	To Xmas 2017
Activity relating to the achievement of City Council objectives, targets and priorities1						
Activity	Audience	Purpose	Result	Resource	Impact	One off/ongoing
Applying for funding for a new digital high street hub	GFirst LEP/Retailers	Attracting Investment/Nurturing Enterprise	Through first two rounds, due diligence now ongoing	CEO time approx. 20 days to completion	£400,000 initially Potential >100 jobs	3-5 years
Bringing in and	Investors city	Encouraging Inward	Brought in NQ2 and	CEO/head of	Potential investment	ongoing

HALF YEAR PERFORMANCE MANAGEMENT REPORT

guiding investors on multiple projects	council	Investment	helped GPS with proposals for 4* hotel and other investments. Liaising with Rokeby	Commercial time	to the city of £20 million	
Working on supporting changes to management of Eastgate market	Market traders/public	A thriving centre and regeneration of the City	Initiated developing feasibility study of self-management by tenants of Gloucester Market/ external management	CEO/head of Commercial time	One potential operator interested	ongoing
Applying for 14 million FFN	Businesses and residents	Make Gloucester testbed for future digital technologies	EOI successful. Full bid now needs to be put in	£4850 + staff time	£14 million	Ongoing 3 years
Supported new BID to introduce City Protection Officers	Gloucester business community/residents and visitors	Creating a greener, cleaner city/Safer City	c. 200 hours of enforcement provided per week by BID enforcement officers	CEO time	£140,000 per annum into this service	Start October 2017
Mentoring and supporting community builders and ABCD	Gloucester community residents and visitors	A city for everyone	<p>New Cultural Hub/Incubator now formed in Kings House for Gloucester creatives</p> <p>Ongoing leadership to carnival arts partnership (CAP)</p> <p>Support to Civic Trust</p> <p>MGL staff member now sitting on national Heritage Open Days board</p>	Staff time and micro funding £9500 funding to CAP	<p>Over 300 individuals and groups supported by Marketing Gloucester with advice, support or funding</p> <p>Additional groups involved in Carnival</p>	ongoing
Utilising powerful social media to poll opinion of residents	Residents and stakeholders	Listening to our residents	2017 Sculpture trail launched in June was direct response to	Staff time and funding for promoted posts	Engaged and empowered communities with	ongoing

HALF YEAR PERFORMANCE MANAGEMENT REPORT

on activities delivered by Marketing Gloucester			requests from residents to repeat 2015 trail, and Old Spot Pig was chosen from online poll. 9000 votes from residents for schools pig		perceived ownership of city wide activities, building sense of place and civic pride	
Annual Events programme		To create distinctive cultural offer for the city	Series of new and expanded festivals including Sea Shanty and Tall Ships, Pirate walk Residents' Weekend which increases footfall and sales and gives residents a chance to explore their own city	£150,000 events budget, supported by overhead costs of £120,000. Total costs of events £400,000 (excluding overhead) supported by external funding raised by Marketing Gloucester of £300,000	Increased footfall and satisfaction levels and improved perception of Gloucester. Creation of wealth in the city. Over £200 million spend by visitors to city supporting 4000 jobs	ongoing
Increasing amount of income from external sources		To lessen reliance on public funding to deliver council services	2016 marked the highest amount of external funding brought in by Marketing Gloucester. During this quarter confirmation received of Great place funding for Digital High street	external funding raised by Marketing Gloucester of £300,000	Increased investment in city leveraging the £145,000 city events budget for events and marketing and strategic role	ongoing
Other activities						
Activity	Audience	Purpose	Result	Resource	Impact	One off/ ongoing
Support of Gloucester Business Improvement District	Gloucester Business Community	To facilitate the production of a Gloucester BID	A nearly 86% majority in favour	Staff Time JS/EK	Input into improvements of the city £2.5 million over 5 years	5 year
Digital high Street projects	Gloucester and national	To position Gloucester as test-bed and pathfinder for	Formation of new retail lab in Gloucester	Staff Time	Initial investment of £400,000 which could	3 -5 year project

