



Gloucester City Council

Cabinet

Meeting: Wednesday, 14th October 2020 at 6.00 pm Virtual Meeting
(a viewing link will be published on the council's website at least 24 hours prior to the meeting)

Membership:	Cllrs. Cook (Leader of the Council and Cabinet Member for Environment) (Chair), H. Norman (Deputy Leader of the Council and Cabinet Member for Performance and Resources), Gravells (Cabinet Member for Planning and Housing Strategy), Melvin (Cabinet Member for Economic Recovery and Growth), Morgan (Cabinet Member for Culture and Leisure) and Watkins (Cabinet Member for Communities and Neighbourhoods)
Contact:	Democratic and Electoral Services 01452 396126 democratic.services@gloucester.gov.uk

AGENDA

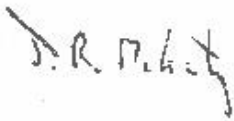
VIEWING ARRANGEMENTS FOR REMOTE MEETINGS	
	<p>View the meeting here: https://bit.ly/3lfApkE</p> <p>The meeting is being broadcast live using Microsoft Teams. We recommend that you install the Microsoft Teams app on your device for the best viewing experience. If viewing via a web browser, please note that this is not possible if using Safari; instead please download the Microsoft Teams app or the Microsoft Edge browser.</p> <p>Further advice on accessing meetings through Teams, is available here: https://support.office.com/en-us/article/Attend-a-live-event-in-Teams-a1c7b989-ebb1-4479-b750-c86c9bc98d84</p>
1.	<p>APOLOGIES</p> <p>To receive any apologies for absence.</p>
2.	<p>DECLARATIONS OF INTEREST</p> <p>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.</p>
3.	<p>MINUTES (Pages 7 - 10)</p> <p>To approve as a correct record the minutes of the meeting held on 16th September 2020.</p>

<p>4.</p>	<p>PUBLIC QUESTION TIME (15 MINUTES)</p> <p>The opportunity is given to members of the public to put questions to Cabinet Members or Committee Chairs provided that a question does not relate to:</p> <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 <p><i>If you would like to ask a question at this meeting, please contact democratic.services@gloucester.gov.uk as soon as possible and by Friday 9th October at the latest.</i></p>
<p>5.</p>	<p>PETITIONS AND DEPUTATIONS (15 MINUTES)</p> <p>To receive any petitions or deputations provided that no such petition or deputation is in relation to:</p> <ul style="list-style-type: none"> • Matters relating to individual Council Officers, or • Matters relating to current or pending legal proceedings <p><i>If you would like to present a deputation or petition at this meeting, please contact democratic.services@gloucester.gov.uk as soon as possible and by Friday 9th October at the latest.</i></p>
<p>6.</p>	<p>LEADER AND CABINET MEMBERS' QUESTION TIME (15 MINUTES)</p> <p>Any Member of the Council may ask the Leader of the Council or any Cabinet Member any question without prior notice, upon:</p> <ul style="list-style-type: none"> • Any matter relating to the Council's administration • Any matter relating to any report of the Cabinet appearing on the summons • A matter coming within their portfolio of responsibilities <p>Only one supplementary question is allowed per question.</p> <p><i>If you would like to ask a question at this meeting, please contact democratic.services@gloucester.gov.uk as soon as possible and by Friday 9th October at the latest.</i></p>
<p>7.</p>	<p>SOCIAL VALUE POLICY, TOOLKIT AND GLOUCESTER TOM'S MEASUREMENT (Pages 11 - 30)</p> <p>To consider the report of the Cabinet Member for Communities and Neighbourhoods providing an update on the work requested by Cabinet in March 2020 to be carried out and seeking adoption of the Social Value Policy in Appendix 1 for embedding in the City Council's procurement process.</p> <p>Please note that Appendix 3 is exempt from disclosure to the press and public by virtue of Paragraph 3 of Schedule 12A of the Local Government Act 1972 as amended (information relating to the financial or business affairs of any particular person including the authority holding that information). If Members wish to discuss Appendix 3 the Cabinet will need to resolve to exclude the press and public before doing so.</p>

8. KINGS SQUARE UPDATE (Pages 31 - 40)

To consider the report of the Leader of the Council seeking to secure approval from Members to the capital budget required to implement the Kings Square redevelopment scheme thereby enabling the appointment of a Principal Contractor and a start on site in October 2020.

Please note that Appendix A is exempt from disclosure to the press and public by virtue of Paragraph 3 of Schedule 12A of the Local Government Act 1972 as amended (information relating to the financial or business affairs of any particular person including the authority holding that information). If Members wish to discuss Appendix A the Cabinet will need to resolve to exclude the press and public before doing so.



**Jon McGinty
Managing Director**

Date of Publication: Tuesday, 6 October 2020

NOTES

Disclosable Pecuniary Interests

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

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

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

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

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

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

Access to Information

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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.

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CABINET

MEETING : Wednesday, 16th September 2020

PRESENT : Cllrs. Cook (Chair), H. Norman, Gravells, Melvin, Morgan and Watkins

Others in Attendance

Cllrs Hilton and Hyman

Managing Director

Corporate Director

Corporate Director

Head of Place

Head of Policy and Resources

Head of Cultural Services

Democratic and Electoral Services Officer

Democratic and Electoral Services Officer

APOLOGIES : None

25. DECLARATIONS OF INTEREST

There were no declarations of interest.

26. MINUTES

RESOLVED that the minutes of the meeting held on 15th July 2020 are confirmed as a correct record and be signed by the Chair in due course.

27. PUBLIC QUESTION TIME (15 MINUTES)

There were no public questions.

28. PETITIONS AND DEPUTATIONS (15 MINUTES)

There were no petitions or deputations.

29. LEADER AND CABINET MEMBERS' QUESTION TIME (15 MINUTES)

Councillor Hilton noted that Wellington Parade Garden had been closed since 2018. He enquired if the Cabinet Member for Communities and Neighbourhoods was still committed to its reopening and reconstruction in line with the design that had been

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published in 2019 for consultation intended to discourage anti-social behaviour. The Cabinet Member for Communities and Neighbourhoods expressed frustration at the length of closure, confirmed her commitment to its reopening and advised that she would pursue the matter.

Councillor Hilton asked if works might commence from the end of the month using the £14,000 previously set aside by the Council for the scheme rather than continuing to await the outcome of the application made in November 2019 to the Great Western Railway Customer and Communities Improvement Fund for a £35,000 contribution. The Cabinet Member for Communities and Neighbourhoods announced that notification had just been received that the application had been unsuccessful so other finance options would be explored to ensure the project is done properly. She reiterated her commitment to getting the garden open, especially given its important location.

