



Shire Hall
Westgate Street
Gloucester
GL1 2TG

Wednesday, 15 September 2021

TO EACH MEMBER OF GLOUCESTER CITY COUNCIL

Dear Councillor

You are hereby summoned to attend a **MEETING OF THE COUNCIL** of the **CITY OF GLOUCESTER** to be held at the Civic Suite - North Warehouse, The Docks, Gloucester, GL1 2EP on **Thursday, 23rd September 2021** at **6.30 pm** for the purpose of transacting the following business:

AGENDA

1. **APOLOGIES**

To receive any apologies for absence.

2. **ELECTION OF SHERIFF AND DEPUTY MAYOR**

To elect a Sheriff and Deputy Mayor for the remainder of the Council year 2021/22.

3. **MINUTES (Pages 11 - 18)**

To approve as a correct record the minutes of the Council Meeting held on 8 July 2021.

4. **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.

5. **CALL OVER**

(a) Call over (items 10-15 with the exception 12) will be read out at the meeting and Members invited to reserve the items for discussion.

(b) To approve the recommendations of those reports which have not been reserved for discussion.

6. PUBLIC QUESTION TIME (15 MINUTES)

The opportunity is given to members of the public to put questions to Cabinet Members or Committee Chairs provided that a question does not relate to:

- 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.

7. PETITIONS AND DEPUTATIONS (15 MINUTES)

A period not exceeding three minutes is allowed for the presentation of a petition or deputation provided that no such petition or deputation is in relation to:

- Matters relating to individual Council Officers, or
- Matters relating to current or pending legal proceedings

8. ANNOUNCEMENTS

To receive announcements from:

- a) The Mayor
- b) Leader of the Council
- c) Members of the Cabinet
- d) Chairs of Committees
- e) Head of Paid Service

9. MEMBERS' QUESTION TIME

- a) Leader and Cabinet Members' Question Time (30 minutes)

Any member of the Council may ask the Leader of the Council or any Cabinet Member any question without prior notice, upon:

- Any matter relating to the Council's administration
- Any matter relating to any report of the Cabinet appearing on the Council's summons
- A matter coming within their portfolio of responsibilities

Only one supplementary question is allowed per question.

- c) Questions to Chairs of Meetings (15 Minutes)

ISSUES FOR DECISION BY COUNCIL

10. NET ZERO 2045 AND UK100 (Pages 19 - 24)

To consider the report of the Leader of the Council seeking membership of the UK100 network – bringing forward the City Council’s net zero carbon commitment by five years, to 2045 – and the Global Covenant of Mayors for Climate and Energy.

11. CUMULATIVE IMPACT ASSESSMENT (Pages 25 - 94)

To receive the report of the Head of Place, which presents to members the result of the consultation on the Draft Cumulative Impact Assessment. The report also asks members to approve the draft version of the Cumulative Impact Assessment (CIA) and recommend that Council adopts the Cumulative Impact Policy (CIP) within the Statement of Licensing Policy 2021 to 2026.

12. APPOINTMENTS TO COMMITTEES

To receive nominations for the vacant position of Chair of the Licensing and Enforcement Committee.

13. APPOINTMENT OF INDEPENDENT REMUNERATION PANEL (Pages 95 - 98)

To consider the report of the Policy and Governance Manager concerning the appointment of panel members to the council’s Independent Remuneration Council.

14. URGENT DECISION OF THE MANAGING DIRECTOR

In accordance with Part 3 of the Constitution, Council is asked to resolve that the urgent decision of the Managing Director designating Jodie Townsend as Monitoring Officer from 16 August to 30 September be noted. The documents relating to the decision, including the approved proposals have previously been circulated and can be viewed on the council’s website.

15. DESIGNATION OF MONITORING OFFICER (Pages 99 - 102)

To consider the report of the Head of Paid Service seeking approval for the designation of a Monitoring Officer for the council.

MOTIONS FROM MEMBERS

16. NOTICES OF MOTION

1. PROPOSED BY COUNCILLOR CHAMBERS-DUBUS

“This council is pleased that Ubico has been awarded the waste and recycling, street cleaning and grounds maintenance contract and will commence delivery of services in April 2022.

When bidding for the contract Ubico demonstrated their competency not only to

deliver and improve existing services but also their willingness to consider the development of new initiatives that would benefit both the council and residents.

Many people in Gloucester use the Household Recycling Centre (HRC) at Hempsted to dispose of their household waste and recycling. Despite the impact of Covid and the current appointments only arrangements the service is widely used.

However, not everyone in Gloucester is able to access or have transport to use the HRC. Similarly, some people do not have enough rubbish to justify the expense of a full-size skip, or an adequate place to locate one.

Councils in other areas have identified this as an issue and have developed a 'Big Wheelie Bin Scheme' where residents can hire a large bin for a fixed period at a reasonable cost. This has been found to be a cost effective and convenient service and has had an impact and reduction in fly tipping.

This council is therefore instructed to hold discussions with Ubico and explore developing a 'Big Wheelie Bin' scheme for residents who wish to take advantage of such a service."

2. PROPOSED BY COUNCILLOR BOWKETT

"This council notes the importance of planting more trees in Gloucester and understands that those saplings together with mature trees will also need to be maintained. It welcomes the guiding principles of the 2020 Gloucestershire Tree Strategy, valuing the many benefits that a high-quality green infrastructure brings to our communities, which includes growing trees near where people live and work.

This council recognises that while there are valuable contributions from development and external grants, for example, the Forestry Commission, there is a pressing shortfall in tree planting, maintenance and resources, the fixed budget per financial year is acutely inadequate, and this status quo has already placed increasing pressure on achieving the objectives of the 2020 strategy.

As such, this Council calls on the Cabinet Member to provide members with a written report, delivered in good time for members to consider before the next budget, that will:

- (a) identify ways we can do more to support tree planting and maintenance
- (b) identify further City Council funds for this purpose
- (c) encourage the County Council to boost funding for Highway trees, and
- (d) set targets and map them against such further funding so that the 2020 Strategy for Gloucester can be fulfilled.

In essence, this council agrees that preparing a more realistic annual budget to

commence from the next financial year is vital to support the planting and maintenance of trees and increase biodiversity in Gloucester.”

3. PROPOSED BY COUNCILLOR HILTON

“This council notes the election on the 6th of May of Chris Nelson as Gloucestershire’s new police and crime commissioner.

This council also notes that Chris Nelson pledged during the election to put more police officers, special constables and police and community support officers on patrol on the streets of Gloucestershire, with the aim of cutting anti-social behaviour in half.

This council agrees that increasing the number of police officers and PCSOs patrolling in Gloucester to cut anti-social behaviour and reduce crime is an objective this council can support.

Council, therefore agrees that a letter should be sent to Gloucestershire’s PCC, from the three group leaders inviting Mr Nelson to address council in open session on his plans to improve community policing in the city of Gloucester, allowing for a question and answer session from elected members following Mr Nelson’s address to council.

The details of the session to be agreed between the three group leaders and the PCC.”

4. PROPOSED BY COUNCILLOR MORGAN

“This Council welcomes the opening by The Music Works and Gloucester Culture Trust of their respective new facilities at King’s House next to King’s Square.

The Music Works will now provide state of the art premises and equipment to anyone seeking to further their interest or career as a performer or technician .

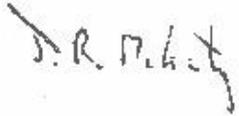
JOLT has various opportunities as a start up hub for artists and entrepreneurs to work in the creative industries right next to the heart of Gloucester.

This Council wishes to record its thanks to all the individuals , partners , sponsors and organisations , including Officers of the City Council , for their parts in creating these exciting and exceptional opportunities for the furtherance of the lives of artists and musicians in Gloucester.”

17. **WRITTEN QUESTIONS TO CABINET MEMBERS (Pages 103 - 110)**

Written questions and answers. Only one supplementary question is allowed per question.

Yours sincerely

A handwritten signature in black ink, appearing to read "J. R. McGinty".

Jon McGinty
Managing Director

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

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 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 Mayor 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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COUNCIL

MEETING : Thursday, 8th July 2021

PRESENT : Cllrs. Finnegan, Walford, Cook, H. Norman, Gravells MBE, Melvin, Morgan, Hilton, Pullen, Tracey, Lewis, Wilson, Bhaimia, Williams, D. Brown, Taylor, Organ, Patel, Toleman, Brooker, J. Brown, Hyman, Bowkett, Ackroyd, Castle, A. Chambers, S. Chambers, Conder, Dee, Durdey, Evans, Hudson, Kubaszczyk, Padilla, Radley and Zaman

Others in Attendance

Managing Director
Monitoring Officer
Head of Communities
Head of Culture
Head of Place
Head of Policy and Resources
Policy and Governance Manager
Democratic and Electoral Services Team Leader

APOLOGIES : Cllrs. Field, Chambers-Dubus and O`Donnell

12. MINUTES

12.1 The minutes of the meeting held on 24 May 2021 were approved and signed as a correct record by the Mayor.

13. DECLARATIONS OF INTEREST

13.1 There were no declarations of interest.

14. CALL OVER

14.1 The Mayor invited Members to indicate whether they wished to reserve agenda item 9 for discussion and they did so.

COUNCIL
08.07.21

15. PUBLIC QUESTION TIME (15 MINUTES)

- 15.1 The following question was read by the Policy and Governance Manager on behalf of a Gloucester resident:

If it is felt that any tree needs to be cut down without delay, the evidence to support that decision should be so compelling as to be unchallengeable, so in the event that advance notice is not considered feasible, can the council guarantee that this evidence will be made available in such cases?

- 15.2 Councillor Cook, Leader of the Council and Cabinet Member for Environment advised that, if the tree was the property of the Council, a solution could be found but if it was owned by another body, there would be no power for the City Council to act.

16. PETITIONS AND DEPUTATIONS (15 MINUTES)

- 16.1 There were no petitions nor deputations.

17. ANNOUNCEMENTS

The Mayor

- 17.1 The Mayor reminded Members that the Civic Charity Ball would be held on Friday 17 September and encouraged Members to buy tickets.

Members of the Cabinet

- 17.2 Councillor Norman, Cabinet Member for Performance and Resources, advised that the Gateway reception had partially reopened and that there would be limited appointments aimed specifically at vulnerable people or those who did not have digital access. The frequency of opening would be kept under review and the service would respond to demand. Councillor Norman thanked Customer Services, Housing and the Revenues and Benefits teams for all their endeavours during their time working from home.
- 17.3 Councillor Gravells, Cabinet Member for Planning and Housing, informed Members that the Examination in Public of the City Plan had taken place and that a decision was expected in August. He noted the comments of the inspectorate that the case had been put very eloquently and he thanked the Planning Policy Team for the preparation and submission of the examination.
- 17.4 Councillor Morgan, Cabinet Member for Culture and Leisure, announced that a sky art installation was in place at the Guildhall and encouraged Members to see it. He further announced that the latest exhibition at the Museum, 'The Wonderful World of Ladybird' had opened which showcased the work of some of the country's best illustrators through the years.

18. MEMBERS' QUESTION TIME

- 18.1 Councillor Hilton asked Councillor Cook what progress had been made regarding the design of the commissioned Gloucester window to be situated

COUNCIL
08.07.21

at the Transport Hub. Councillor Cook explained that he had seen some further offering and that once the initial issues had been resolved, he would meet with the other two Group Leaders to settle on the design. In response to Councillor Hilton's supplementary question regarding when it might be ready, Councillor Cook stated that, whilst he would want it completed speedily, when the design elements are right, officers would meet to agree the final design.