HALF YEAR PERFORMANCE MANAGEMENT REPORT

	retailers and technology providers	national digital high street and future city investment			lead to a £5-10 million investment in digital infrastructure	
Footfall Project	Retailers, investors and planners		Providing accurate data and positioning Gloucester as leader in digital high street	Staff Time JS/EK	Providing accurate data helping planning and investment decisions	

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Meeting:	Overview & Scrutiny Cabinet	Date:	27th November 2017 6th December 2017
Subject:	Public Space Protection Orders		
Report Of:	Cabinet Member for Communities & Neighbourhoods		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Emily Jones – Community Wellbeing Officer		
	Email: emily.jones@gloucester.gov.uk		Tel: 39(6268)
Appendices:	1. Draft Gloucester City Council PSPO Guidance 2. Draft PSPO for Gloucester City Centre		

FOR GENERAL RELEASE

1.0 Purpose of Report

- 1.1 To outline to Cabinet plans to introduce Public Space Protection Orders that would supersede a range of existing orders and to seek approval to undertake a public consultation exercise in respect of a draft City Centre PSPO.

2.0 Recommendations

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

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

- (1) That the contents of the report be noted;
- (2) Approve the use of PSPO Guidance included at appendix 1;
- (3) Approve the undertaking of a 12 week public consultation exercise in respect of a draft PSPO for a designated area of the City Centre, a copy of which is included at appendix 2,
- (4) Delegation be provided to the Head of Communities in consultation with the Cabinet Member for Communities & Neighbourhoods to implement the PSPO referred to in para 2.1.(3) following consideration of consultation feedback
- (5) Delegation be provided to Head of Communities in consultation with the Cabinet Member for Communities & Neighbourhoods to undertake further

consultation exercises to allow the remaining Gating Orders, Dog Control orders and Designated Public Space Orders (DPPOs) to be reviewed.

3.0 Background & Key Issues

- 3.1 Councils have a key role to play in helping make local areas safe places to live, work in and visit. Tackling anti-social behaviour (ASB) continues to be a corporate priority for Gloucester City Council and our partner agencies.
- 3.2 The Anti-social Behaviour, Crime and Policing Act 2014 introduced several new tools and powers for use by councils and their partners to address ASB in their local areas. Public Spaces Protection Orders (PSPOs) are one of the tools available, and the Act gives councils the authority to draft and implement PSPOs in response to the particular issues affecting their communities, provided certain criteria and legal tests are met.
- 3.3 From the end of October 2017, all current Orders as outlined below will automatically become PSPOs. Councils are not required to undertake a consultation on these unless a change is required. These PSPOs will remain in force for up to a maximum of three years from the point of transition and will be reviewed on a bi-annual basis.
- **Designated Public Places Order (DPPO) (Coney Hill)** - implemented in June 2009 and varied to include additional areas in August 2011
 - **DPPO (City Centre)** - implemented in September 2002
 - **Gating Order (Saffron Close & Badger Close Tuffley)** - implemented October 2006
 - **Gating Order (Fielden, Abbeydale)** - implemented April 2008
 - **Gating Order (Chadwick Close & Windrush, Tuffley)** - implemented March 2008
 - **Gating Order (Organs Alley, Westgate)** - implemented April 2014
 - **Dog Control Orders x 3 (City Wide)** - implemented February 2007
- 3.4 PSPOs are aimed at ensuring public spaces can be enjoyed free from anti-social behaviour. They are not about stopping people enjoying the night time economy of Gloucester responsibly nor is it about preventing young people from spending time with their friends in public places – but they do provide councils with another tool to help deal with those minority of persistent issues that can damage communities.
- 3.5 The purpose of a PSPO is to stop individuals or groups committing ASB in a public space. Whereas Injunctions and Criminal Behaviour Orders (CBOs) are directed at individuals, PSPOs are geographically defined making pre-defined activities within a mapped area a criminal offence.
- 3.6 A PSPO will not prevent the Council from operating in its staged approach whilst tackling ASB, and in particular the work moving through “engage, support, enforce” which seeks to change individual behaviours and prevent the need for enforcement action and connect people with the help and support they need. Working in accordance with our Safe & Attractive Streets Policy which Cabinet approved in July 2016 remains a priority for the Council when

tackling a range of issues but particularly street homelessness and street begging.