Regarding the petition from residents of Green Pippin Close presented to Council (9 July 2020 Minute 14.1) concerning the footpath linking it to Barnwood Road, Councillor Hyman sought an update on the investigation conducted by Project Solace into claims of anti-social and criminal behaviour. The Cabinet Member for Communities and Neighbourhoods stated that the inquiry had not yet reached its conclusion. She informed Members that representations had been received from residents both for and against closing the footpath, that since 1st June 2019 there had been 13 incidents reported in the vicinity, of which 5 were crime related, and that from July 2020 police officers had spoken to 10 residents displeased with its use and they had cited reasons other than specific crimes and anti-social behaviour. The Cabinet Member for Communities and Neighbourhoods commented that a Public Space Protection Order to close a footpath should be seen as a last resort and had to be justified with evidence of crime and anti-social behaviour to a level not yet met in this case. So that an appropriate solution can be found she urged residents and elected members to report relevant incidents so that they may be recorded.

The Cabinet Member for Environment advised Members that the County Council owned the footpath so that a Gating Order would be required to close it following investigation and the consent of the County and residents. Councillor Hyman noted that land around the footpath was City Council owned and sought reassurance that both councils would cooperate to resolve the issue. The Cabinet Member for Environment replied that they would.

30. COUNTER FRAUD AND CORRUPTION POLICY STATEMENT AND STRATEGY 2020–2023

Cabinet considered the report of the Head of Audit Risk Assurance (Chief Internal Auditor) that sought approval of the Council's updated Counter Fraud and Corruption Policy Statement and Strategy 2020-2023.

The Cabinet Member for Performance and Resources summarised the key elements of the report and reminded Members that this was the right time to review the approach to tackling fraud. She emphasised that Gloucester City Council took its responsibilities in this area very seriously. The Cabinet Member for Planning and Housing Strategy commented that the dishonest minority of people would

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receive a robust response and that the message going out is that fraud will not be tolerated and perpetrators will be found.

RESOLVED that:

- (1) the Counter Fraud and Corruption Policy Statement and Strategy 2020-2023 be approved; and
- (2) the strategy be disseminated to managers in accordance with a communications plan, to reaffirm the Council's counter fraud culture and objectives.

31. FINANCIAL MONITORING QUARTER 1 REPORT

Cabinet considered the report of the Cabinet Member for Performance and Resources that sought Members to note year-end forecasts and the financial pressures on the Council during the 1st Quarter ended 30th June 2020.

The Cabinet Member for Performance and Resources placed the report in the context of the COVID-19 pandemic which had impacted all areas and stressed that the figures given were best estimates in current circumstances. In her own portfolio she highlighted that parking had been the most affected function and that the income from property investments had been positive and that a business rates rebate had been received in relation to the underspend in Asset Management and that income from the property investments was forecast to be positive.

In his portfolio the Cabinet Member for Environment noted the overspend due to COVID-19 and advised that the money would be claimed back from central government. He anticipated that the financial position would improve in the remaining three quarters of 2020/21. The Cabinet Member for Environment informed Members that income had risen due to increased recycling collections and recycle values although he warned that the values do fluctuate.

The Cabinet Member for Communities and Neighbourhoods reminded Members that the overall position would have been worse without the tremendous efforts of officers and their teamwork alongside elected members of all parties.

The Cabinet Member for Economic Recovery and Growth reiterated the thanks due to officers, especially the Head of Policy and Resources and his team. She asked officers present for an indication of the COVID-19 losses and what proportion might be recovered from central government. The Head of Policy and Resources advised Members that 75 pence in the pound of lost income was expected to be reimbursed after a 5% deduction against the overall income budget. He however made it clear that the claim, due to be submitted at the end of the month, was still being worked on so the final figures were unknown but that £1 million was anticipated to be returned for the first quarter.

The Cabinet Member for Culture and Leisure also acknowledged the work of officers but especially those at the Guildhall, Blackfriars Priory and Museum of Gloucester who despite the difficult circumstances had kept activity and public interest going in those venues. He further informed Members that they were

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mindful of the need to generate income opportunities and so the museum was already open to a limited extent and the Guildhall would follow soon.

The Cabinet Member for Planning and Housing Strategy also particularly thanked the finance team not just for their achievements over the 1st quarter and reminded Members of the praise they regularly received from external auditors on presentation of their accounts. In regard to his own portfolio he noted that income from planning fees was on target after a deficit the previous year and advised Members that the £71,000 over budget forecast (9.1) was due to a reduction in land searches, an function whose place in the portfolio budget had been questioned and so might not appear in future.

The Cabinet Member for Environment echoed the thanks given by Members and commented that the financial position would have been much worse had the COVID-19 Gloucester City Recovery Plan not been developed.

RESOLVED that:

- (1) the forecast year end position is currently for a decrease to the Council's General Fund balance of £523k against a budgeted decrease of £49k be noted
- (2) the uncertainty surrounding the exact levels of grant income to be received from Government will affect the eventual financial outcome for the year be noted
- (3) the details of specific budgetary issues identified by officers and the actions being taken to address those issues be noted
- (4) the current level of Capital expenditure as shown in Appendix 1 of the report be noted.

Time of commencement: 6.02 pm

Time of conclusion: 6.30 pm

Chair



Meeting:	Cabinet	Date:	14 October 2020
Subject:	Social Value Policy, Toolkit and Gloucester TOM's Measurement		
Report Of:	Cabinet Member for Communities and Neighbourhoods		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Adam Wassell, City Growth & Delivery Officer		
	Email: adam.wassell@gloucester.gov.uk	Tel:	396974
Appendices:	1. Gloucester City Council Social Value Policy 2. Social Value Policy Monitoring Hierarchy 3. Social Value Portal Supplier Costs		

EXEMPTIONS

The public are likely to be excluded from the meeting during consideration of Appendix 3 as it contains exempt information as defined in paragraph (3) of schedule 12A to the Local Government Act 1972 (as amended).

1.0 Purpose of Report

1.1 To provide an update on the work requested by Cabinet in March 2020 to be carried out and seek Cabinet adoption of the Social Value Policy in Appendix 1 for embedding in the City Council's procurement process.

2.0 Recommendations

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

- (1) the adoption of the Social Value Policy in Appendix 1, to be implemented as part of the City Council's procurement process be approved; and
- (2) responsibility be delegated for the management of the Social Value Toolkit and Gloucester TOM's measurement framework to the Head of Communities, in consultation with the Cabinet Member for Communities and Neighbourhoods and the City Council Solicitor; and
- (3) it be noted that by engaging Social Value Portal Limited to support the City Council and bidders in the delivery of social value, successful bidders for City Council contracts will be required to pay a fee to the Social Value Portal as set out in Appendix 3.