- 18.2 Councillor Hilton asked Councillor Cook when construction work on the underpass at Bruton Way would begin. Councillor Cook advised that he would clarify this but he hoped it would be during this year. In response to a further query from Councillor Hilton regarding when work would begin, Councillor Cook advised that there were numerous stakeholders and that officers were working hard to agree a date with these stakeholders.
- 18.3 Councillor Pullen stated that he was pleased with extra funding to tackle fly tipping and asked how many camera there were for this purpose and what the criteria for their deployment was. Councillor Cook advised that additional funding streams had been identified and he anticipated an increase in the number of cameras. Councillor also advised, in response to a further query regarding whether cameras should be placed at flytipping hotspots, that their use was prioritised according to the level of flytipping in particular areas.
- 18.4 Councillor Pullen welcomed the reopening of the Gateway and asked what were the plans to promote and fully advertise its reopening and when it would reopen fully. Councillor Norman advised that all Customer Service agents would triage whether residents required an appointment. Further advertising would be pursued through advice agencies and that Councillors could assist in this. She further stated that she could not advise on a full reopening and that this would be reviewed post-pandemic.
- 18.5 Councillor Pullen noted that individuals who entered crisis or were in an immediate emergency where they required immediate assistance and asked what provision there was for this. Councillor Norman advised that officers would respond accordingly and act on an emergency.
- 18.6 Councillor Wilson commented that the retail sector had been particularly hard hit during the pandemic and asked whether the Council was taking or planning any mitigation to ensure shop fronts appeared aesthetic and not run down. Councillor Cook advised that a local artist had been commissioned to provide frontage and that this should be ready soon.
- 18.7 Councillor D. Brown asked, following the planned lifting of restrictions on 19 July, for an update on plans to re-introduce the community toilet scheme. Councillor Cook stated that he wasn't aware that the scheme had ceased and noted that many were closed during lockdowns. He anticipated that, following businesses reopening, their rigorous cleaning regimes meant that he saw no reason for the scheme to not continue. Councillor D. Brown stated that he was aware of one organisation which had not received payment for their participation. Councillor Cook invited him to share the details with him.

COUNCIL
08.07.21

- 18.8 Councillor Hyman noted that Gloucester was part of a pilot for the hire of e-scooters and stated that they were causing safety issues such as possible injury. He asked Councillor Cook if he would liaise with the County Council and the Police to avoid injury and death. Councillor Cook advised that the hire of e-scooters was subject to legal restrictions such as the holding of a driving licence. He advised that he met with other agencies such as the County Council, Police and health services and that he would invite Councillor Hyman to the next such meeting.
- 18.9 Councillor Radley asked what was the content of the consultation on changes to the open spaces strategy. It was agreed that a written response would be supplied in due course.

19. PLATINUM JUBILEE CIVIC HONOURS COMPETITION

- 19.1 Councillor Cook moved and Councillor Norman seconded the motion. Councillor Cook expressed that it would be an exceptional distinction to achieve Lord Mayor status and that following an application, Gloucester would be in a strong position to receive the honour.
- 19.2 Councillor Pullen stated that he valued the history, culture and tradition of the role and sought assurance that there would be no expenditure nor any additional mayoral spending. It was confirmed that this would be the case.
- 19.3 Councillor J. Brown recalled her time as Mayor, being the first US citizen to be in the role. She stated that if Gloucester was to be awarded Lord Mayor it would be a boost for the City, would draw visitors and give residents an extra sense of Civic pride.
- 19.4 Councillor D. Brown noted that a similar bid had been made some years ago which had some success and that he hoped Gloucester would be successful in this application.
- 19.5 Councillor Norman thanked Members for their enthusiasm and confirmed that the resource would be officer time in preparing the application and that being successful would far outweigh resources. Councillor Cook also confirmed that residents would be asked for their thoughts.
- 19.6 **RESOLVED** :- that the council enters the Platinum Jubilee Civic Honours Competition for Lord Mayor status and authority be delegated to the Managing Director, in consultation with Group Leaders, to prepare and submit the council's application.

20. APPOINTMENTS

- 20.1 The Mayor sought nominations for the vacant position on the Planning Policy Members' Working Group. Councillor Hilton proposed Councillor J. Brown which was put to the vote and was carried.
- 20.2 **RESOLVED that:-** Councillor J. Brown be appointed to the Planning Policy Members' Working Group.

21. NOTICES OF MOTION

21.1 Councillor Pullen moved and Councillor Bhaimia seconded the following motion:

“Tourism is a vitally important aspect of Gloucester’s economy. Visitors to the city contribute widely to many sectors of the economy including hospitality, accommodation, retail, museums and many other historic attractions.

When visiting Gloucester, it is important that visitors can quickly and easily familiarise themselves with everything the city has to offer and the Tourist Information Centre is crucial in ensuring this happens.

Currently the Tourist Information Centre is located in the Museum of Gloucester and whilst the service it provides is good it is not always easily found by people visiting the city for the first time.

This council should therefore explore options and consider relocating the Tourist Information Centre to a central location that is:

- In a position and venue in the new Kings Square / Kings Quarter development.
- At the heart of the city centre
- Close to the Transport Hub and Railway Station
- Well placed, easy to find and fully accessible to visitors

By so doing the Tourist Information Centre will be able to enhance the good service it already offers, improve its accessibility, footfall and visitor experience and ensure that visitors are able to take full advantage and explore everything Gloucester has to offer.”

21.2 The motion was put to the vote and was carried.

21.3 Councillor Hilton moved and Councillor Conder seconded the following motion:

“This council agrees that it can and should do more to encourage city centre living through the conversion of redundant commercial/office buildings for residential use and by new build on brownfield land within or next to the city centre.

This council asks the cabinet member for planning and housing to report back to full council within six months with an action plan to identify new sites that could be suitable for the creation of new homes in or close to the city centre.”

COUNCIL
08.07.21

Note - The area of search be based on the city centre as defined in the draft Gloucester City Plan and areas of commercial land close to the city centre, which will be agreed by the cabinet member for planning and housing and the proposers of this motion, before the study begins.”

- 21.4 Councillor Gravells proposed and Councillor Melvin seconded the following amendment:

“This council agrees that it ~~can and should do more~~ **continue** to encourage city centre living through the conversion of redundant commercial/office buildings for residential use and by new build on brownfield land within or next to the city centre.

~~This council asks the cabinet member for planning and housing to report back to full council within six months with an action plan to identify new~~ **recognises that officers maintain a list of potential sites that could be suitable for the creation of new homes in or close to the city centre, and that this list is kept under regular review by the Cabinet Member for Planning and Housing. This list can be shared with the proposer of the motion and any other members on a confidential basis.**

Sites included in the list to be within the city centre as defined in the draft Gloucester City Plan and its immediate environs.

Finally, Council welcomes the fact that the Cabinet Member for Housing and Planning and officers continue to meet with developers and associated professionals to discuss the repurposing of our City including the re-use of under-utilised and redundant buildings.”

~~Note - The area of search be based on the city centre as defined in the draft Gloucester City Plan and areas of commercial land close to the city centre, which will be agreed by the cabinet member for planning and housing and the proposers of this motion, before the study begins.~~

- 21.5 The amendment was not accepted. The amendment was put to the vote, was carried and therefore became the substantive motion.

- 21.6 **RESOLVED that: -**

This council agrees that it should continue to encourage city centre living through the conversion of redundant commercial/office buildings for residential use and by new build on brownfield land within or next to the city centre.

This council recognises that officers maintain a list of potential sites that could be suitable for the creation of new homes in or close to the city centre, and that this list is kept under regular review by the Cabinet Member for Planning and Housing. This list can be shared with the proposer of the motion and any other members on a confidential basis.

Sites included in the list to be within the city centre as defined in the draft Gloucester City Plan and its immediate environs.

**COUNCIL
08.07.21**

Finally, Council welcomes the fact that the Cabinet Member for Housing and Planning and officers continue to meet with developers and associated professionals to discuss the repurposing of our City including the re-use of under-utilised and redundant buildings

22. WRITTEN QUESTIONS TO CABINET MEMBERS

22.1 There were no written questions.

Time of commencement: 18:30

Time of conclusion: 19:50

Chair

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Meeting:	Cabinet Council	Date:	15 September 2021 23 September 2021
Subject:	Membership of UK100 and Global Covenant of Mayors for Climate and Energy		
Report Of:	Leader of the Council		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Jon Burke – Gloucester City Council Climate Change Manager		
	Email: jon.burke@gloucester.gov.uk	Tel:	+441452396170
Appendices:	1. Recommendation of the Overview & Scrutiny Committee 6 September 2021		

FOR GENERAL RELEASE

1.0 Purpose of Report

1.1 To consider whether Gloucester City Council should join the membership of the UK100 network – bringing forward the City Council’s net zero carbon commitment by five years, to 2045 – and the Global Covenant of Mayors for Climate and Energy.

2.0 Recommendations

2.1 Cabinet is asked to **RECOMMEND** to Council that:

- (1) Gloucester City Council joins the UK100 Local Authority leaders’ group and international Race to Zero commitment in advance of the 2021 United Nations Climate Change Conference (COP26), to be held in the City of Glasgow
- (2) as a condition of UK100 membership, Gloucester City Council bring forward its 2050 net zero target to 2045
- (3) Gloucester City Council becomes a signatory to the Global Covenant of Mayors for Climate and Energy.

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

- (1) Gloucester City Council joins the UK100 Local Authority leaders’ group and international Race to Zero commitment in advance of the 2021 United Nations Climate Change Conference (COP26), to be held in the City of Glasgow

- (2) as a condition of UK100 membership, Gloucester City Council bring forward its 2050 net zero target to 2045
- (3) Gloucester City Council becomes a signatory to the Global Covenant of Mayors for Climate and Energy.

3.0 Background and Key Issues

- 3.1 Gloucester City alongside other Gloucestershire councils declared a climate emergency in July 2019 with a commitment for carbon neutrality by 2050. Since this commitment the county council has brought forward its commitment to 2045 in line with its membership of the national UK100 local authority leaders on climate change.
- 3.2 Both Stroud and Cheltenham districts have net zero targets of 2030 and Forest of Dean, Cotswold and Gloucestershire County Council (by virtue of membership of UK100) are committed to net zero by 2045. Tewksbury do not yet have a district wide target on net zero. Bringing forward Gloucester's target will bring us in line with the majority of our neighbours. In particular, it makes sense to come into line with the County Council who, as Highway Authority, has some control over some of the most important levers necessary to deliver on that commitment.
- 3.3 In advance of COP26 in Glasgow (which runs from 31 October to 12 November), councils through UK100 alongside global leaders in the Race to Zero, are making pledges to become net zero to support action by national governments to reduce emissions in line with the goals of the Paris Agreement.

Membership of UK100

- 3.4 UK100 is the only network for UK locally elected leaders who have pledged to play their part in the global effort to avoid the worst impacts of climate change and are doing everything within their power to get their communities to Net Zero as soon as possible, and by 2045 at the latest.
- 3.5 To accelerate the transition to this Net Zero society, UK100 brings together local authorities, from cities to the countryside, to share knowledge, collaborate, and petition the UK government with their collective power.
- 3.6 UK100 then works closely with elected representatives and policy experts to develop solutions to the challenges all our local leaders face, and to build public support for the transition.
- 3.7 The pledge which councils commit to when joining UK100 reads:

'As local leaders across the UK we see the challenges our communities face. We recognise our responsibility to tackle the climate emergency and protect our environment to secure the future for them and for people around the world. In 2019, the UK Parliament passed legislation to bring all greenhouse gas emissions to Net Zero by 2050. This was to keep in line with international commitment in the Paris Agreement to limit global warming to 1.5 degrees. But science tells us we need to start now and make rapid reductions much sooner. We will do everything within our power and influence to rapidly reduce our greenhouse gas emissions. We will bring

our council emissions to Net Zero by 2030 and we will work with our residents and businesses to bring our wider communities' emissions in line with Net Zero as soon as possible (and by 2045* at the latest).'*

3.8 Below are the key components which members need to consider before joining UK100:

1. The Net Zero membership pledge - which includes having a net zero target date of 2030 for council emissions, and 2045 for areawide emissions.
2. Requirements/clarifications for signing the Net Zero pledge - this includes mandatory annual reporting from 2022 - however you choose to do this; to avoid the use of offsets where possible, and where used for them to be as local as possible, etc.
3. An invitation to join the global COP26 Race to Zero campaign, which is additional, but complementary to our pledge and will connect with a global community of local authorities committed to Net Zero.

3.9 There is no membership fee - just a commitment to engage in advocacy to national government for more powers, funding and resources for local government to tackle the climate emergency.

3.10 Current members of UK100 include:

- Cotswold, Gloucestershire County and Stroud. Cheltenham are intending to join in advance of COP26 and are understood to be already progressing this internally with political support.
- Bath and North East Somerset, Bristol, South Gloucestershire, and the West of England Combined Authority are also all members.