- 3.7 In July 2016 the Council adopted a 'Safe & Attractive Streets Policy' which supports our organisations aspiration to keeping Gloucester a safe place to live, work and play. The policy recognises that negative behaviours such as street drinking, rough sleeping and begging are very often complex and commits the Council to supporting those with genuine needs reinforcing the staged approach to behaviour change that the Council has adopted.
- 3.8 As a local authority we will support those with genuine needs, such as the need for housing or for access to services and ensure, through inter-agency working, that outreach work takes place to help people live, or work towards living, independently without impacting negatively on others. Key partners in this work include –
- P3 Gloucestershire Homeless Service - contracted to deliver a 'wrap around' homeless outreach service
 - Change, Grow, Live (CGL) - provide drug and alcohol outreach service to rough sleepers
 - Homeless Healthcare Team (NHS) – offer support, advice and medical and nursing care to people who are homeless in order to help them protect their health while homeless
 - 2Gether Trust – provision of support around mental health
 - Gloucestershire Constabulary – supporting 'Safe & Attractive Street Policy'
 - Riverside Housing – provision of housing for rough sleepers.
- 3.9 This approach although successful does not bring about a change in behaviour in all cases, and Officers have advocated that in those instances where an individual or group of individuals has failed to engage it would be beneficial to have a legislative instrument in the shape of a PSPO that encourages engagement through more formal means where informal approaches have not worked. However it is important to point out that it would still be the Councils intention to engage in the first instance and open up avenues to support networks.
- 3.10 Guidance on tackling ASB dictates that interventions be tried as much as possible before moving on to enforcement action. However, if alternatives do not work, a PSPO would allow the council to:
- 1) issue a fixed penalty notice (FPN) where a PSPO condition is breached, and
 - 2) prosecute in the magistrates' court where a FPN is not paid or where prosecution in the first instance is deemed to be in the public interest
- 3.11 A PSPO can be made by the council if they are satisfied that the activities specified within them –
- 1) have had, or are likely to have, a detrimental effect on the quality of life of those in the locality
 - 2) are, or are likely to be, persistent or continuing in nature

- 3) are, or are likely to be, unreasonable
4) justify the restrictions imposed.
- 3.12 This report seeks approval for the use of a PSPO Guidance document specific to our Council and this is included at **Appendix 1**. This guidance aims to set out the issues to consider where local areas are contemplating introducing a PSPO, and offers practical guidance on the steps to take if councils choose to do so. It should be read in conjunction with the Home Office's statutory guidance on the Antisocial Behaviour, Crime and Policing Act 2014.
- 3.13 As outlined at paragraph 3.3, as a result of the Anti-social Behaviour, Crime and Policing Act 2014, PSPOs superseded Designated Public Place Orders, Dog Control Orders and Gating Orders as of 20th October 2017.
- 3.14 There is no requirement in the legislation for councils to undertake a new consultation process where existing DPPOs, Gating Orders or Dog Control Orders have automatically transitioned, although it does seem prudent to review the transitioned orders to ensure their provisions meet the legal tests for PSPOs. It is recommended that councils publicise any PSPOs that replace existing DPPOs, Gating Orders or DCOs to help raise public awareness.
- 3.15 This report seeks to consult on a new City Centre PSPO which would supersede the existing City centre DPPO. A draft PSPO for the City Centre can be found at **Appendix 2**.
- 3.16 The attached draft Public Space Protection Order covers issues which have been reported to the City Council to have had a detrimental impact within the proposed City centre PSPO zone. In addition informal consultation that has been carried out over the last several months has indicated support for such a measure in the City Centre to support the Council's and the City's wider aspirations to make us a City that people want to visit and return to.
- 3.17 The proposed PSPO zone covers the Gloucester Business Improvement District (BID) area of the City centre, with the addition of an attached length of London Road in the Kingsholm & Wotton ward to incorporate an area where several issues of ASB have also been reported over an extended period of time. The Gloucester BID have indicated strong support for a City Centre PSPO and would welcome delegated powers where appropriate being provided to their City Wardens.
- 3.18 The geographical area and the prohibitions proposed within the draft Order are subject to consultation and may be amended based on responses received during the public consultation period. Key conditions include –
- Begging
 - Street drinking
 - Littering
 - Unattended items
 - Dog control orders:
 - Psychoactive substances
 - Nuisance/anti-social behaviour