3.0 Background and Key Issues

3.1 In March 2020, Cabinet considered a draft Social Value Policy for the City Council. To summarise, for procurement activity exceeding £50,000, the City Council would

consider where and how social value can be delivered and request bidders to submit details on how they expect to deliver social value through deliver of the contract. Social Value would be given a 10% weighting on assessment on submissions. The City Council has decided that Social Value deliverables should cover the five following areas:

- Promoting local skills and employment (Jobs)
- Supporting growth of responsible regional business (Business)
- Creating healthier, safer and more resilient communities (Social)
- Protecting and improving our environment (Environment)
- Promoting social innovation (Innovation)

3.2 Following review, Cabinet took the decision to:

- Undertake consultation on the Social Value Policy, to ensure it is representative of local need as recognised by stakeholders
- Develop two documents to aid potential suppliers in addressing this social value requirement in their tender documentation.
 - The first of these is a Social Value Toolkit, a document that explains the specific interventions expected as a result of the adoption of the policy. This was requested following feedback on Manchester City Council's and Bristol City Council's experience with developing a Social Value Policy.
 - The second is for a series of social value delivery measurements, based on the five areas referenced in 3.1. Collectively, this measurement model is based on a tool developed by Social Value Portal Limited called the TOM's- this stands for Themes (the five key areas), Outcomes (a series of deliverables) and Measures (how the deliverables are measured; usually a financial equivalent is provided).
- Procure the services of Social Value Portal Limited, to support officers in developing the materials referenced above and provide further assistance with the management of procurements meeting the criteria for Social Value deliverables.

3.3 The adoption and implementation of the Social Value Policy was subsequently established in the Council Plan (2020-2021) extension.

3.4 Although the Covid-19 pandemic has pushed back a number of City Council managed projects, officers have been able to progress this work and in July 2020 the Social Value Portal were appointed to progress the development of the Policy, Toolkit, and TOM's measurement framework, and an internal guidance document for staff for its implementation.

3.5 SMT had a session with Social Value Portal Limited on the 28th July, where they were given an overview of the key deliverables for the project.

3.6 On the 29th July, Social Value Portal Limited hosted a workshop with a number of key city stakeholders. This was to begin capturing information on local social value priorities, to aid in the development of Gloucester's own priority list.

3.7 Following this, City Council Officers have worked with Social Value Portal Limited to develop the bespoke draft toolkit, TOM's measurement indicators, and internal guidance for staff. The City Council's interim Procurement Officer has also provided ongoing advice and support with the proposed delivery of the policy.

- 3.8 On the 3rd of September, the TOM's measurements were presented to the Social Value workshop, and work is now ongoing to incorporate feedback into the final published documents.
- 3.9 These documents have now largely been completed, and it is intended that they will be launched alongside the adoption of the Social Value Policy. Their function in realising the Social Value Policy is summarised below:
- The Social Value Toolkit establishes for suppliers the City Council's definition of social value, introduces the TOM's measurement framework, provides examples of social value interventions, explains how this policy works within the procurement process, and provides answers to commonly asked questions.
 - The TOM's Measurement tool outlines specifically what the social value deliverables should be, and how they will be measured. It is intended that officers will engage constructively with suppliers to agree how these deliverables can be delivered to maximum effect.
- 3.11 Training sessions will be delivered for staff involved in project management in October 2020, to ensure they are prepared to appropriately action the policy in procurement.
- 3.12 The City Council will be using Social Value Portal Limited's platform to manage social value in procurement, and alongside developing the documents referenced above, officers are also working with the Social Value Portal to ensure the system is ready for immediate implementation upon adoption of the Policy. The City Council will utilise the Social Value Portal for an initial period lasting 12 months. The contract will then be reviewed to decide whether their services are retained.
- 3.13 It should be noted that following award of a contract, Social Value Portal Ltd charge a fee to the successful bidder. This is to cover both the license fee of using the Social Value Portal for contract monitoring purposes, and for the ongoing support and advice of a dedicated Social Value Advisor. This is the approach that has been adopted with Social Value Portal Ltd.'s work with other local authority partners, and none of them have experienced issues with suppliers as a result of this. Further information can be found in Appendix 3.
- 3.14 Both the Social Value Toolkit and the TOM's Measurement Tool are the result of consultation with a stakeholder group comprising representatives from various organisations. It is intended that this group will continue to consult on this work as the Policy is delivered upon. To ensure these documents can be regularly updated and adjusted according to the experience of the stakeholder group and external factors outside the City Council's control, it is requested that responsibility for them be delegated to the Head of Communities, in consultation with the Cabinet Member of Communities and Neighbourhoods and the City Council Solicitor.
- 3.15 A management structure for the policy has also been submitted with this report. It is intended that the Head of Communities role will serve as the accountable officer for this work and will be responsible for providing Cabinet with an update every six months on the ongoing delivery of the policy. They will also serve as the primary point of contact for members on social value and be responsible for ensuring the policy remains fit for purpose. Supporting them, three individuals- the Economic

Development team, Community Wellbeing Manager and City Climate Change and Environment Manager- will manage the individual areas of the TOM's. Further information can be found in Appendix 2.

4.0 Asset Based Community Development (ABCD) Considerations

4.1 The City's community of local stakeholders have been involved in the process of developing the Social Value Policy and Toolkit and have all indicated a desire to be involved in the programme on an ongoing basis. Upon implementation of the policy contractors will be expected to collaborate at the local level and the Social Value Policy will facilitate the Council's continued commitment to ABCD.

5.0 Environmental Implications

5.1 Social Value principles promote the protection and improvement of the natural environment, arguing its prioritisation creates a better place to live. Appropriate stakeholders and officers are being consulted to ensure the Social Value policy covers Gloucester's environmental needs.

6.0 Alternative Options Considered

6.1 None considered.

7.0 Reasons for Recommendations

7.1 To deliver a Social Value Policy as specified in the Council Plan extension (2020-2021).

8.0 Future Work and Conclusions

8.1 The Social Value Toolkit and TOM's framework will be finalised and agreed upon with the stakeholder group. They will be available alongside the Social Value Policy.

9.0 Financial Implications

9.1 Financial Services have not been consulted in the preparation of this report.

10.0 Legal Implications

10.1 The Public Services (Social Value) Act 2012 came into force on 31 January 2013. It requires public bodies who commission services to consider how what is proposed to be procured might improve the wider social, economic and environmental well-being of the area. This duty only applies to the procurement of services above the threshold for the advertisement of the procurement across the EU. This threshold is currently £189,330. The Council's policy goes beyond the statutory duty as it covers all procurements above £50,000.