Membership of Global Covenant of Mayors for Climate and Energy

3.11 The Global Covenant of Mayors for Climate and Energy (GCoM) was established in 2016 by formally amalgamating the Compact of Mayors and the European Union's Covenant of Mayors and the European Union's Covenant of Mayors. It is the largest international alliance of cities, local governments, and partners committed to combating climate change.

3.12 The principal purposes of GCoM are to:

- Help cities maintain a long-term vision on climate action through collective ambition and achievement.
- Amplify the visibility of signatory commitments and actions in the region and globally.
- Serve cities and local governments by mobilising and supporting ambitious, measurable, and planned climate and energy action in their communities by working with city/regional networks, national government.
- Ensure that signatories are continuously supported in their efforts. Cities receive step-by-step guidance and have access to tools, materials, and a dedicated regional/national helpdesk.
- To provide value to participating cities by mobilising the critical financing and technical assistance cities require to access investment.

3.12 Requirements of membership:

- When officially joining the Covenant of Mayors, signatories commit to developing a Sustainable Energy (and Climate) Action Plan within two years.
- Adopted by Full Council, a signatory's action plan describes the steps towards its 2030 targets. In the case of GCC, this would initially be the net-zero carbon footprint by 2030 committed to at 11 July 2019 Full Council.
- To evaluate the progress made towards their objectives, a Covenant of Mayors signatory is requested to submit a Monitoring Report every second year after the adoption of its Action Plan related to the mitigation and adaptation actions planned and at least every four years the emission inventory of the action plan is updated in order to see the progress related to resilience to climate change, reduction of emissions and energy consumption.

3.13 In addition to the general benefits GCoM membership outlined in section 3.11, the specific benefit of membership to Gloucester City Council is that it helps provide rigour to the City Council's decarbonisation programme and reduces the prospect of drift through the delivery of key documents such as a Risk and Vulnerability Assessment and regular Monitoring Reports. Membership of GCoM is also an important expression of the City's ambition to take a leadership role in municipal decarbonisation, at the county, regional, and national level.

3.14 The GCoM is based on a voluntary commitment. Joining the GCoM is fully free of charge. There will be costs associated with the production of supporting documents, such as biennial monitoring reports. Such costs will, however, be encountered as a product of the Council's work in this area, irrespective of GCoM membership.

4.0 Social Value Considerations

4.1 No direct implications arising from this report.

5.0 Environmental Implications

5.1 The proposals have been made in order to increase Gloucester City Council's ambition and rigour in meeting local and legally-binding national decarbonisation targets.

6.0 Alternative Options Considered

6.1 The Council could decide not to join UK100 and/or the Global Covenant of Mayors. However this is not recommended if the Council wishes to demonstrate leadership in municipal decarbonisation for the City.

7.0 Reasons for Recommendations

7.1 To support and bring greater rigour and ambition to Gloucester City Council's decarbonisation programme.

8.0 Future Work and Conclusions

- 8.1 As noted in paragraph 3.12, when officially joining the Global Covenant of Mayors for Climate and Energy, signatories commit to developing a Sustainable Energy (and Climate) Action Plan within two years; providing a Monitoring Report every second year after the adoption of its Action Plan, related to the mitigation and adaptation actions planned; and at least every four years the emission inventory of the action plan must be updated in order to demonstrate the progress related to resilience to climate change, reduction of emissions and energy consumption.

9.0 Financial Implications

- 9.1 Financial Services have been consulted in the preparation of this report. Joining the both UK100 and GCoM is fully free of charge. There will be costs associated with the production of supporting documents, such as biennial monitoring reports. However, these costs will be encountered as a product of the Council's work in this area, irrespective of membership of these organisations/agreements.

10.0 Legal Implications

- 10.1 There are no direct legal implications arising from this report. However, the Council's commitments are still subject to compliance with the Council's legislative duties, such as its contract rules and procurement legislation. The Council will need to be mindful of the Duty of Best Value and, if it is intended to deliver any services differently, its consultation requirements.

11.0 Risk & Opportunity Management Implications

- 11.1 The proposals are designed to reduce the prospect of drift through the introduction of greater structure into GCC's decarbonisation work programme. By increasing the level of collaboration and support GCC engages in on decarbonisation, it is anticipated opportunities to reduce the cost of programme delivery, and opportunities to show regional leadership, will arise.

12.0 People Impact Assessment (PIA) and Safeguarding:

- 12.1 None anticipated.

13.0 Community Safety Implications

- 13.1 None anticipated.

14.0 Staffing & Trade Union Implications

- 14.1 None anticipated.

Background Documents:

1. [July 2019 Council motion declaring climate emergency](#)
2. [January 2021 Council Climate Change Strategy report](#)



Meeting:	Licensing and Enforcement Committee Council	Date: 16 March 2021 23 September 2021
Subject:	Licensing Act 2003 – Cumulative Impact Policy review	
Report Of:	Head of Place	
Wards Affected:	All	
Key Decision:	Yes	Budget/Policy Framework: Yes
Contact Officer:	Darren Mountford, City Centre Improvement Officer (Licensing Lead)	
	Email: darren.mountford@gloucester.gov.uk	Tel: 396240
Appendices:	Appendix 1 - Cumulative Impact Assessment	
	Appendix 2 - Statement of Licensing Policy 2021 – 2026 with Cumulative Impact Policy updated	

FOR GENERAL RELEASE

1.0 Purpose of Report

- 1.1 Present to members the result of the consultation on the Draft Cumulative Impact Assessment.
- 1.2 To approve the draft version of the Cumulative Impact Assessment (CIA) and recommend that Council adopt the Cumulative Impact Policy (CIP) within the Statement of Licensing Policy 2021 to 2026.

2.0 Recommendations

- 2.1 The Licensing and Enforcement Committee is asked to **APPROVE** the Cumulative Impact Assessment and **RECOMMEND** that:

(1) They approve the CIA and that the CIP within the Statement of Licensing Policy 2021 to 2026 is adopted by Council.

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

(1) To adopt the Cumulative Impact Policy within the Licensing Policy Statement 2021-2026 – Licensing Act 2003 as set out in Appendix 2.

3.0 Background and Key Issues

- 3.1 Gloucester City Council has included a special policy of Cumulative Impact within its Statement of Licensing Policy since 2005. This was introduced following evidence provided by Gloucestershire Constabulary which demonstrated that the area around Eastgate Street was adversely affected by an increase in crime, disorder and antisocial behaviour due to a large number of licensed premises being concentrated within that area.
- 3.2 Cumulative impact is the potential impact that a significant number of licensed premises concentrated in one area, can have on the promotion of the licensing objectives.
- 3.3 In 2015 the special policy of Cumulative Impact was reviewed as part of the Statement of Licensing Policy review, which was undertaken in accordance with the requirements of the Act. At that time Licensing and Enforcement Committee took the decision to continue to include the special policy of Cumulative Impact within its Statement of Licensing Policy.
- 3.4 The revised Cumulative Impact Policy was then included in the Council's published Statement of Licensing Policy 2016 to 2021.
- 3.5 In April 2018 the Police and Crime Act 2017 introduced a new provision within the Licensing Act 2003, Section 5A. This provision provides that a licensing authority may, in appropriate circumstances publish a Cumulative Impact Assessment (CIA), stating that the licensing authority considers that a number of relevant authorisations in respect of premises in one or more parts of its area, described in the Assessment, is such that it is likely that it would be inconsistent with the authority's duty under the Act to grant any further relevant authorisations in respect of premises in that part or those parts.
- 3.6 Following the introduction of Section 5A of the Act in 2018, and in accordance with the Section 182 Statutory Guidance the Council was required to review its Cumulative Impact Policy (CIP).
- 3.7 On 8 December 2020, the Licensing and Enforcement Committee approved for the purpose of consultation a draft CIA.
- 3.8 As part of this approval Members considered a formal submission from Gloucestershire Constabulary in which they provided a statistical analysis of crime and disorder around Eastgate Street, which they felt provided suitable evidence to support the continued inclusion of the Special Policy. This information was included and formed the draft CIA.
- 3.9 Having considered the above, Members noted that the evidence supported the need to continue to have a Cumulative Impact Policy in place.

4.0 Consultation

- 4.1 Consultation on the draft CIA took place with all relevant parties including:

- The Chief Officer of Gloucestershire Constabulary
- Gloucestershire Fire and Rescue Services
- Gloucestershire County Council (Public Health)
- All other responsible authorities identified under the Act
- Relevant Trade Associations
- The general public

4.2 The consultation was also made available for comment via the Council's website. The consultation exercise commenced on 17 December 2020 and concluded on 11 February 2021.

4.3 During the consultation period no responses were received by the Council.

5.0 Social Value Considerations

5.1 In areas where Cumulative Impact Policies or Assessments have been introduced there is a possibility that businesses looking to invest may be deterred from doing so, due to perceived additional burdens being placed upon them.

5.2 Retaining an element of cumulative impact within the policy shows that members recognise the social harms that excessive alcohol consumption can create whilst allowing those businesses regulated by the 2003 Act to behave in a responsible manner, creating the kind of thriving night time economy that a growing university City like Gloucester needs to aspire to. It is hoped that the model proposed will, in the longer term, support a more diverse night time offering that will be to the benefit of all Gloucester City residents.

6.0 Environmental Implications

There are no 'Environmental' implications arising out of the recommendations in this report.

7.0 Alternative Options Considered

7.1 The following alternative options are available for Member consideration

(a) Removal of the requirement for a Cumulative Impact Policy

(b) Maintain the existing Cumulative Impact Policy and the area to which Cumulative Impact provisions apply.

7.2 When considering the above options Members should note that the findings of the draft CIA suggest that there is strong evidence to support the continuation of a CIP. This is in line with the findings of the draft CIA which was approved by Members during the December 2020 Licensing and Enforcement Committee meeting.

7.3 Failing to review a special policy of Cumulative Impact as part of the Statement of Licensing Policy review would leave the Council in a position where it was failing to comply with its duties as a licensing authority under the provisions of the Licensing Act 2003, as amended by the Police and Crime Act 2017.

8.0 Reasons for Recommendations

- 8.1 Members having noted the change in legislation affecting the Council's special policy on Cumulative Impact through the Policing and Crime Act 2017 and the request from Gloucestershire Constabulary with the evidence base as set out within the draft CIA is to continue with the Cumulative Impact Policy within the Statement of Licensing Policy 2021 – 2026.
- 8.2 The preferred option acknowledges that full Council has constitutional responsibility for approving amendments to the council's Statement of Licensing Policy.

9.0 Future Work and Conclusions

- 9.1 The next review of the Cumulative Impact Policy is scheduled for 2024.

10.0 Financial Implications

- 10.1 The recommendations have no impact on the Council's budgets
(Financial Services have been consulted in the preparation this report.)

11.0 Legal Implications

- 11.1 Section 17(1) of the Crime and Disorder Act 1998 states that, without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent,
- (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); and
 - (b) the misuse of drugs, alcohol and other substances in its area; and
 - (c) re-offending in its area.
- 11.2 Under the new provisions introduced in 2018 within the Licensing Act 2003 under Section 5A, licensing Authorities are required to review existing statement of Licensing Policy, which include special policies of Cumulative Impact.
- 11.3 If it is decided that there is still a requirement for a special policy of Cumulative Impact within Eastgate Street, the Council must undertake the necessary steps to publish a Cumulative Impact Assessment.

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

12.0 Risk & Opportunity Management Implications

- 12.1 Failing to review a special policy of Cumulative Impact as part of the Statement of Licensing Policy review would leave the Council in a position where it was failing to comply with its duties as a licensing authority under the provisions of the Licensing Act 2003, as amended by the Police and Crime Act 2017.

13.0 People Impact Assessment (PIA):

13.1 The screen stage considered risks to customers in the areas of gender, disability, age, ethnicity, religion, sexual orientation or community cohesion. A further assessment will be conducted to consider any feedback from the consultation.

14.0 Other Corporate Implications

Community Safety

14.1 None

Sustainability

14.2 None

Staffing & Trade Union

14.3 None

Background Documents:

Licensing Act 2003

Guidance issued under S182 of the Licensing Act 2003.