- Direction to leave if causing nuisance
- 3.19 A draft PSPO must be publicised for public comment as part of the consultation process. There is a statutory 12 week public consultation period. Pre-consultation has already taken place with various forums, including the local Policing team and the Licensed Victuallers Association.
- 3.20 The draft PSPO has been built upon learning from the early adopters of this legislation. The consultation of this draft PSPO will be carried out in accordance with this legislation, also considering prior learning.

4.0 Asset Based Community Development (ABCD) Considerations

- 4.1 Any issues raised through the consultation will be considered fully to determine whether a PSPO is the most appropriate tool to deal with them, or whether alternatives including ABCD and resident-led action, are more suitable.
- 4.2 Any consultation process should be led by the Community Wellbeing Team. This will ensure ABCD considerations are made and that the consultation is community-focussed.

5.0 Alternative Options Considered

- 5.1 The alternative option would be to simply continue as is and note that the range of orders have become Public Space Protection Orders in their own rights as specified in the Anti-social Behaviour, Crime and Policing Act 2014.

6.0 Reasons for Recommendations

- 6.1 Reviewing the PSPO'S that have now superseded a range of individual orders, systematically over the next 24 months is a legal requirement so as the Council can consider their necessity, relevance and proportionality.
- 6.2 With the Council looking to enhance the City Centre offer and pursue Purple Flag Status and City of Culture in 2025, having an effective Public Space Protection Order covering the City Centre is an essential tool to bring about a change in behaviour where the other avenues of engagement and support have proved unsuccessful.
- 6.3 Consulting on a City Centre Draft PSPO as well as securing compliance with a legal obligation will also allow us to gather important information from a range of stakeholders that will inform what a final PSPO, if deemed necessary, would cover.

7.0 Future Work and Conclusions

- 7.1 Subject to approval of this report officers will work with the Communications Team to develop a consultation plan so that we are consulting widely and via the right channels.

- 7.2 As referred to previously in the report a timeline for reviewing the new PSPOs that have superseded the range of previous orders will be developed in consultation with the Head of Communities and Cabinet Member for Communities & Neighbourhoods.

8.0 Financial Implications

- 8.1 The costs of proceeding with the PSPO are not known at this stage as this will depend on the extent of the PSPO proposed both in terms of scope and geographic extent. Costs will be incurred during consultation and, if implemented, as a result of changes to signage. The Council has a budget for the setup costs of such schemes and it is envisaged that all costs can be met from this budget. In the event of costs being incurred in excess of that allocation these would be met from the wider Community Wellbeing budget.”