10.2 Before starting the procurement process for above threshold services contract, commissioners must think about whether the services they are going to buy, or the way they are going to buy them, could secure these benefits for their area.

10.3 The Public Contracts Regulations 2015 permit social aspects to be evaluated as part of the quality criteria. Any social value aspects must be relevant and proportionate to what is being procured.

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

11.0 Risk & Opportunity Management Implications

Risk	Impact	Level of impact	Likelihood of impact	Mitigating measures
Immediate rollout of policy not possible following adoption	Whilst policy would be active, further time would be required to get it operational	High	Low	Training sessions with staff to be held imminently.
Risk of suppliers not bidding due to dealing with two portals for bid submission	Reduced number of submissions for Council contract could lead to poor overall quality of options	High	Low	Existing agreement between Social Value Portal Ltd and existing supplier portal infrastructure. Has been used by other LA's to great effect
Issues with winning bidder having to pay a fee for Social Value Portal Ltd.'s services	Issues with contract commencement, may lead to fewer bids being received	High	Low	Social Value Portal Ltd have stated in working with over 50 LA's this has never been an issue. Will be on hand to support if problems arise.
Issues with delivering Social Value with long-term impact of Covid not yet understood	May lead to failure to delivery contract, may lead to non-compliance with obligation	High	Medium	Social Value Portal Ltd providing ongoing support with non-delivery. Council will actively support suppliers first hand.

12.0 People Impact Assessment (PIA) and Safeguarding:

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

13.0 Community Safety Implications

13.1 The delivery of Social Value does ensure "healthier, safer and more resilient communities", and would contribute to crime reduction, the promotion of healthier lifestyles, and giving vulnerable individuals opportunities for independence.

14.0 Staffing & Trade Union Implications

14.1 None.

Background Documents

None

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Social Value Policy
2020-2022

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Executive Summary

Gloucester City Council's Social Value Policy outlines the how the City Council intends to deliver on a broad range of local commitments through the delivery of its procurement activity. To summarise, for procurement activity exceeding £50,000, the City Council will require potential suppliers for contracts to submit details on how they expect to deliver social value through deliver of the contract. This will be given a total 10% weighting on assessment on submissions.

Social Value deliverables cover the five following areas:

- Promoting local skills and employment (Jobs)
- Supporting growth of responsible regional business (Business)
- Creating healthier, safer and more resilient communities (Social)
- Protecting and improving our environment (Environment)
- Promoting social innovation (Innovation)

This document outlines the rationale behind the implementation of this policy, the methodology for its application, and how potential suppliers can best engage with the framework that has been created.

Introduction

Since 2017, Gloucester City Council has worked towards delivering its vision to create “A City that Works for Everyone” (Gloucester City Council: Council Plan, 2017-2020). A proactive approach to asset-based regeneration has served as a key driver for improving outcomes for local people; creating new employment opportunities, a stronger economic environment for businesses, and healthier and more resilient communities.

However, Gloucester still faces a number of challenges surrounding deprivation, with the City containing 9 of the 12 areas of Gloucestershire in the 10% most deprived areas nationally. Income deprivation, unemployment, lack of qualifications, health disabilities and crime are persistent in certain wards of the City. Gloucester has an uneven spread of these challenges, leaving some wards in greater need than others.

Much work has already been done to engage and empower communities at the local level; realised through a variety of initiatives including the City’s pioneering approach to Asset-Based Community Development (ABCD), and the establishment of a Community Interest Company (CIC) to deliver a Community Building programme in specific City Wards.

However, Gloucester City Council recognises that it also has role to play in generating social value for local people through its day-to-day activity, particularly through procurement. Through the implementation of this policy, Gloucester City Council will be able to integrate economic, environmental and social sustainability into its procurement processes.

Background and History

Overview

The Public Services (Social Value) Act 2012 (the Act) came into force in January 2013, cementing the responsibilities of a contracting authority before procuring services contracts subject to public procurement regulations to consider the “economic, social and environmental wellbeing of the relevant area” in its procurement activity. Public procurement legislation also permits contracting authorities to consider social aspects when assessing the quality of a tender whether relating to goods, supplies or works. This allows authorities to select a bidder based on the most economically advantageous tender (MEAT), rather than just a low price.

The Act states the authority must consider:

- (a) how what is proposed to be procured might improve the economic, social and environmental wellbeing of the relevant area;
- (b) how, in conducting the process of procurement, it might act with a view to securing that improvement.

In addition, the Act requires that in relation to the above duty, contracting authorities must only consider matters that are relevant to what is to be procured and must consider the extent to which it is proportionate in all the circumstances to take those matters into account.

The Act also requires the authority to consider whether to undertake public consultation, to understand further the improvements that can be secured through a tender opportunity, and how they can be realised. For example- a local authority consulted with service users on their ‘Meals on Wheels’, seeking feedback for improvement. Isolation and loneliness were identified as key concerns, and with this information the local authority subsequently secured a service which aimed to bring people into a local community centre.

In order to really deliver Social Value and have it fully embedded and considered; commissioners must move away from just considering the core service being delivered by a supplier to one that recognises the overall value of outcomes delivered. Gloucester City Council intends to further commit itself to the Act, by going beyond the Act’s requirements and implementing this policy into all aspects of its commercial and procurement activity where it is practicable to do so. In doing this, both the detail and spirit of the Act can be delivered in all Gloucester City Council commercial and procurement activity.