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- (b) Public safety;
- (c) The prevention of public nuisance; and
- (d) The protection of children from harm

The Act requires that the way in which the objectives are to be upheld should be included in a statement of licensing policy. This document must be reviewed every 5 years to ensure it remains fit for purpose. As part of this process, local authorities can consider the potential cumulative impact of a large number of premises operating in a small area and, if warranted, publish a Cumulative Impact Policy (CIP) as part of this.

An amendment to the Act, made via the Policing & Crime Act 2017, placed the principles of Cumulative Impact on a statutory basis, adding the concept to the face of the law. Before this it was only present in the guidance made under s182 of the Act, which still stands. The new Section of the Act gives Cumulative Impact a stronger status in law but the definition remains as written within the guidance. The new sections talk about a Cumulative Impact Assessment. It is this assessment that should lead directly to the decision as to whether there is a cumulative impact and also how the local authority should respond to it.

3. Cumulative Impact Policy

These have undoubtedly helped licensing authorities to limit the number or type of licence applications granted in areas where the number of licensed premises is causing problems. Such problems have typically included crime and disorder or public nuisance caused by large numbers of drinkers being concentrated in one area.

However, the fact that the concept of Cumulative Impact was originally only set out in the guidance issued under Section 182 of the Act meant that not all licensing authorities have made or are making effective or consistent use of them.

This has led to the licensed trade having concerns about the transparency of the process for putting a CIP in place and the quality of evidence used as the basis for some. Putting the process on a statutory basis and requiring an assessment of a broad range of factors should help tackle these perceptions.

Below is the definition of Cumulative Impact:

(Home Office Guidance, issued under section 182 of the Licensing Act 2003)

“Cumulative impact is the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area”

4. Cumulative Impact Assessment

Gloucester City is home to a number of popular restaurants, bars, night clubs and late night refreshment venues.

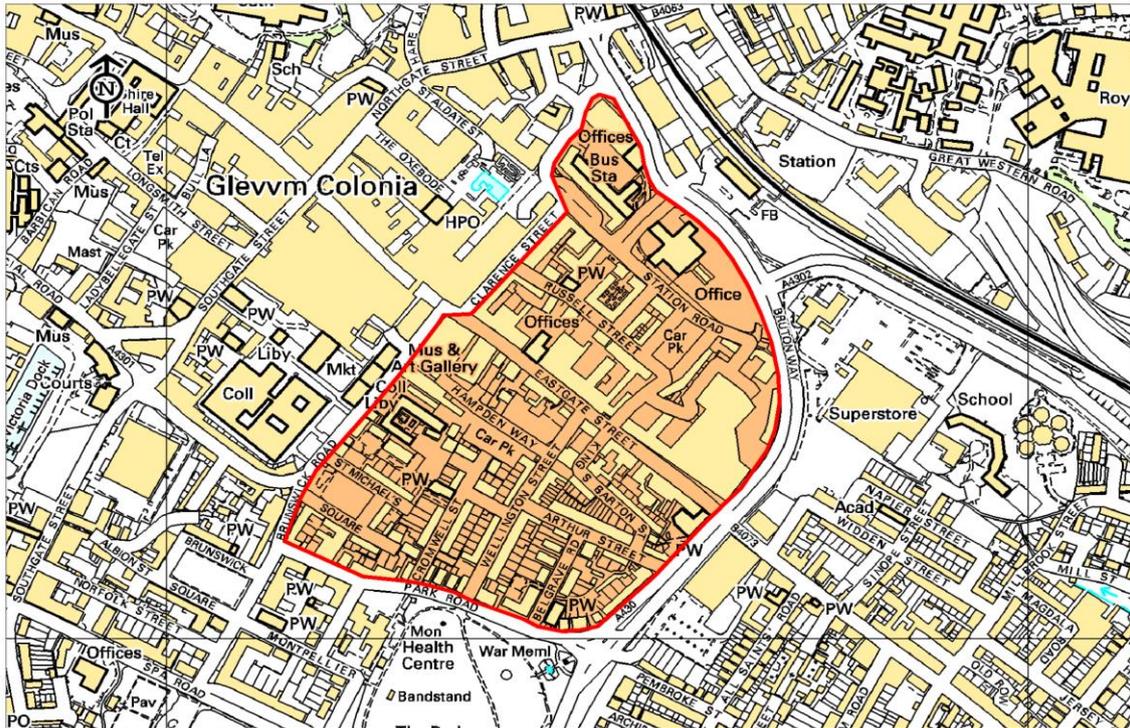
The Council encourages the development of a variety of premises providing a range of licensed activities catering for a wide range of users. This is reflected in Gloucester City Council having received a purple flag award.

The assessment relates to all types of licensed premises carrying on licensable activities within the cumulative impact zone, including the sale of alcohol for consumption on or off the premises (or both), the provision of late night refreshment and regulated entertainment. The assessment does not apply to Temporary Event Notices (TENs); however the evidence upon which the assessment is based may be used by the relevant responsible authorities when submitting objections to TENs.

The council considers that, in a specified part of the City Centre within and around Eastgate Street, the number of premises licences and/or club premises certificates are such that it is likely that granting further licences or variations to existing relevant authorisations would be inconsistent with our duty to promote the licensing objectives.

Although this assessment provides an evidential basis for applications within the CIP to be refused; it does not relieve responsible authorities or any other persons of the need to make a relevant representation. Each application will be considered on a case by case basis and applicants are expected to demonstrate why the operation of the premises would not add to the cumulative impact already being experienced. The assessment will never be used as a ground for revoking an existing licence or certificate.

The evidential basis for the assessment is set out below; The area identified by the assessment can be seen below and identified within the red line.



This draft assessment will be kept under review and changes may be made in relation to local circumstances, the Licensing Act, associated regulations or statutory guidance.

5. Police Data

Gloucestershire Constabulary provided a submission focusing on crime and disorder and alcohol related incidents that have taken place over the past 9 years for alcohol related incidents and the past 19 years for crime and disorder within the current cumulative impact area.

The two tables below show the data provided by Gloucestershire Constabulary in relation to both Crime and Disorder incidents and alcohol related incidents within the current cumulative impact area.

Alcohol Related Incidents in Eastgate Street

Year	Number of Incidents
2019	171
2018	165
2017	196
2016	215
2015	241
2014	308
2013	282
2012	307

2011	420
2010	358

Crimes in Eastgate Street

2019	271
2018	204
2017	196
2016	195
2015	184
2014	141
2013	186
2012	171
2011	258
2010	218
2009	287
2008	243
2007	285
2006	312
2005	232
2004	185
2003	179
2002	144
2001	89
2000	84

From the two tables above you can see that incidents of crimes have gone up since the last review in 2016 and the number of alcohol related incidents have gone down but are slowly creeping up.

As part of their submission Gloucestershire Constabulary recognise that there is compelling evidence that where a CIA is in place and supported and embraced by both the police and local authority that it does help to reduce crime and disorder,

Gloucestershire Constabulary also state that alcohol related incidents within Eastgate Street are still the highest in the county and although the issue has reduced over the years there is still a significant problem and therefore would not like to see the Cumulative Impact Policy taken out of the Statement of Licensing Policy.

6. Conclusions

The analysis indicates the number of reported crimes have increased since the last review in 2016. The alcohol related incidents have reduced since 2016 but are slowly creeping up year by year. As this is the case it is not considered enough to dispense with the cumulative impact zone.

It is considered that the statistical data evidenced above together with a written report produced by Gloucestershire Constabulary clearly supports the retention of the special policy relating to cumulative impact.

Additionally, the data does not indicate that any extension to the geographical area of the CIP is required.

THE LICENSING ACT 2003

LICENSING POLICY STATEMENT

2021/2026



PREAMBLE

By virtue of the Licensing Act 2003 Gloucester City Council (the Licensing Authority) has responsibility for the licensing of all premises in the District that sell alcohol, provide regulated entertainment or serve hot food or drink to the public between 23.00 and 05.00. In addition the Authority must issue Personal Licences to persons responsible for the retail sale of alcohol and accept Temporary Event Notifications from persons requiring occasional permissions for activities licensable under the Act.

To comply with the legislation, Licensing Authorities must publish a Licensing Policy that sets out the position in relation to its duties under the Licensing Act to guide its work in implementing the Act. The Council welcomes the powers granted to it by the legislation and will continue to use them, in consultation with 'Responsible Authorities' (e.g. Police, Fire Service, Planning, Environmental Health etc), licensees, local businesses and residents, in a socially responsible way.

This document is the sixth Licensing Policy Statement to be consulted upon by Gloucester City Council. The Licensing Authority will consult widely on this issue as it affects a very large number of people in the District (e.g. licensees, residents and businesses) as well as statutory agencies and the like.

This Licensing Policy has been drawn together based on the last edition with some updates where appropriate and reflects the local balance between the commercial interests of the licensed trade and the communities they serve and impact upon. The Act requires the Council to revise and republish the policy every five years. This Policy will come into force January 2021.

Comments and queries should be directed to:

**Darren Mountford
City Improvement – (Licensing Lead)
Gloucester City Council
Shire Hall
Westgate Street
Gloucester
GL1 2TG**

Email: [mailto: licensing@gloucester.gov.uk](mailto:licensing@gloucester.gov.uk)

Phone: **01452 396396**

Web: www.gloucester.gov.uk

CONTENTS

	Page
Introduction	4
The Licensing Act 2003	5
The Licensing Process	8
Prevention of Crime and Disorder	11
Public Safety	13
Prevention of Nuisance	14
Protection of Children from Harm	16
Cumulative Impact Assessment	18
Licensing Hours	23
Promoting Good Practice Initiatives	24
Enforcement and Complaints	25
Temporary Event Notices	28
Personal Licences – New Applications	29
Personal Licences – Suspension and Revocation	31
Late Night Refreshment – Local Powers to Deregulate	33
Immigration Act 2016 – Entitlement to Work	34
Further Information	35
APPENDIX A - Table of Delegated Functions	36
APPENDIX B - The Licensing Policy Process - Additional Information	38
APPENDIX C - Map identifying area for ‘Special Policy’ adopted by Gloucester City Council	48
APPENDIX D – Map identifying area for Public Spaces Protection Order for City Centre	49
APPENDIX E - Glossary of Terms	50
APPENDIX F - Reference Sources	53
APPENDIX G - Useful References (Organisations)	54
APPENDIX H - List of Responsible Authorities	56

1. INTRODUCTION

- 1.1 Gloucester City Council is situated in the County of Gloucestershire which contains 6 district councils in total. The Council area has an estimated population of 129,128 making it the largest urban Authority in the County in terms of population. In terms of area it is one of the smallest covering just 15.64 square miles. The City of Gloucester is the County town for Gloucestershire and its area is mainly urban. It is surrounded by the rural authorities of the County. The Docks, Quays and Kings Quarter area of the City is a focus of a major regeneration and there is a substantial housing development to the south of the City in an area known as Kingsway situated between the Quedgeley by-pass and the M5 Corridor.

2.0 THE LICENSING ACT 2003

2.1 Gloucester City Council (the Licensing Authority) is responsible for the licensing of 'licensable activities' under the Licensing Act 2003 (The Act). According to the Act, licensable activities are as follows:

- The retail sale of alcohol (including via the internet or mail order);
- The supply of alcohol to members of registered clubs;
- The provision of regulated entertainment
- The supply of hot food or hot drink between 2300 hours and 0500 hours ('late night refreshments').

2.2 The Licensing Act 2003 imposes a duty on the City Council as Licensing Authority to produce, develop and review a Licensing Policy that sets out the policies that the Licensing Authority will generally apply to promote the licensing objectives when making decisions under the Act. The Licensing Authority will actively seek to promote the four statutory licensing objectives that are set out in section 4 of the Licensing Act 2003, which are as follows:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

These 4 objectives are the only matters to be taken into account in determining the application. Each objective is of equal importance and the Licensing Authority's policy relating to each of them is given in this Licensing Policy. Where the Licensing Authority receives relevant representations regarding an application from a "Responsible Authority" (a list of Responsible Authorities is attached together with their contact details in Appendix I) or 'Other Persons' The licensing authority's discretion is invoked to consider the matter. 'Other Persons' may include any of the following:

- Residents living near the premises
- Persons with an interest in the premises or locality
- Local Councillors
- Businesses with an interest in the premises or locality
- Organisations with an interest in the locality, premises or licensable activities

The Licensing Authority may consider attaching conditions to licences to promote the licensing objectives as appropriate. If no relevant representations are received by the Licensing Authority the application will be granted in the terms sought and no additional conditions imposed; conditions will be proportionate and only those appropriate to achieve the licensing objectives will be applied.