9.0 Legal Implications

- 9.1 The introduction of any Order or variation of an existing order presents a risk of legal challenge to the Council. Section 66 of the Anti-social Behaviour Crime and Policing Act 2014 states that “interested persons” may challenge the validity of any Order in the High Courts. This means that the Council could face a challenge against its ability to implement the Order. An application of this nature must be made within six weeks, beginning on the day the Order is made or varied. There are two grounds upon which a challenge could be made: That the local authority did not have the power to make the Order, or variation, or to include particular prohibitions or requirements imposed by the Order (or by the Order as varied) or That a requirement under this element of the legislation was not complied with in relation to the order or variation. The High Court would have the power to quash, amend or uphold the Order.
- 9.2 Other legal implications and requirements are set out in the report.

10.0 Risk & Opportunity Management Implications

- 10.1 The consultation process should be in line with that detailed in the PSPO Guidance. Comprehensive work and a robust process will limit possible challenges or representations about a proposed PSPO in Gloucester.
- 10.2 Potential risks will be identified through the consultation process and mitigated accordingly where practical.

11.0 People Impact Assessment (PIA):

- 11.1 Consultation feedback will inform further discussions about whether a PIA is required prior to implementation.

12.0 Other Corporate Implications

Community Safety

- 12.1 Keeping Gloucester a safe and enjoyable place to live, work and visit is the basis of the Community Safety Partnership and strategy. Where evidence

shows that a PSPO is needed, the implementation of one will give enhanced powers to delegated officers to ensure this.

- 12.2 Adopting the PSPO Guidance would offer another tool to Project Solace and the City Improvement & Environment Team in order to tackle nuisance and anti-social behaviour.

Sustainability

- 12.3 The implementation of any PSPO should be in partnership with the Police, relevant partner agencies and local businesses where appropriate, to ensure that PSPOs can be sustainably resourced.

Staffing & Trade Union

- 12.4 There are no staffing or trade union comments in respect of this report.

Safeguarding

- 12.5 There are no safeguarding comments in respect of this report.

Appendix 1 – Draft Gloucester City Council PSPO Guidance

Public Space Protection Orders (PSPOs)

Background

A Public Space Protection Order (PSPO) is a power available to local authorities under the Anti-Social Behaviour, Crime and Policing Act 2014

Public Space Protection Orders (PSPOs) are intended to deal with a particular nuisance or problem in a particular area. The order seeks to prevent behaviour that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. PSPOs are designed to ensure the law abiding majority can use and enjoy public spaces, safe from anti-social behaviour.

PSPOs succeed several powers available under older legislation. These are:

- Dog Control Orders
- Alcohol Restriction Zones (Designated Public Place Orders)
- Gating Orders

Only Councils can issue a Public Spaces Protection Order (PSPO); however they must consult with the public and other agencies before doing so.

Consultation

The Council must consult any communities and/or representatives they think appropriate when proposing to implement a PSPO. Consultation could relate to a specific group, for instance a residents' association, people living or working nearby, or an individual or group of individuals, for example regular users of the area or of specific activities that may be covered in the proposed order. Before the PSPO is made, the Council must also publish the draft order in accordance with regulations published by the Secretary of State (*sec73 Antisocial Behaviour Crime & Policing Act 2014*).

Consultation must also take place with the Police, the Police and Crime Commissioner and other relevant bodies. All proposals for an order should be brought to the Safer Gloucester Partnership to allow for wider partnership discussion. Furthermore, all applications should be compiled in partnership with Gloucestershire Constabulary, who will advise as to who and which local officers will help police the order.

Pre-Consultation

Before considering implementing a PSPO, Councils must make reasonable attempts to resolve the issue(s) using early informal interventions by working across teams internally and with partner agencies such as Police and other appropriate organisations.

If after a reasonable amount of time and after early interventions have been largely unsuccessful, the issue is continuing, a PSPO should be considered. At this point, further consultation and publication of the intention to implement a PSPO should begin. Work

undertaken as part of early informal interventions may be used as evidence in the application of a PSPO.

Implementation

The standard of proof when considering the evidence to implement a PSPO is the civil standard; the balance of probabilities.