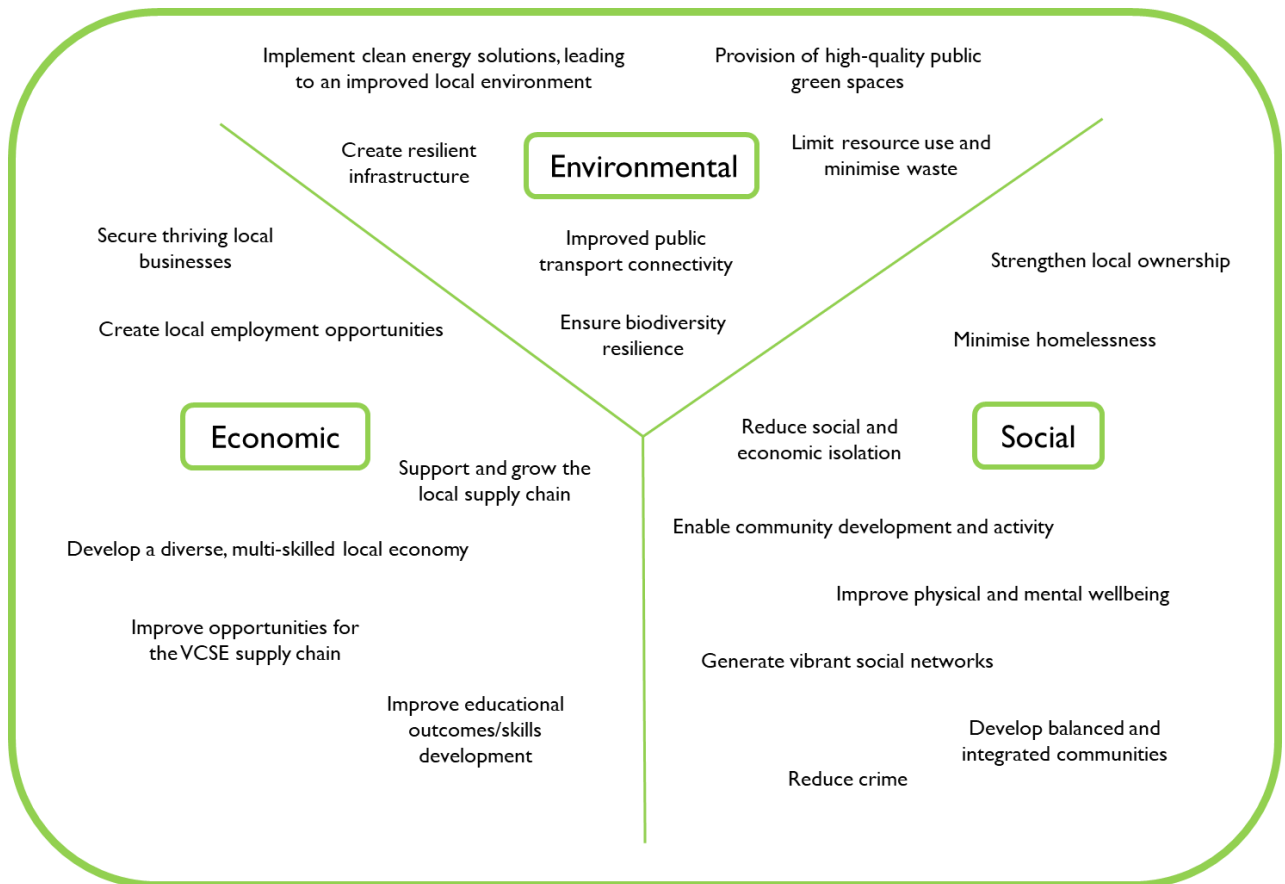
However, it should be emphasised that there is not a one-size-fits-all approach to Social Value. Each contract must be considered individually for its ability to deliver on these priorities where it is both relevant and proportional to do so.

Social Value is defined by The Social Value Portal as:

“An umbrella term for the wider economic, social and environmental effects of an organisations activities. Organisations that make a conscious effort to ensure that these effects are positive can be seen as adding social value by contributing to the long-term wellbeing and resilience of individuals, communities and society in general.”

- Economic effects relate to the creation and maintenance of a strong local economy, and the encouragement of local innovation to make the economy more efficient.
- Social effects relate to ensuring equality and diversity and maximising social inclusion.
- Environmental effects relate to ensuring local biodiversity, reducing carbon emissions, recycling and controlled consumption.

Examples of how the three ‘pillars’ of sustainable procurement can benefit the local community- economic, social and environmental- are set out in the diagram below. The diversity of Gloucester’s community- and specifically, their needs- means the impact of these interventions will vary.



In some instances, outcomes will cross over multiple areas. Interventions that meet multiple objectives are possible and should be pursued where deliverable.

Why do this?

Gloucester City Council’s Council Plan 2017-2020 stipulates that:

“Gloucester has a strong and growing economy but ensuring all our communities share in that is a key challenge.”

At the same time, Social Value UK defines Social Value as:

The quantification of the relative importance that people place on the changes they experience in their lives... Social Value has huge potential to help us change the way we understand the world around us and make decisions about where to invest resources.”

Through accounting for Social Value directly through spending decisions, Gloucester City Council can further deliver on its primary function through maximising the benefit for the community it has been established to serve.

Requiring suppliers to deliver social benefits while they deliver the main element of their contract means that there is a magnified benefit for Gloucester City Council. Incorporating social value into the commissioning and procurement process is not difficult and can make a tangible difference to people in the community, to service delivery and to the council's spending plans as a whole.

Adoption of this policy will provide the following benefits:

Encouraging a diverse base of suppliers

Promoting supplier diversity; including the participation of small and medium sized enterprises (SME's) and 3rd sector organisations, and local suppliers in general;

Promoting fair employment practices

Ensuring workforce equality and diversity within supply chains;

Meeting targeted recruitment and training needs

Offering a range of apprenticeship, training and skills development opportunities as well as employment opportunities;

Community benefits

Maximising opportunities for organisations to participate in the council's supply chains and encouraging suppliers to make a social contribution to the local area;

Ethical sourcing practices

Ensuring compliance with UK, EU and international standards, promoting fair trade and fair pricing policies, tackling corruption, child labour, animal welfare, blacklisting of union members and similar social issues; and

Promoting greater environmental sustainability

Minimising waste and pollution, supporting carbon reduction initiatives, furthering energy efficiency and other sustainability programmes.

Policy Context

The corporate Council Plan 2017-2020 establishes how Gloucester City Council intends to deliver Social Value and sets the foundation framework for the policy.

Our Priorities

The Council Plan explains how Gloucester City Council will improve the lives of everyone who lives in, works in and visits Gloucester. The following priorities underpin this Social Value Policy:

Working to Create a Vibrant and Prosperous City: to ensure the local economy is grown for the benefit of all. This covers the ongoing Council-led asset-based regeneration of Gloucester City Centre, but also working with stakeholders/developers to bring vacant sites and buildings back into active use in the interest of the community. The Culture Board have a key role to also broadening the City's diverse cultural offer, and a variety of partners will also be engaged to attract new investment, businesses and jobs to the City to the benefit of local people.

Working to Maintain a Safe and Attractive City: to ensure Gloucester is a safe and pleasant place for residents to live in. This covers the creation of a safe and attractive City Centre through the day and night, action to address environmental crime, clean streets, and community involvement in both the management and ongoing maintenance of both public and green spaces.

Working to Build Strong and Resilient Communities: to prioritise community strength and diversity, whilst improving the lives of all residents. This covers empowering communities to manage existing Council assets, the tackling of crime and anti-social behaviour through community partnerships, actions taken to address the City's housing requirements, and addressing social deprivation.

Working to Provide Great Services that Ensure Value for Money: to ensure Gloucester City Council can continue to provide value for money in the services it delivers. This covers how processes can be appraised and evaluated for ways they can be improved.