2.3 This Licensing Policy has been prepared in accordance with the provisions of the Licensing Act 2003 and the Guidance issued by the Home Secretary under Section 182 of the Act. The Policy will take effect on 29 January 2021 and will remain in force for a period of not more than five years. A review and further consultation will be carried out no later than Autumn 2025. If any amendments to the Licensing Policy are needed before the review period they will only be made following consultation with those parties referred to in paragraph 2.4 below.

- 2.4 There are a number of groups who have an interest in the licensing of premises under the Licensing Act 2003, including the licensed trade, customers, residents local councillors and enforcing agencies. All these parties have views and concerns that require consideration as part of the licensing function. Before publishing the Licensing Policy and any amendments to it, the Licensing Authority will consult with Gloucestershire Police; Gloucestershire Fire and Rescue Service; City Council Planning and Environmental Health, bodies representing local holders of personal licences, premises licences and club premises certificates; and local businesses and residents in the District. In addition, the Licensing Authority may also consult with other local bodies and agencies as appropriate.
- 2.5 In drawing up and reviewing this policy the Licensing Authority must consult with:-
- The Chief Officer of Police for the area;
 The Fire and Rescue Authority for the area;
 Gloucestershire Public Health
 Persons/bodies representative of local holders of premises licences;
 Persons/bodies representative of local holders of club premises certificates;
 Persons/bodies representative of local holders of personal licences; and
 Persons/bodies representative of businesses and residents in its area.
- In addition the Licensing Authority will seek to identify and consult with other organisations and individuals who may be affected by this policy in an attempt to ensure that a balanced policy is achieved.
- The Policy Statement and future drafts for consultation will be placed on the City Council website which can be found at www.gloucester.gov.uk.
- 2.6 The Council will give appropriate weight to the views of consultees.
- 2.7 The objective of the licensing process is for a unified system of regulation to allow the sale and supply of alcohol, and the provision of regulated entertainment and late night refreshment, to be carried out in a way that promotes the licensing objectives. The Licensing Authority's aim is to facilitate well-run and managed premises with licence holders displaying sensitivity to the impact of the premises on local residents. To this end, conditions attached to the various permissions granted under the Act will be focused on matters within the control of the individual licensees and others granted relevant permissions.
- 2.8 Licensing law is not the primary mechanism for the general control of nuisance and anti social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in town and city centres. Therefore, as a matter of policy the Licensing Authority expects every holder of their licence, certificate or permission to be responsible for minimising the impact of their activities and anti social behaviour by their patrons within the vicinity of their premises.
- 2.9 The Licensing Authority's Policy is to create a safe and family-friendly environment within the District, particularly within the City Centre.
- 2.10 The Licensing Authority is keen to promote the artistic and cultural life of the City and licensing will be approached with a view to encouraging new and innovative forms of public entertainment that are consistent with the licensing objectives.

- 2.11 When applications are considered by the Licensing Authority following receipt of relevant representations, they will be considered on their own merits. The Licensing Authority will seek to balance the needs of the wider community, local community and commercial premises and activities, against the needs of those who may be adversely affected by the activities. The views of vocal minorities will not usually predominate over the general interests of the community. Where it is necessary to depart from the national guidance, either in this policy or at any other time, the Licensing Authority will give clear and sound reasons for doing so.
- 2.12 The Licensing Authority will work in partnership with other local authorities, particularly in Gloucestershire, to ensure a consistent approach is taken to licensing matters whilst respecting the differing needs of the individual communities.

3.0 THE LICENSING PROCESS

- 3.1 One of the major principles underlying the Licensing Act 2003 is that the licensing functions contained within the Act should be delegated to an appropriate level so as to ensure speedy, efficient and cost effective service delivery.
- 3.2 The Licensing Authority will be involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them. Appreciating the need to provide an efficient service to all parties involved in the licensing process, the Committee has delegated certain decisions and functions and has established a number of Sub-Committees to deal with those matters.
- 3.3 In addition, it is expected that many of the decisions and functions will be largely administrative with no perceived areas of contention and, in the interests of efficiency and effectiveness these are delegated to Officers. Attached at Appendix A to this Licensing Policy is a Table of Delegated Functions setting out the agreed delegation of decisions and functions to the Licensing Authority's Licensing Committee, Sub-Committees and Officers. These delegations are without prejudice to Officers referring an application to a Sub Committee or the Licensing Committee if considered appropriate in the circumstances of the case. The Licensing Committee will regularly receive, review, comment and consider other relevant policies relating to employment, transport, cultural development and community safety as far as they affect its' licensing function.
- 3.4 The Licensing Act 2003 requires all applicants for new and varied premises licences to provide an Operating Schedule. Applicants when completing their operating schedule should consider the licensing objectives and state in this schedule any steps that they propose to take to promote the licensing objectives. Further details of issues that applicants may wish to consider are listed under the sections for each of the licensing objectives, sections 4 to 7 and in particular the list in paragraph 6.5.
- 3.5 The Licensing Authority will work closely with any relevant planning and transportation policies, tourism and cultural strategies, equality and diversity policies, the evening economy strategy in Gloucester, or local crime and disorder strategies and to take account of these where appropriate.
- 3.6 Operators of licensed premises are reminded that they will have to comply with planning, environmental health, fire safety, licensing and building control legislation when opening or adapting licensed premises.
- 3.7 Responsible Authorities and Other Persons may make representations about a licence application. In order for the representations to be relevant they must be made within 28 days of the application being lodged with the Licensing Authority and they must relate to one of the 4 licensing objectives (prevention of crime and disorder, public safety, prevention of public nuisance or protection of children from harm). Where relevant representations have been received from responsible authorities or other persons, the Licensing Authority will consider whether it is necessary, having regard to the representations, to modify the conditions proposed in the operating schedule. In such cases, the authority will seek to impose the minimum burden which is necessary in order to promote the licensing objectives in the individual case.

- 3.8 It is important to note that relevant representations do not have to be of a negative nature. This is why the word 'objection' is not used in the Licensing Act. The Department for Culture Media and Sport want to allow for representations urging the grant of a licence e.g. for cultural reasons. Clearly if all the representations received for an application were to be of a positive nature then there would be little point holding a Hearing. Also should a Hearing be required where both positive and negative representations have been received it will lend a more balanced and beneficial perspective to that Hearing.
- 3.9 Where relevant representations are received and upheld, the Licensing Authority will seek to avoid confusion and duplication by not imposing licence conditions that are required under other legislation, except where they can be exceptionally justified to promote the licensing objectives.
- 3.10 Where relevant representations are received applications will be considered on their individual merits and decisions made in relation to licensing applications will be made entirely separately from any decision in relation to planning.
- 3.11 Some regulations do not cover the unique circumstances of some entertainment. Where relevant representations are received, and upheld, the Licensing Authority will consider attaching conditions to premises licences and club premises certificates where these are necessary to promote the licensing objectives and are not already provided for in any other legislation.
- 3.12 In circumstances where conditions are imposed, they will be tailored to the individual style and characteristics of the premises and events concerned. In addition, the Licensing Act 2003 prescribes mandatory conditions in certain circumstances.
- 3.13 Additional information relating to the licensing application process is contained within Appendix B to the statement of Licensing Policy.

How this policy applies

- 3.14 All applications for new premises licences or variations need to be supported by an operating schedule. Applicants should specify (among other things) the steps that they propose to promote each of the licensing objectives.
- 3.15 If no responsible authority or other person lodges an objection (known as a "relevant representation") to the application, the Licensing Authority will grant the application as set out in the operating schedule, subject only to mandatory conditions under the Licensing Act 2003. The steps proposed by the applicant will become licence conditions but only insofar as they relate to the licensing objectives, are achievable by the applicant and are enforceable by the Authority. The Licensing Authority has no discretion to refuse the application or add to the conditions arising from the operating schedule.
- 3.16 Where, however, there are relevant representations, then a hearing before a licensing sub-committee will normally follow. After the hearing, the sub-committee must, having regard to the representations, take such steps as it considers necessary to promote the licensing objectives. These may include refusing the application, or adding to or modifying the conditions proposed in the operating schedule.

- 3.17 In exercising its discretion, the licensing sub-committee will have regard (amongst other things) to this Licensing Policy.
- 3.18 Where there have been relevant representations, the Licensing Authority will always consider the merits of the case, and interfere with the operating schedule only when, and to the extent, appropriate to promote the licensing objectives. Blanket or standard conditions will not be applied.

THE LICENSING POLICY OBJECTIVES

4.0 PREVENTION OF CRIME AND DISORDER

- 4.1 The Council places considerable importance on the prevention of crime and disorder and will fulfil its duty under Section 17 of the Crime and Disorder Act 1988 to do all it reasonably can to prevent crime and disorder in the District.
- 4.2 Licensed premises, especially those offering late night/early morning entertainment, alcohol and refreshment for large numbers of people, if not properly managed, can sometimes be a source of crime and disorder problems.
- 4.3 The Licensing Authority recommends that licensees of premises develop Operating Schedules that address these issues from the design of the premises through to the daily operating of the business.
- 4.4 In developing an Operating Schedule, applicants may wish to seek advice from the Licensing Authority or Gloucestershire Police. When planning and preparing Operating Schedules applicants may take into account local planning and transport policies, tourism, cultural and crime and disorder reduction strategies as appropriate.
- 4.5 The Licensing Authority along with the Police and Trading Standards fully supports the aims and objectives of the Gloucester LVA and City Safe Scheme and encourages the use of the City Safe Radio System. The Authority will also continue to work with the Safer Gloucester Partnership, NightSafe Partnership, Safer Community Teams, Neighbourhood Projects, Ward Councillors and others to help reduce crime and disorder associated with licensed premises.
- 4.6 The prevention of crime and disorder may, for example, be promoted by employing registered door supervisors, ensuring all staff have appropriate training, incorporating a search policy into the entry conditions of the premises, the location and standard of any CCTV on the premises, and the inclusion of written dispersal policies.

Door Supervisors

The Licensing Authority recommends that premises currently using door staff will continue to do so, and that premises who operate in the City Centre or premises seeking to change their style of operation, in particular to a music and dancing venue, will employ the use of door staff.

CCTV

Where appropriate applicants are encouraged to install a CCTV system that will be maintained and will record at all times the premises are open to the public. All recordings to be stored chronologically in a secure place for a period of not less than 31 days and to be produced to the Police and authorised officers of the Council on request.

- 4.7 Applicants for late night entertainment and liquor premises are advised to agree a protocol with Gloucestershire Police on the handling of illegal drugs found on their premises.

4.8 Cumulative Impact – Special Policies

As the Licensing Authority, we have published a Cumulative Impact Assessment of licensed premises in and around Eastgate Street. This creates a rebuttable presumption that applications for new premises licences or club premises certificates or variation applications, that are likely to add to the existing cumulative impact will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.

4.9 Late Night Levy

This is a power conferred on Licensing Authorities by the Police Reform and Social Responsibility Act 2011 which enables a levy to be charged to persons who are licensed to sell alcohol late at night in the authority's area, as a means of raising a contribution towards the costs of policing the late-night economy.

The option of introducing such a levy will be kept under review by the Council.

4.10 Early Morning Restriction Orders (EMRO'S)

An Early Morning Alcohol Restriction Order (EMRO) is a power in the Licensing Act 2003 that enables licensing authorities to restrict sales of alcohol in the whole or a part of their areas for any specified period between 12 midnight and 6 am, if they consider this appropriate for the promotion of the licensing objectives.

Gloucester City Council has no plan to apply for an order at this time.

4.11 Public Spaces Protection Order (PSPO)

PSPO's replaced the DPPPO's under the ASB Crime & Police Act 2014. Public Space Protection Orders can be used to tackle problems with anti-social drinking. An Order is currently in place for the City covering the City Centre. Map of the area is attached as Appendix D.