PSPOs can be put in place to prevent activities that:

- have had or are likely to have a detrimental effect on the quality of life of those in the locality
- are or are likely to be of a persistent or continuing nature; and
- unreasonable and
- justifies the restrictions imposed

Duration

Once put in place, a Public Space Protection Order lasts for 3 years. During this time, providing there is evidence to satisfy the need, the order may be extended for up to a further 3 years. A PSPO may be extended more than once.

During the duration of the order, it may also be varied to alter either the area that the order applies to or the terms of the order, or both. The order can also be discharged by the Council at any time if appropriate. In the case of varying or discharging the PSPO, the appropriate information must again be published.

Breaches & Enforcement

Breach of a Public Space Protection Order can be enforced by a Police Officer, Police Community Support Officer or a person authorised by the Council.

Any breach of the PSPO must be proved to the criminal standard (beyond reasonable doubt), and would be a criminal offence.

Sanctions for breaching a Public Space Protection Order include:

- a fine up to level 3 (£100) on the standard scale (upon summary prosecution)
- the issue of a Fixed Penalty Notice of up to £100 which may result on further prosecution if not paid

Appeal of the implementation of a PSPO

An interested party may challenge the implementation or variation of a PSPO by applying to the High Court within 6 weeks of the date on which the order or variation comes in to force.

An interested party is an individual who lives in the restricted area or who regularly works in or visits that area (*sec66 Antisocial Behaviour Crime & Policing Act 2014*).

Interested persons can challenge the validity of a PSPO on two grounds:

- that the Council did not have power to make the order
- that the Council did not have the power to include particular prohibitions or requirements.

In addition, the interested person could argue that one of the requirements of implementing the order (for instance, consultation) had not been complied with.

When the application is made, the High Court can decide to suspend the operation of the PSPO pending the verdict in part or in totality. The High Court has the ability to uphold the PSPO, quash it, or vary it.

Practical Application of a PSPO

1. A PSPO should contain the following:

- a) the restricted area
- b) the person(s) against whom the order can apply.

A single PSPO can include multiple restrictions and requirements in one order.

The order can be framed so as to apply to specified persons or groups of people at specified times or for specified durations and may be conditional upon certain events or conditions occurring.

Prohibitions and positive requirements can be imposed but only insofar as they prevent or reduce the negative behaviours that are occurring.

Possible sanctions should distinguish clearly between general breaches and alcohol related breaches.

A PSPO may not restrict the public right of way over a highway in certain cases – see sec 64 Antisocial Behaviour Crime & Policing Act 2014.

2. It is an offence for a person, without reasonable excuse, to:

- a) do anything that the person is prohibited from doing by a PSPO (other than consume alcohol - see * below); or
- b) fail to comply with a requirement to which the person is subject under a PSPO. A person does not commit an offence by failing to comply with a prohibition or requirement that the Council did not have power to include in the PSPO.

* It is not an offence to drink alcohol in a controlled drinking zone. However, it is an offence to fail to comply with a request to cease drinking or surrender alcohol in a controlled drinking zone. This is also liable on summary conviction to a fine not exceeding level 2 on the standard scale. If alcohol is confiscated, it can be disposed of by the person who confiscates it.

3. A person guilty of an offence is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Depending on the behaviour in question, the enforcing officer could decide that a fixed penalty notice (FPN) would be the most appropriate sanction. The FPN can be issued by a police officer, PCSO, Council officer or other person designated by the Council.

In making the decision to issue a FPN, the officer should consider that if issued, payment of the FPN would discharge any liability to conviction for the offence. However, where the FPN is not paid within the required timescale, court proceedings can be initiated (prosecution for the offence of failing to comply with the PSPO).

A FPN should not be issued to a person under the age of 18. In cases where a young person breaches the PSPO, details should be taken and the matter referred to Solace and/or the Youth Offending team where there is repeated ASB or breaches of PSPO, or other concerning behaviour.