The implementation of a Social Value Policy will allow Gloucester City Council to generate significant opportunity for the community of Gloucester, whilst maintain its statutory commitment to the delivery of services.

Gloucester City Council expect its partners and suppliers to commit to its values and behaviours framework, that builds on the above priorities. These are:

- **Efficiency and Value for Money:** striving to provide great services affordably for all
- **Forward Thinking with Innovation:** adopting an entrepreneurial approach
- **Making Residents Lives Better:** supporting communities to use their own strengths whilst supporting the most vulnerable who need additional support
- **Passionate about the City:** putting Gloucester at the heart of everything we do
- **Working Together to Make it Happen:** building strong and trusted relationships with the community of Gloucester and partner organisations to achieve the best outcome

The Social Value Policy is also informed by and feeds into a number of other Corporate Strategies, including:

- Regeneration & Economic Development Strategy 2016-2021
- Cultural Vision and Strategy 2016-2026
- Economic Growth Strategy 2019-2022

Actions

In practice this Policy will be applied as follows:

- (i) As a minimum, all officers undertaking procurements over £50,000 will be required to consider
 - a. if and how what is being procured could improve the social, economic and environmental wellbeing of the area in accordance with the Council Plan and
 - b. how social value elements could be included as part of the specification and as part of the scoring and evaluation process.

However, wherever possible to do so, procurements below this value should also seek social value benefits from contracts.

(ii) Gloucester City Council must ensure that, in accordance with Section 1(6) of the Public Services (Social Value) Act 2012, Social Value elements are included only where they are relevant to what is being procured, and that the Social Value elements are proportionate. They must also be such so as not to discriminate against bidders from outside of the local area.

(iii) The standard weighting for Social Value will be a minimum 10% of the overall evaluation score and, where it is feasible, this may be higher. This will be determined on a case by case basis.

(iv) For the purposes of assessment, Social Value will be considered as part of the quality measurement but will need to form 10% of the overall tender score.

(v) The Gloucester National Themes, Outcomes and Measures (TOMs) measuring tool as agreed by the Local Government Association will be used to capture Social Value offers from bidders to ensure offers can be evaluated in an open, fair and transparent way. The responsibility for reviewing and adjusting the TOM's measurement framework is delegated to the Head of Communities.

(vi) The policy will be communicated to all internal staff, providers and partners, and a programme of training and development will be created to improve understanding of social value across the organisation, including our approach and practice.

Gloucester City Council will periodically review its Social Value Policy. In doing so, it will take account of any changes in legislation pertaining to the Public Services (Social Value Act) 2012, Public Contracts Regulations 2015 and related guidance and any changes to Gloucester City Council's priorities when it is reviewed.

A public report will be produced every six months, allowing Gloucester City Council to adjust its approach according to experience. This report will include monitoring information in line with the TOM's measuring tool, evidence of the benefit to local communities, and an analysis of the impact of the policy on the local economy.

Suppliers should read the Social Value Policy in combination with the Social Value Toolkit, which goes into more detail on what Gloucester City Council aspires to see delivered through the policy, and the impact it has on both the procurement process and contract management process.

Conclusion

Gloucester City Council has long been committed to delivering Social Value, and this policy builds on the foundation created by the Social Value Act (2012), ensuring contracts over the value of £50,000 directly contribute to the delivery of various initiatives.

Potential suppliers are encouraged to read this document alongside the Gloucester City Council Social Value Toolkit, as this document provides further information relating to how the Social Value commitments this Policy secures can be delivered for maximum impact.

Appendix 2 Social Value Policy Monitoring Hierarchy



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

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Gloucester City Council

Meeting:	Cabinet	Date:	14 October 2020
Subject:	Kings Square Update		
Report Of:	Leader of the Council and Cabinet Member for Environment		
Wards Affected:	Westgate		
Key Decision:	Yes	Budget/Policy Framework:	Yes
Contact Officer:	Philip Ardley, Regeneration Consultant - Place		
	Email: philip.ardley@gloucester.gov.uk	Tel:	396107
Appendices:	Appendix A – Exempt Report Appendix B – Artist’s Impressions Appendix C – Construction Phasing Plan for Kings Quarter		

EXEMPTIONS

The public are likely to be excluded from the meeting during consideration of Appendix A as it contains exempt information as defined in paragraph (3) of schedule 12A to the Local Government Act 1972 (as amended).

1.0 Purpose of Report

1.1 To secure approval from Cabinet to implement the Kings Square redevelopment scheme thereby enabling the appointment of a Principal Contractor and a start on site in October 2020.

2.0 Recommendations

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

- (1) the Head of Place in consultation with the Leader of the Council and Cabinet Member for Environment, the Head of Policy and Resources and the Council Solicitor is authorised to enter into a construction contract with a Principal Contractor to implement the Kings Square Redevelopment Scheme within the existing capital programme approved by Council in February 2020
- (2) authority be delegated to the Head of Place in consultation with the Council Solicitor to take all necessary steps and undertake necessary procedures, including entering into any legal arrangements or other documentation as may be required to implement or facilitate the Kings Square Redevelopment Scheme
- (3) progress be noted on the regeneration and refurbishment of Kings Square and the updated procurement strategy which led to the recommended choice of Principal Contractor.

3.0 Background and Key Issues

- 3.1 This report seeks approval to enable the first stage in the delivery of the Kings Quarter development to proceed immediately and directly relates to the approval by Council in February 2019 for the redevelopment of Kings Square.
- 3.2 Since the last Cabinet update, there has been substantial progress in line with the original Kings Quarter Business Plan approved in 2017. The key objectives of this ambitious Business Plan were:
- To be Gloucester's ambitious new district for the city.
 - To become a new destination with a dynamic mix of uses that complements other places in the city.
 - To raise the profile of Gloucester in the region and promote the city as a place to live, work and invest.
- 3.3 The first phase being the transformation of Kings Square.
- 3.4 The final design of the Square, see artists impressions at Appendix B, has been the subject of an extensive stakeholder engagement process undertaken as part of the hybrid planning application for the whole of Kings Quarter in 2018.
- 3.5 A critical element of that engagement was the formation of an Art Panel created for the Square. Supported by the Cabinet Member for Culture and Leisure, the panel comprised local stakeholders/users of the Square along with representatives of the cultural and artistic sectors within Gloucester. The Panel selected two designers Michael Grubb Studios (MGS) and George King Architects (GKA) to add a unique placemaking element to the design of the Square. MGS provided a striking new lighting design and GKA created an innovative and unique approach to the granite structural edges within the Square.
- 3.6 The innovative designs alongside new fountains and high quality public realm, were worked up into an amended planning application pack and submitted for consideration in October 2019. To achieve as early a start on site as possible it was agreed that a Principal Contractor would be procured at the same time as the planning consent was determined. The specialist designs were therefore included in an OJEU tender pack which was advertised at the same time.
- 3.7 Following the procurement process, Contractor A was appointed to enter into a Pre-Construction Stage Agreement (PCSA) to finalise the design of the square and conclude a detailed costing exercise. Contractor A subsequently appointed a design team to finalise the specifications for the Square in December 2019.
- 3.8 In March 2020 planning consent for the detailed design of the Square was granted. The programme agreed for the PCSA was to complete the fixed design of the Square by the end of March 2020 to enable a start on site in April 2020 with the original aim of completing in time for the Christmas shopping period in 2020.
- 3.9 As we neared the end of the PCSA, the impact of Covid-19 began to take effect with a significant number of the Contractors staff furloughed. As a result, the completion of the final design and agreement on the final contract cost was not possible. It was also clear at that point that the Council and Contractor A were unlikely to come to an agreement on costs despite the engagement of specialist consultants to peer review several design elements and the supply chain costs.