5.0 PUBLIC SAFETY

- 5.1 The Licensing Act 2003 covers a wide range of premises that require licensing including cinemas, nightclubs, public houses, village and community halls, schools, cafes, restaurants and fast food outlets/takeaways. Each of these types of premises present a mixture of risks, some of which may be common to most premises whilst others will be unique to specific operations.
- 5.2 Applicants are encouraged to seek advice from the Licensing Authority and the Fire Safety Section of Gloucestershire Fire and Rescue Service with regard to these issues and to carry out their own risk assessments.
- 5.3 In order to ensure the safety of persons at premises and to ensure a safe means of escape from fire, or other emergency, occupancy limits may be included in Operating Schedules in appropriate cases and if so should be set in consultation with Gloucestershire Fire & Rescue Service and the Council's Building Control Officers (or others if appropriate). The Licensing Authority will not normally seek to impose an occupancy limit different to that already identified by the Fire Authority in previous correspondence if this differs from the figure set in applicants Operating Schedules unless there have been relevant representations and the Fire Authority recommends a change or there are crime and disorder prevention reasons for doing so.
- 5.4 The Licensing Authority seeks to encourage the use of toughened glassware and polycarbonate on a risk based approach in licensed premises.
- 5.5 Every applicant granted a licence, certificate or permission would also be under a duty to comply with the Health and Safety at Work etc. Act 1974 and regulations made under it. In many cases, the Council will also be the enforcing authority responsible for ensuring compliance with the Health and Safety at Work etc. Act in licensed premises.

6.0 PREVENTION OF PUBLIC NUISANCE

6.1 Licensed premises, especially those operating late at night and in the early hours of the morning, can sometimes cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises.

6.2 The Licensing Authority is keen to protect the amenity of residents and businesses in the vicinity of licensed premises. For these purposes the Council suggests that 'vicinity' means:

'being sufficiently close enough to be directly affected by the behaviour and activities on those premises.'

6.3 It should be noted that other legislation is available to address nuisance issues. Furthermore it is acknowledged that licensed premises are limited with regard to controlling customer behaviour away from the immediate vicinity of their premises.

6.4 In addition, the Licensing Authority is aware of the importance of the licensed trade to the local economy and its culture and leisure aspirations. The Licensing Authority will, therefore, try to work together with all interested parties, statutory agencies and licensed businesses to ensure a mutual co-existence.

6.5 When considering licence applications where relevant representations have been received the Licensing Authority will take into account measures proposed by the applicant to promote the prevention of nuisance and/or anti-social behaviour. In particular the Licensing Authority may consider the following matters, where relevant:

- i) measures proposed for the prevention of noise and vibration escaping from the premises, including music, noise from ventilation equipment, and human voices. Such measures may include the installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices;
- ii) measures proposed for preventing disturbance by customers and staff arriving at or leaving the premises, particularly between 2300 hours and 0700 hours;
- iii) measures proposed for the prevention of nuisance from cooking odours through installation of appropriate odour control equipment in a suitable location;
- iv) measures proposed for the prevention of nuisance from litter by ensuring adequate provision is made for disposal of waste inside, outside and within the general vicinity of late night takeaway/refreshment houses and a general positive attitude to encouraging good practice from customers;

- v) measures proposed for preventing queuing by pedestrians or vehicular traffic, or if some queuing is inevitable then ensuring the queues are diverted away from neighbouring premises, or are otherwise managed, to prevent disturbance or obstruction;
- vi) ensuring staff leave the premises quietly;
- vii) arrangements for parking by patrons and staff, and the effect of the parking on local residents;
- viii) provision for public transport (including taxis and private hire vehicles) for patrons;
- ix) whether licensed taxis or private hire vehicles are likely to disturb local residents;
- x) whether routes to and from the premises on foot, by car or other services pass residential premises;
- xi) the installation of any special measures where licensed premises are, or are proposed to be, located near sensitive premises such as nursing homes, hospitals, hospices or places of worship;
- xii) the use of gardens and other open-air areas;
- xiii) the location of external lighting, including security lighting that is installed inappropriately;
- xiv) other appropriate measures to prevent nuisance, such as the employment of registered door supervisors or the use of CCTV;
- xv) preventing the consumption or supply of illegal drugs, including search procedures;
- xvi) the history of previous nuisance complaints proved against the premises, particularly where statutory notices have been served on the present licensees;
- xvii) proposals for using effective means of reducing disorder by communicating with other licensees and the Police information regarding the potential for anti-social behaviour or criminal behaviour (e.g. Gloucester City Safe radio, pagers, ring rounds, membership of Gloucester City Safe).

6.6 The Licensing Authority is keen to stress, however, that as well as the licensing function there are other mechanisms for addressing issues of unruly behaviour that occur away from licensed premises. These include:

- planning controls;
- powers to designate Public Space Protection Orders in parts of the District as places where alcohol may not be consumed publicly and the confiscation of alcohol in these areas.
- police powers to close some premises for up to 24 hours in extreme cases of disorder or excessive noise;
- police enforcement of the law with regard to disorder and anti-social behaviour;
- the power of the police, licensing authority, or other persons to request a review of the licence;
- enforcement action against those selling alcohol to people who are already drunk.

7.0 PROTECTION OF CHILDREN FROM HARM

7.1 The Licensing Authority recognises that there are a range of activities for which licences may be sought meaning that children can be expected to visit many of these premises, often on their own, for food and/or other entertainment. The Licensing Act 2003 does not prevent children having free access to any licensed premises. The Licensing Authority recognises that limitations may have to be considered where it is deemed necessary to protect children from harm. The following are examples of premises that may raise concerns:

- where there have been convictions for serving alcohol to minors, or with a reputation for under-age drinking;
- with a known association with drug taking or dealing;
- where there is a strong element of gambling (this relates to substantial gambling operations and does not include premises with a small number of AWP machines) on the premises;
- where entertainment of an adult or sexual nature is provided;
- where there is a presumption that children under 18 should not be allowed (e.g. to nightclubs, except when under 18 discos are being held).

7.2 The Licensing Authority expects personal licence holders to ensure that they do not serve alcohol to children under the age of 18, except in limited conditions allowed for by law. The Licensing Authority recommends that the following are preferred ways to verify a person's proof of age:

- (i) passport
- (ii) a photocard driving licence issued in a European Union country;
- (iii) a National Proof of Age Standards Scheme card (e.g. PASS card);

7.3 Where appropriate applicants are encouraged to participate in the Challenge 25 age verification scheme.

7.4 The Council recognises the potential risk to children from mobile, remote, internet and other delivery sales of alcohol being made to or accepted on the doorstep persons under 18. The Council expects applicants for internet and delivery alcohol sales to explain in their application how they will ensure that sales and deliveries are only made to persons over 18. This could include checks whilst taking bookings and ensuring a signature of a responsible adult on delivery.

7.5 Where relevant representations have been received and upheld, when deciding whether to limit the access of children to premises the Licensing Authority will judge each application on its own merits. To assist with this the Licensing Authority will consider any representations received from Gloucestershire Police, Gloucestershire Social Services and other agencies as appropriate. Where concerns have been identified in respect of individual premises and it is felt that access to the premises by children should be restricted the options available would include:

- limitations on the hours when children may be present;
- age limitations for persons under 18;
- limitations or exclusion when certain activities are taking place;
- full exclusion of person under 18 when certain licensable activities are taking place;
- limitation of access to certain parts of the premises for person under 18;

- a requirement for an accompanying adult to be present.

This list is not meant to be seen as an exhaustive list covering everything, but gives applicants examples of the conditions the Licensing Authority may seek to impose in meeting its obligation towards the protection of children.

- 7.6 The Licensing Authority will not impose any conditions that specifically require the access of children to the premises.
- 7.7 Where no conditions or restrictions are imposed, the issue of access for children remains a matter of discretion for individual licensees or clubs.

Children and Films

- 7.8 Films cover a vast range of subjects, some of which deal with adult themes and/or contain, for example, scenes of horror or violence that may be considered unsuitable for children within certain age ranges. Where premises are used for film exhibitions, a mandatory condition will apply restricting access to performances only to persons who meet the required age limit in line with any certificate granted by the British Board of Film Classification or the Council itself.
- 7.9 The Licensing Authority will expect licensees to ensure that age restrictions for film exhibitions are properly complied with.
- 7.10 In considering applications where relevant representations have been received and upheld, the Licensing Authority will take into account any evidence that age restrictions for film exhibitions are not being properly observed.

Children and Theatrical Entertainment

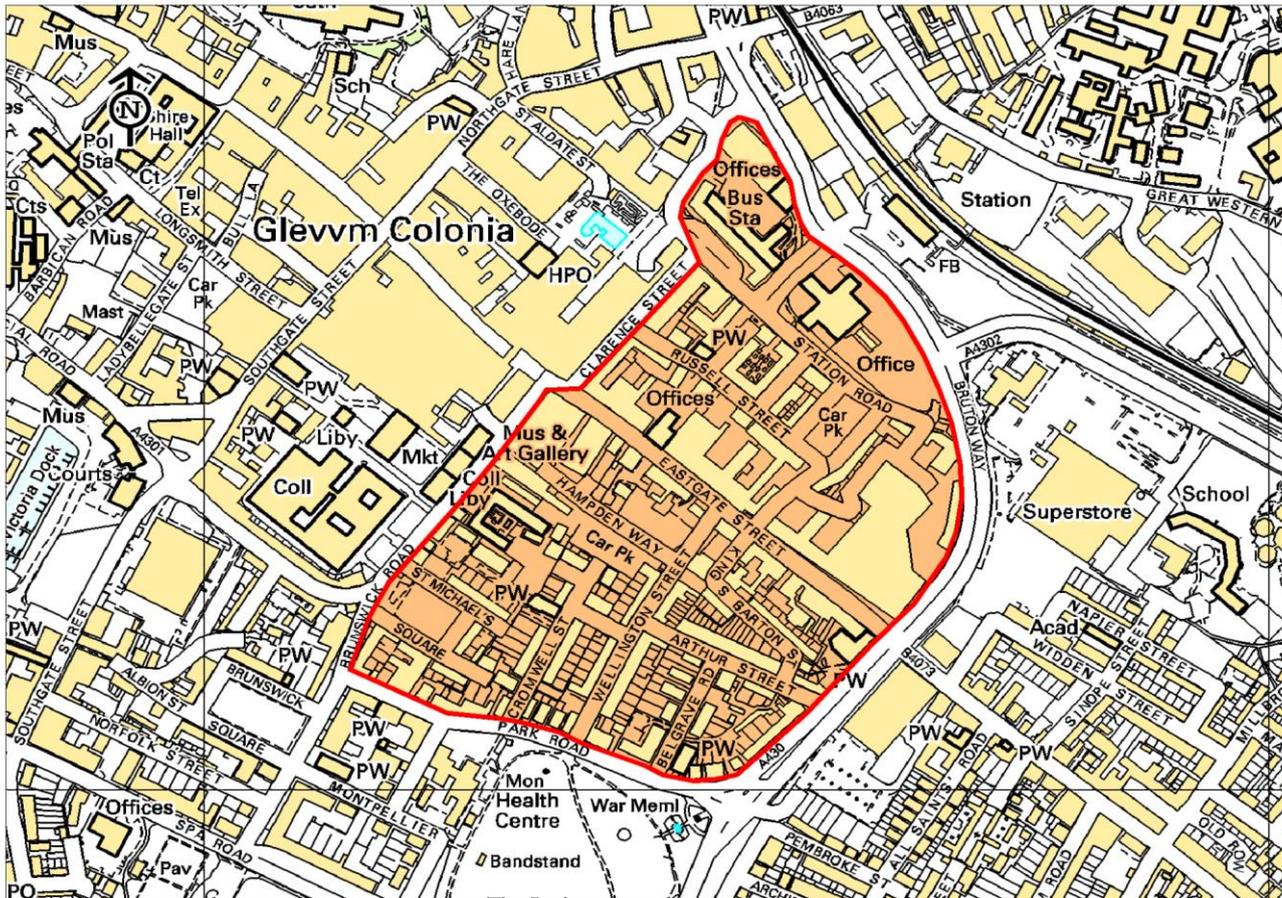
- 7.11 This Authority recognises that it may be necessary to impose a condition to restrict the admission of children to theatres which are incorporating adult entertainment into their productions. In the case of theatrical entertainment aimed specifically at children it may be considered necessary to attach a condition requiring the presence of a sufficient number of adult staff to ensure the wellbeing of children during an emergency.