Where a person is issued with a Fixed Penalty Notice under this section in respect of an offence, no proceedings may be taken for the offence before the end of the period of 14 days following the date of the notice; and the person may not be convicted of the offence if they pay the fixed penalty before the end of that period.

4. For non-payment of FPN, a prosecution file must be completed and signed by a manager in order to pursue prosecution.

The prosecution file is sent to One Legal and will contain witness statements, exhibits and any other pertinent information.

In any proceedings, a certificate that—

- (a) purports to be signed by or on behalf of the chief finance officer of the Council
- (b) states that payment of a fixed penalty was, or was not, received by the date specified in the certificate,

is evidence of the facts stated.

5. If the Anti-Social Behaviour is still continuing after trying the previous interventions then consideration should be given to further civil action against persistent perpetrators where appropriate.

Considerations

When deciding what to include, the Council should consider scope. The PSPO is designed to make public spaces more welcoming to the majority of law abiding people and communities and not simply restrict access. Restrictions or requirements can be targeted at specific people, designed to apply only at certain times or apply only in certain circumstances.

In establishing which restrictions or requirements should be included, the Council should ensure that the measures are necessary to prevent the detrimental effect on those in the locality or reduce the likelihood of the detrimental effect continuing, occurring or recurring.

The PSPO should include the following:

- identify the activities having the detrimental effect
- explain the potential sanctions available on breach
- specify the period for which the PSPO has effect
- details of Appeal process

Publicity

A local authority must carry out necessary publicity and necessary notification before-

- (a) making a PSPO
- (b) extending the period for which a PSPO has effect or
- (c) varying or discharging a PSPO

"the necessary publicity" means-

(a) in the case of a proposed order or variation, publishing the text of it

(b) in the case of a proposed extension or discharge, publicising the proposal. "the necessary notification" means notifying the following authorities of the proposed order, extension, variation or discharge-

(a) the parish Council or community Council (if any) for the area that includes the restricted area; in the case of a PSPO made or to be made by a district Council in England, the county Council (if any) for the area that includes the restricted area.

Byelaws

A byelaw that prohibits, by the creation of an offence, an activity regulated by a PSPO is of no effect in relation to the restricted area during the currency of the order.

Appendix 2 –

Draft Public Space Protection Order for Gloucester City Centre

PUBLIC SPACES PROTECTION ORDER

GLOUCESTER CITY CENTRE

Section 59, the Anti-Social Behaviour, Crime and Policing Act 2014

Gloucester City Council (referred to hereafter as ‘the authority’) hereby makes the following Public Spaces Protection Order that applies to the public space as referred to within the marked boundary in Appendix One:

Restrictions

1. Dogs on leads

- a) Any person in charge of a dog, at any time, must keep the dog on a lead
 - b) Any person in charge of a dog, at any time, must not allow it to enter or remain in any children’s play park
 - c) Any person in charge of a dog, at any time, must clean up any faeces deposited by that dog
- Unless subject to exemptions listed in Appendix Two below.

2. Alcohol

Any person shall stop drinking alcohol, or hand over any containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by a constable or an authorised person in order to prevent public nuisance or disorder.

3. Psychoactive Substances

Any person shall hand over any containers (sealed or unsealed) which are believed to contain psychoactive substances, when required to do so by a constable or an authorised person in order to prevent public nuisance or disorder.

4. Begging

Any person is prohibited from, at any time, placing himself in a position to receive alms.

5. Peddling/Street Trading

Any person is prohibited from, at any time, peddling/trading goods without the written permission of the authority, even if licensed.

6. Aggressive Charity Collection

Any person is prohibited from, at any time, engaging in assertive or aggressive (commercial or charity) collection or soliciting of money in the designated area.

7. Littering

Any person is prohibited from, at any time, littering.

8. Unattended Items

Any person is prohibited from leaving items or belongings unattended within the designated area. Unattended items will be removed at the direction of a constable or an authorised person.