- 3.10 An options analysis was undertaken by the Council which concluded that we should terminate the agreement with Contractor A and proceed to appoint our own design team, undertake additional below ground investigations, complete the design pack and cost plan before re-tendering the works in a series of packages to achieve overall cost savings.
- 3.11 It was felt that whilst Covid-19 had clearly had a negative impact on the overall project programme there was a distinct possibility that market conditions, including many private sector clients pausing or cancelling capital works, could result in cost savings.
- 3.12 Following the termination of the contract with Contractor A, the Council appointed its own design team to complete the final design pack. This design was then competitively tendered in a series of work packages for which tenders were received on the 28th September 2020.
- 3.13 These returns have been assessed by the Project Team resulting in the final budget figure being reported to Cabinet. The final cost includes all work completed to date, professional fees, ancillary highways costs and two years budget for the management company set up who will maintain and enliven the new Kings Square. Approval will permit a contractor appointment on site before the end of October 2020. It is currently expected that the redevelopment works will last for up to 12 months.
- 3.14 Kings Square redevelopment represents the next phase in the redevelopment of Kings Quarter. See Appendix C for a detailed phasing plan. Working alongside the Reef Group, future work includes:

a. Kings Walk Shopping Centre

Reef Group have appointed Bridgeport 360 to undertake the refurbishment of the former BHS store for a major national retailer and this work is well advanced. It is on target for completion early Spring next year for handover to the new occupiers to allow an opening later next year. Work has also begun on the creation of a new 'Changing Places' toilet and other toilet facilities on the ground floor of the main Shopping Centre. This is due to be completed by Christmas 2020.

b. Plot 1 Kings Quarter (Spread Eagle Road/Northgate Street)

Council officers are currently working with an agent to market this site for 26 new affordable homes.

c. Plot 2 Kings Quarter

The recently launched Forum development provides the major aspects of Plot 2 with 125,000 sq ft of new office space, new car park, hotel and leisure facilities centred on a cyber/digital rich business community

d. Plot 3b Kings Quarter

A procurement process utilising the County Council Procurement Framework is underway to seek a contractor to build 19 residential apartments and a ground floor retail unit. A start on site in January 2021 is currently being forecast.

4.0 Social Value Considerations

- 4.1 The social value of the Council's plans for Kings Quarter and indeed the Square will be considerable, and the Project Manager has been working with the Council's Economic Development Team to maximise its impact.
- 4.2 The procurement process to select the contractor for Kings Square included detailed requirements informed by the Council's Social Value Policy. The successful contractor will be required to commit to creating local apprenticeship opportunities and for their full-time social engagement manager to complete an Enterprise and Skills Plan for the project. There are also plans for school visits/ opportunities for community 'laying' of the paving and artistic use of the site hoardings.
- 4.3 Furthermore, the social value aspects of the tenders were weighted at 10% of the overall score and 16.67% of the quality score in the invitation to tender document.
- 4.4 All the framework contractors who tendered for this work are local to Gloucestershire and appreciate the importance of maximising the spend within the City and on its home-grown skilled population.
- 4.5 The plans for Kings Square and indeed the Forum build upon and are intrinsically linked to the work already being undertaken by the Culture Trust in developing the Creative Industries Incubator in Kings House. Work has been ongoing with the LEP, local colleges and Universities to investigate how Kings Square and the Forum can contribute to the Industrial Strategy and Covid Response Plan whilst potentially offering training opportunities for graduates and students alike.
- 4.6 Kings Square will be embedded into the new proposals of the Forum as a vital component to the success of the new 'place'. Ensuring that the Square and its surrounding public realm provides all year and 24-hour opportunities for public engagement, organised cultural activity and spontaneous artistic events will be critical to making Kings Quarter be the place that prospective occupiers want to base themselves.
- 4.7 There are plans as to how to ensure that the square is managed to achieve this type of environment, however it will come at a cost. Until the Square can generate its own income an allowance has been made to cover its initial two years of high quality management. This has been incorporated into the approval request.

5.0 Environmental Implications

- 5.1 The design of Kings Square has incorporated SUDS drainage systems along with an increase in the number of trees. The successful contractor will have to put agreed systems in place to minimise wastage both throughout the construction process and to incorporate sustainable methods of construction. It is intended to utilise the arisings from Bruton Way Car Park into the build-up of the new Square.
- 5.2 The use of the Square for flexible events of all sizes has also been incorporated into the design and fully integrated power and water connection points will be provided to reduce the carbon footprint. The new square will have new cycle racks provided and all lighting will be the latest LED technology to minimise the electric load.

6.0 Alternative Options Considered

6.1 The Council Officer Team have reviewed alternative options to mitigate the impacts of Covid on the creation of the Square. The options included:

- **Option A – Continue with Contractor A**

The PCSA agreement with Contractor A would be restarted and the process concluded. It was agreed that as all staff were furloughed and an impasse had been reached on agreeing the cost plan this was not the best option.

- **Option B – Extension of previous D&B OJEU Tender**

The option of revisiting the original OJEU tender and approaching the unsuccessful tenderers was raised with the legal and procurement advisors. As this option was not advertised as part of the original tender process, this was not a viable option.

- **Option C – Construction Management Approach**

Construction Management is a procurement route in which the main contracts would be appointed directly to GCC as opposed to Management Contracting where they are all under the umbrella of the Management Contractor. A lead contractor would be appointed to manage the site works, co-ordinate and act as Principal Contractor for the purposes of CDM albeit there would be direct contracts with GCC with separate payments, and administration etc. This option was rejected due to additional resources required and potential financial risk.