8.0 CUMULATIVE IMPACT ASSESSMENT

8.1 Introduction

Gloucester City's first Cumulative Impact Zone (CIZ) was put in place alongside the first policy the council had under the Licensing Act 2003. It was based on data presented by Gloucestershire Constabulary and this theme has generally continued at each review point, the last of which was in 2016.

The current Cumulative Impact Policy area can be seen below:



Gloucestershire Constabulary have presented some data in relation to the review of the current policy. Part of this assessment will be to test the evidence for this.

The starting point for developing any understanding of licensing policy is the 4 objectives that all local authorities must uphold in undertaking their licensing activities.

8.2 The Licensing Act 2003

Section 4 of the Licensing Act 2003 required that local authorities must carry out their functions under the Act with a view to upholding these objectives:

- (a) The prevention of crime and disorder;
- (b) Public safety;

(c) The prevention of public nuisance; and

(d) The protection of children from harm

The Act requires that the way in which the objectives are to be upheld should be included in a statement of licensing policy. This document must be reviewed every 5 years to ensure it remains fit for purpose. As part of this process, local authorities can consider the potential cumulative impact of a large number of premises operating in a small area and, if warranted, publish a Cumulative Impact Policy (CIP) as part of this.

An amendment to the Act, made via the Policing & Crime Act 2017, placed the principles of Cumulative Impact on a statutory basis, adding the concept to the face of the law. Before this it was only present in the guidance made under s182 of the Act, which still stands. The new Section of the Act gives Cumulative Impact a stronger status in law but the definition remains as written within the guidance. The new sections talk about a Cumulative Impact Assessment. It is this assessment that should lead directly to the decision as to whether there is a cumulative impact and also how the local authority should respond to it.

8.3 Cumulative Impact Policy

These have undoubtedly helped licensing authorities to limit the number or type of licence applications granted in areas where the number of licensed premises is causing problems. Such problems have typically included crime and disorder or public nuisance caused by large numbers of drinkers being concentrated in one area.

However, the fact that the concept of Cumulative Impact was originally only set out in the guidance issued under Section 182 of the Act meant that not all licensing authorities have made or are making effective or consistent use of them.

This has led to the licensed trade having concerns about the transparency of the process for putting a CIP in place and the quality of evidence used as the basis for some. Putting the process on a statutory basis and requiring an assessment of a broad range of factors should help tackle these perceptions.

Below is the definition of Cumulative Impact:

(Home Office Guidance, issued under section 182 of the Licensing Act 2003)

“Cumulative impact is the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area”

8.4 Cumulative Impact Assessment

Gloucester City is home to a number of popular restaurants, bars, night clubs and late night refreshment venues.

The Council encourages the development of a variety of premises providing a range of licensed activities catering for a wide range of users. This is reflected in Gloucester City Council having received a purple flag award.

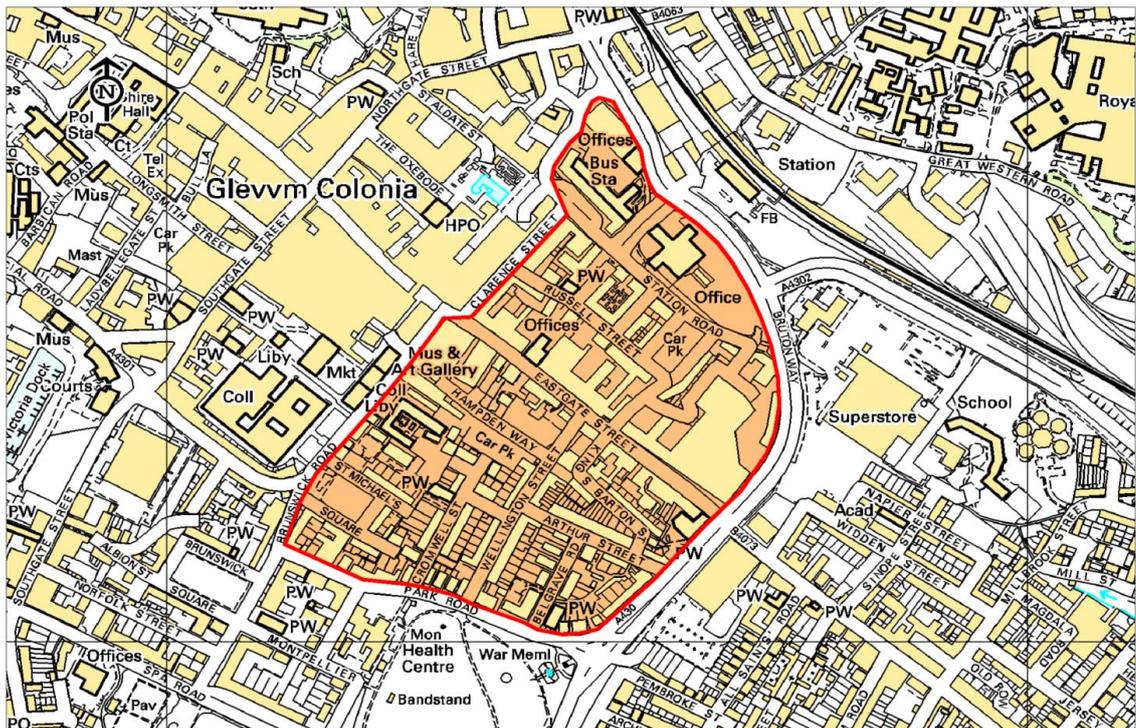
The assessment relates to all types of licensed premises carrying on licensable activities within the cumulative impact zone, including the sale of alcohol for

consumption on or off the premises (or both), the provision of late night refreshment and regulated entertainment. The assessment does not apply to Temporary Event Notices (TENs); however the evidence upon which the assessment is based may be used by the relevant responsible authorities when submitting objections to TENs.

The council considers that, in a specified part of the City Centre within and around Eastgate Street, the number of premises licences and/or club premises certificates are such that it is likely that granting further licences or variations to existing relevant authorisations would be inconsistent with our duty to promote the licensing objectives.

Although this assessment provides an evidential basis for applications within the CIP to be refused; it does not relieve responsible authorities or any other persons of the need to make a relevant representation. Each application will be considered on a case by case basis and applicants are expected to demonstrate why the operation of the premises would not add to the cumulative impact already being experienced. The assessment will never be used as a ground for revoking an existing licence or certificate.

The evidential basis for the assessment is set out below; The area identified by the assessment can be seen below and identified within the red line.



This assessment will be kept under review and changes may be made in relation to local circumstances, the Licensing Act, associated regulations or statutory guidance.

8.5 Police Data

Gloucestershire Constabulary provided a submission focusing on crime and disorder and alcohol related incidents that have taken place over the past 9 years

for alcohol related incidents and the past 19 years for crime and disorder within the current cumulative impact area.

The two tables below show the data provided by Gloucestershire Constabulary in relation to both Crime and Disorder incidents and alcohol related incidents within the current cumulative impact area.

Alcohol Related Incidents in Eastgate Street

Year	Number of Incidents
2019	171
2018	165
2017	196
2016	215
2015	241
2014	308
2013	282
2012	307
2011	420
2010	358

Crimes in Eastgate Street

2019	271
2018	204
2017	196
2016	195
2015	184
2014	141
2013	186
2012	171
2011	258
2010	218
2009	287
2008	243
2007	285
2006	312
2005	232
2004	185
2003	179
2002	144
2001	89
2000	84

From the two tables above you can see that incidents of crimes have gone up since the last review in 2016 and the number of alcohol related incidents have gone down but are slowly creeping up.

As part of their submission Gloucestershire Constabulary recognise that there is compelling evidence that where a CIA is in place and supported and embraced by both the police and local authority that it does help to reduce crime and disorder,

Gloucestershire Constabulary also state that alcohol related incidents within Eastgate Street are still the highest in the county and although the issue has reduced over the years there is still a significant problem and therefore would not like to see the Cumulative Impact Policy taken out of the Statement of Licensing Policy.

8.6 Conclusions

The analysis indicates the number of reported crimes have increased since the last review in 2016. The alcohol related incidents have reduced since 2016 but are slowly creeping up year by year. As this is the case it is not considered enough to dispense with the cumulative impact zone.

It is considered that the statistical data evidenced above together with a written report produced by Gloucestershire Constabulary clearly supports the retention of the special policy relating to cumulative impact.

Additionally, the data does not indicate that any extension to the geographical area of the CIP is required.

The area of the Licensing Authority to which this 'Special Policy' will apply is identified in the map attached at Appendix C. The area identified includes the following streets:

Eastgate Street
Clarence Street (south east side)
Brunswick Road (south east side)
Park Road (north side)
Bruton Way (west side from Park Road to Market Parade)
Station Road
Russell Street
Hampden Way
Wellington Street
Cromwell Street
Arthur Street
Belgrave Road
Kingsbarton Street
St Michael's Square
Market Parade (south east side)

9.0 LICENSING HOURS

9.1 The Licensing Act 2003 introduced flexible opening hours for premises, with the potential for 24 hour opening, seven days a week. The Licensing Authority recognises the variety of premises for which licences will be sought and that fixed and artificially early closing times in certain areas can lead to peaks of disorder and disturbance on the streets when people tend to leave licensed premises at the same time. When dealing with licensing hours, each application will be dealt with on its individual merits.

9.2 The Licensing Authority will have a flexible approach to opening hours and will generally deal with the issue of licensing hours having due regard to the individual merits of each application in the light of relevant representations received. The Licensing Authority will take into account requests for terminal hours in the light of the:

- environmental quality;
- residential amenity;
- character or function of a particular area; and
- nature of the proposed activities to be provided at the premises.

Where relevant representations have been received and upheld consideration may, however, be given to imposing stricter controls on noise and disturbance from particular licensed premises, such as those in mainly residential areas.

9.3 Unless there are good reason to the contrary on the grounds of public disorder or crime prevention, shops and supermarkets that sell alcohol will be licensed to do so during the same times that they would ordinarily sell other goods. It would be for interested persons or the responsible authorities to prove why this should not be so in any particular case. There may, however, be instances where it is considered that there are good reasons for restricting those hours, for, example, where police representations are made in respect of isolated shops known to be the focus of disorder and public nuisance.

9.4 Generally the Licensing Authority sees staggered trading hours as being helpful to the dispersal of patrons from licensed premises, particularly late at night. This removes some of the friction caused by sudden excessive peaks of demand at fast food outlets, taxi ranks and so on.

10.0 PROMOTING GOOD PRACTICE INITIATIVES

Best Bar None

- 10.1 Best Bar None (BBN) is a National Award Scheme supported by the Home Office and the British Institute of Innkeeping aimed at promoting responsible management and operation of alcohol licensed premises.
- 10.2 Best Bar None maintains and raises standards and rewards good management of those venues that attain the Award. This is delivered at local level through active partnerships between the industry, local authorities and the police.
- 10.3 The Awards are based on core national standards with local flexibility to ensure they address local needs.
- 10.4 Assessment will be carried out by competent, impartial assessors, who will ensure consistency of approach. The assessment criteria will be clear and straight forward, with a minimum of bureaucracy and with constructive feedback provided to all entrants.
- 10.5 Applicants are encouraged to join the scheme, further details can be found at www.safergloucester.co.uk

Gloucester City Safe

- 10.6 Gloucester City Safe replaces the previous schemes known as Pubwatch and Shopwatch. With this in mind the Licensing Authority encourages all premises licence holders to sign up to Gloucester City Safe.
- 10.7 Gloucester City Safe is made up of members of the Business Community with the sole intention of facilitating the reduction of crime, disorder and anti-social behaviour.
- 10.8 It represents both the Day Time and Night Time Economies by working together to reduce shoplifting, theft, anti-social behaviour, alcohol related disorder and street drinking throughout Gloucester.
- 10.9 Gloucester City Safe runs an Exclusion Scheme whereby members can issue 'Yellow Card' warnings to persons who misbehave in or near their premises. Normally 2 Yellow Cards would lead to an exclusion from the services of all members of Gloucester City Safe. This includes shops, restaurants, pubs, clubs and transportation services.
- 10.10 Gloucester City Safe work hand in hand with the Police and other like minded and supportive Partners, striving to make Gloucester a safer place for all to live, work and visit.