9. Nuisance or anti-social behaviour

Any person shall not behave in a manner that causes or is likely to cause nuisance, harassment, alarm or distress to any other person.

Requirements

10. Direction to Leave

Any person, when directed to do so by a constable or authorised person in order to prevent public nuisance or disorder, shall leave the designated area.

In issuing the order the authority is satisfied that:

1. (a) The named activities carried out in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality; or
(b) it is likely that the named activities will be carried out in a public place within that area and that they will have such an effect
2. The effect, or likely effect, of the named activities:
(a) is, or is likely to be, of a persistent and continuing nature;
(b) is, or is likely to be, such as to make the activities unreasonable; and
(c) justifies the restrictions imposed by the notice
3. It has had particular regard to the rights of freedom of expression and freedom of assembly set out in Articles 10 and 11 of the European Convention on Human Rights.

Appendix 1 (to the Draft Order)

(map to be amended to include London Road)



Appendix 2 (to the Draft Order)

GENERAL PROVISIONS

1. A person who fails without reasonable excuse to comply with a requirement imposed on them by this Order will be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale or a fixed penalty notice of a maximum of £80.
2. "Authorised Person" means a person authorised for the purposes of section 63 of the Anti-social Behaviour, Crime and Policing Act 2014 by the local authority that made this order.

OBLIGATIONS ON PERSONS WITH DOGS

Fouling

4. If a dog defecates at any time on land to which this Order applies, a person who is in charge of the dog at the time must remove the faeces from the land immediately unless:

- a) they have reasonable excuse for failing to do so; or
- b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

The offence does not apply to a person who:

- a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- b) a person with a disability affecting their mobility, manual dexterity or ability to lift, carry or move everyday objects who relies upon a dog trained by a prescribed charity for assistance.

This applies to all land in the administrative area of the Authority to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.

Dogs on leads when directed

5. A person in charge of a dog on land to which this Order applies must comply with a direction given to him by an Authorised Person of the Authority to put and keep the dog on a lead unless:

- a) they have reasonable excuse for failing to do so; or
- b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

An Authorised Person may only give a direction under this order if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog that is likely to cause annoyance or disturbance to any other person, or to a bird or another animal.

This applies to all land in the administrative area of the Authority to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.

Dogs on leads in specified areas

6. A person in charge of a dog must keep the dog on a lead in Designated Area unless:

- a) they have reasonable excuse for failing to do so; or
- b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to them failing to do so.

Dog exclusion in specified areas

The offence does not apply to a person who:

- a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- b) a person with a disability affecting their mobility, manual dexterity or ability to lift, carry or move everyday objects who relies upon a dog trained by a prescribed charity for assistance.

Failing to produce a receptacle for picking up dog faeces

9. A person in charge of a dog on land to which this order applies must have with them an appropriate means to pick up dog faeces deposited by that dog unless:

- a) they have reasonable excuse for failing to do so; or
- b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

The obligation is complied with if, after a request from an Authorised Person, the person in charge of the dog produces an appropriate receptacle to pick up dog faeces. A receptacle is defined as any object capable of holding faeces for disposal.

By way of guidance, a trouser or coat or other pocket is not such item for the purpose of this obligation. Neither is a handbag, rucksack, purse or sports bag.

The offence does not apply to a person who:

- a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- b) a person with a disability affecting their mobility, manual dexterity or ability to lift, carry or move everyday objects who relies upon a dog trained by a prescribed charity for assistance.

Prohibition of Alcohol Consumption

Where a constable or an authorised person reasonably believes that a person:

- a) is or has been consuming alcohol in breach of the Order; or
- b) intends to consume alcohol in circumstances in which doing so would be a breach of the Order;

The constable or authorised person may require that person:

- a) not to consume alcohol or anything which the constable or authorised person reasonably believes to be alcohol;
- b) to surrender anything in their possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.

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By virtue of paragraph(s) 2, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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