- **Option D – Traditional Tender**

In this option GCC would procure its own design team to complete the tender documentation in detail including drawings, work schedules and bills of quantities. Contractors are then invited to submit tenders for the construction of the project, usually on a single-stage, competitive basis. The contractor would not be responsible for the design, other than temporary works. This was the agreed option to take forward.

7.0 Reasons for Recommendations

7.1 The recommended option delivers the high quality redevelopment of Kings Square envisioned in the original Kings Quarter Business Case.

8.0 Future Work and Conclusions

8.1 Consideration will need to be given to how the Square is curated to ensure that not only is it alive with activity but that it is able to generate income to meet ongoing management and maintenance costs beyond the 2 year period reference within this report.

9.0 Financial Implications

9.1 The financial request will be met from current approved capital programme in 2020/21. The capital programme will be updated as part of the budget setting process in February 2021. Further details are contained within Appendix A.

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

10.0 Legal Implications

- 10.1 The procurement process has been approved by the Council's Procurement Officer who has overseen the process throughout.
- 10.2 One Legal will assist with completion of the contracts with the preferred contractor following expiry of the standstill period and collateral warranties from their sub-contractors.
(One Legal have been consulted in the preparation of this report).

11.0 Risk & Opportunity Management Implications

- 11.1 The main risks associated with this proposal are financial, programme and reputational.
- 11.2 Every effort has been taken to minimise the budget being requested through several value engineering exercises and the re-tender. Ground and archaeology investigations have also been undertaken to fully inform the tender specification and to minimise ground conditions and archaeology risks. However, contractual risks remain, and the project team will work closely with the Principal Contractor to ensure that any issues are flagged early in the programme with financial claims minimised.
- 11.3 The programme risk relates events such as a further national or local lockdown that delay the scheme beyond the contracted construction period. Risk mitigation procedures will be put in place to minimise the impact of any such delays. A challenge to the procurement process would put the scheme at risk of delay. A voluntary standstill period is currently being observed to reduce the period of a claim for ineffectiveness (cancellation) of the contract.
- 11.4 The reputational risk will be managed through a clear communications plan developed in partnership with the Reef Group in their capacity as owner of the Kings Walk Shopping Centre and the Principal Contractor.
- 11.5 The project will be overseen by the newly developed Major Projects Board.

12.0 People Impact Assessment (PIA) and Safeguarding:

- 12.1 The PIA Screening Stage was completed and did not identify any potential or actual negative impacts as a result of this recommendation. Therefore, a full PIA was not required.

13.0 Community Safety Implications

- 13.1 There are believed to be limited community safety implications at this stage. Any agreement to proceed with this proposal will involve construction taking place within a busy part of the city centre. During construction periods the contractors will be legally obliged to ensure the health and safety of not just their staff but also the local community.
- 13.2 The design of the Square has been agreed via the normal planning mechanisms and this has provided an opportunity for scrutiny by key stakeholders such as disability groups, police counter terrorism teams and the Fire Service.

14.0 Staffing & Trade Union Implications

- 14.1 There are no staffing and trade union implications.

Background Documents: None

APPENDIX B



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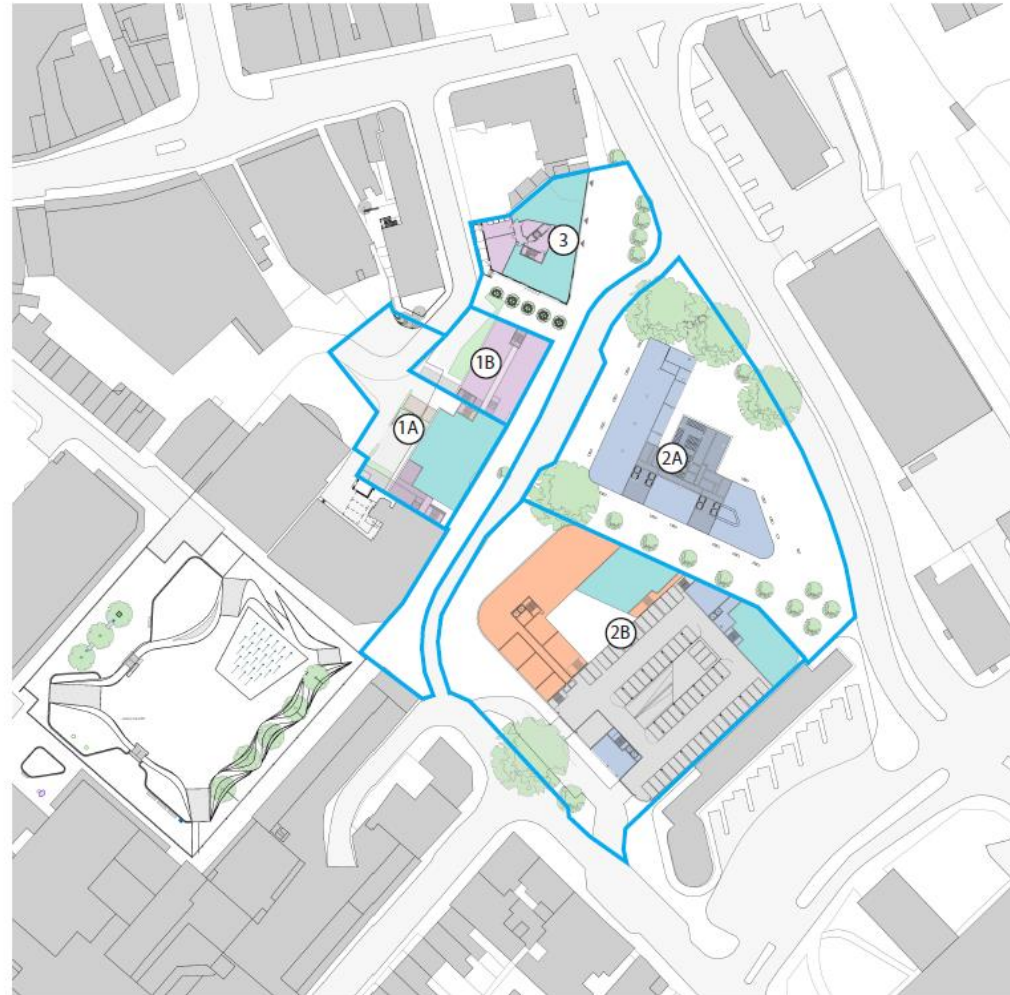
APPENDIX C

CONSTRUCTION PHASING

PHASE 01 - Commence Sept 2020

PHASE 02 - Commence Jan 2021

PHASE 03 - Commence 2022



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