Licensed Victuallers Association (LVA)

- 10.11 Applicants are encouraged to join the LVA, for more information on this email licensing@gloucester.gov.uk

Reduced Alcohol Strength Initiatives

- 10.12 'Reducing the Strength' refers to initiatives designed to tackle the problems associated with street drinking by removing from sale low price high-strength alcohol products through voluntary agreements with local retailers. The Licensing

Authority will work in partnership with Gloucestershire Constabulary to encourage Premises Licence Holders to promote this initiative where appropriate.

Irresponsible Drinks Promotions

- 10.13 Low cost alcohol sold in on and off trade premises increases alcohol consumption which can lead to crime and disorder issues. Through this policy the licensing authority would like to encourage the responsible consumption of alcohol and where there is evidence that the licensing objectives are being compromised or are likely to be compromised, the licensing authority will consider imposing controls on drinks promotions to deal with localised problems.

However, the licensing authority would prefer an approach whereby it, along with the licensed trade and other partners, are able to promote responsible retailing of alcohol instead of having to deal with the effects of irresponsible drinks promotions and drunkenness.

Promotion of equality

- 10.14 The policy recognise that the Equality Act 2010 places a legal obligation on this authority to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics through the functions outlined in this policy. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

11.0 ENFORCEMENT AND COMPLAINTS

- 11.1 The Licensing Authority recognises the contribution that can be made by developing effective working practices with our partner agencies. The Licensing Authority shall establish enforcement protocols with the Gloucestershire Constabulary and other relevant partnership agencies to ensure efficient deployment of Licensing Authority enforcement staff and thereby avoiding duplication of effort when carrying out inspection or enforcement matters.
- 11.2 The Licensing Authority recognises that there are a number of mechanisms for addressing unlawful or anti-social behaviour that occurs away from licensed premises, qualifying clubs and temporary events, which include -
- Planning controls
 - Enforcement of Environmental Protection legislation (e.g. on noise nuisance)
 - Positive measures to provide a safer and clean town centre environment in partnership with local businesses, transport operators and other departments of the City Council
 - Powers to designate parts of the district as places where alcohol may not be consumed publicly
 - Police enforcement of the law with regard to disorder and anti-social behaviour, including the issue of fixed penalty notices
 - Police powers to confiscate alcohol from adults and other in designated areas
 - No inspection will take place without a reason

- The Licensing Authority and its Enforcement Officers recognise that a key element of their activity will be to allow or even encourage, economic progress and only intervene when there is a clear case for protection
- 11.3 Once licensed, it is essential that premises are maintained and operated so as to ensure the continued promotion of the licensing objectives and compliance with the specific requirements of the Licensing Act 2003. The Licensing Authority will monitor premises and take any appropriate enforcement action to ensure compliance.
- 11.4 All decisions and enforcement actions taken by the Licensing Authority will be in accordance with the Environmental Health and Regulatory Services Enforcement Policy and the principles of consistency, transparency and proportionality set out in the Department of Trade and Industry's Enforcement Concordat, The Department for Business Enterprise and Regulatory Reforms Regulators Compliance Code.
- 11.5 The Licensing Authority may when appropriate employ licensing enforcement officers to investigate allegations of unlicensed activities and to ensure that licence conditions are complied with, and will seek to work actively with the Gloucestershire Police in enforcing licensing legislation.
- 11.6 The Licensing Authority will continue to work with its partner agencies in enforcing the licensing laws and in the inspection and risk rating of premises to ensure the licensing objectives and licence conditions are met. Risk assessments will be regularly reviewed and any appropriate action that needs to be taken will be implemented immediately. In particular the Licensing Authority will target its inspection process towards those premises that are considered as 'problematic' and 'high risk' premises in particular those premises situated within the Cumulative Impact Zone that may require greater attention, while providing the 'lighter touch' in respect of low risk premises that are run well.
- 11.7 Annual fees and suspension of licences for non-payment.- The Licensing Authority is required under section 55A of the Licensing Act to suspend premises licenses where the annual fee has not been paid. The Licensing Authority will invoice each licensee when the annual fee is due setting out the fee that is due and the consequences for non-payment. Where the fee has not been paid or there has been no claim of administrative error by the end of 21 days of the due date, the Licensing Authority will serve the required 2 working day notice to suspend the licence.
- 11.8 Where a licence is suspended this means that no licensable activities will be authorised to be provided at the premises until the suspension is lifted on receipt of payment of the overdue fee. Officers will conduct enforcement visits to premises where a licence has been suspended and will take the appropriate action in accordance with the council's enforcement policy.
- 11.9 If an operator does not wish to carry on the activities that require the premises licence or certificate anymore it is important the licence or certificate is surrendered to prevent maintenance fees being accrued.
- 11.10 In undertaking the inspection of licensed premises the Licensing Authority will promote the following categories of risk weighting:

Medium to High Risk - City Centre Public Houses and Night Clubs

- All other premises where there is regulated entertainment
- City Centre Late Night Refreshment Houses
- Low to Medium Risk** - All other Public Houses
- Low Risk** - Licensed restaurants / cafés where the primary purpose is serving food
- All other licensed premises within the district

In addition to the above the history of the premises will also be taken into consideration in respect of the issues listed in 10.12 below. New sites not listed above - to be assessed dependent upon location and style of operation and operators.

- 11.11 Where 'Other Persons' have made a valid representation about licensed premises or a valid application for a licence to be reviewed, then the Licensing Authority will initially arrange a mediation meeting to address, clarify and try to resolve the issues of concern. 'Other Persons' are defined as at paragraph 2.2
- 11.12 The Licensing Authority can only review a licence where it is alleged that the licensing objectives are being breached. It views particularly seriously applications for the review of any premises licence where it involves the:
- use of licensed premises of the sale distribution of Class A drugs and the laundering of the proceeds of drugs crimes
 - use of licensed premises for the sale distribution of illegal firearms
 - evasion of copyright in respect of pirated films and music
 - Underage purchase and consumption of alcohol
 - Use of licensed premises for prostitution or the sale of unlawful pornography
 - Use of licensed premises of unlawful gaming
 - Use of licensed premises as a base for organised criminal activity
 - Use of licensed premises of the organisation of racist, homophobic or sexual abuse or attacks
 - Use of licensed premises of the sale of smuggled tobacco or goods
 - The use of licensed premises for the sale of stolen goods
 - Where the police are frequently called to attend to incidents of disorder
 - Prolonged and/or repeated instances of public nuisance
 - Where serious risks to public safety have been identified and the management is unable or unwilling to correct those
 - Where serious risks to children have been identified
 - Immigration Offences such as employment of persons who do not have the right to work in the UK.
- 11.13 This process will not override the right of any 'Other Persons' to ask the Council's Licensing Committee to consider their valid objections, or for any licence holder to decline to participate in a mediation meeting.

12.0 TEMPORARY EVENT NOTICES (TEN's)

- 12.1 The Licensing Act 2003 provides for certain occasions when small scale events (for no more than 499 people at a time and lasting for no more than 168 hours) do not need a licence providing that advance notice is given to the Police, Environmental Health and the Licensing Authority.
- 12.2 The Licensing Authority recommends that as much notice as possible be given by applicants for events. For large events organisers are encouraged to give as much as three months notice so that the Licensing Authority can help organisers plan their events safely. **The law states that at least ten working days notice must be given** but the less time that is given will increase the likelihood of the police objecting.
- 12.3 Ten working days commences with the day **after** the notification is given to the Licensing Authority and finishes the day **before** the event is due to take place. 'This means that day one will be the first working day following the day when the Temporary Event Notice is given to the Licensing Authority and the tenth working day must not be later than the day before the event is due to take place.'
- 12.4 In certain circumstances a Late Temporary Event Notice can be given this is to assist premises users who are unable to give ten working days notice for reasons outside their control. A Late Temporary Event Notice can only be accepted if it is received at least five days before the beginning of the event.
- 12.5 Organisers of temporary events are strongly advised to contact the Licensing Authority for advice at the earliest opportunity when planning events. Where necessary discussions will be held with the Police and Environmental Health to avoid any unnecessary objections being made that may arise from misunderstandings or confusion as to what is being proposed.
- 12.6 All events run under the terms of a temporary event notice will be risk assessed by the Licensing Authority and may be visited by a Licensing and Enforcement Officer if considered necessary.
- 12.7 This Authority takes the view that if it considers that a Temporary Event Notice has not been properly given then, in the first instance, the Authority will check with the Police and Environmental Health that they are in receipt of the notification, are satisfied with the notice given and whether or not they intend to make an objection on the basis on one or more of the licensing objectives. If they are not planning to make an objection and the Police and Environmental Health are satisfied with the notice given the Authority should not unnecessarily prohibit these events taking place on the grounds that the notification had not been properly made.
- 12.8 The number of TEN's allowed on a premises in any one calendar year is 15.

13.0 PERSONAL LICENCES – NEW APPLICATIONS

- 13.1 A personal licence is a licence issued to an individual authorising them to make or authorise the sale of alcohol in accordance with a premises licence. Every premises licence that authorises the sale of alcohol must specify an individual who acts as the designated premises supervisor (DPS). The DPS must hold a personal licence.
- 13.2 Applications for personal licences should be made to the licensing authority for the area where the applicant is ordinarily resident at the time they make their application.
- 13.3
- (a) The applicant is aged 18 or over
 - (b) The applicant is entitled to work in the United Kingdom
 - (c) The applicant possesses a licensing qualification or is a person of a prescribed description
 - (d) The applicant has not forfeited a personal licence in the five year period prior to their application being made
 - (e) The applicant has not been convicted of any relevant offence or any foreign offence or required to pay an immigration penalty
- 13.4 The licensing authority must reject an application if the applicant fails to meet one or more of the requirements set out in (a) to (d) above.
- 13.5 Where the applicant meets the requirements in (a) to (d) but does not meet the requirements of (e), the licensing authority must give the chief officer of police for its area a notice to this effect. Having received such a notice, if the chief officer of police is satisfied that the granting of the application would undermine the crime prevention objective, he must within 14 days, give the licensing authority a notice to that effect.
- 13.6 Where the applicant fails to meet the requirements of (e) as a result of a conviction for an immigration offence or because they have been required to pay an immigration penalty, the licensing authority must give a notice to the Secretary of State for the Home Department to that effect. The Home Office may object to an application on grounds that granting the personal licence would be prejudicial to the prevention of illegal working in licensed premises.
- 13.7 Where an objection to the grant of a personal licence is received from either the chief officer of police or the Home Office, the applicant is entitled to a hearing before the licensing authority. If no objections are received, the licensing authority must grant the application.
- 13.8 At a hearing to determine a personal licence application to which the chief officer of police or Home Office have objected, the licensing authority will have regard to all of the circumstances including the following:
- The need to assess each case on its merits
 - The duty to promote the crime prevention objective
 - The objection notice given by the Police or Home Office
 - The guidance issued by the Secretary of State under section 182 of the Licensing Act 2003
 - The seriousness of the relevant offence

- The sentence or penalty imposed on the applicant for the relevant offence
 - Any representations made by the applicant
 - Any other evidence as to the previous character of the applicant
- 13.9 If, having considered all of the circumstances, the licensing authority considers that it is appropriate for either the promotion of the crime prevention objective or for the prevention of illegal working in licensed premises to reject the application, it must do so. In all other cases the application must be granted.
- 13.10 If an application is refused, the applicant will be entitled to appeal against the decision they make. Similarly, if the application is granted despite a police objection notice or an objection from the Home Office, the chief officer of police or Home Office are entitled to appeal against the licensing authority's determination. The licensing authority will therefore record in full the reasons for any decision that it makes.

14.0 PERSONAL LICENSES – SUSPENSION AND REVOCATION

- 14.1 Section 138 of the Policing and Crime Act 2017 amended the Licensing Act 2003 and gave the power to a licensing authority to suspend or revoke personal licences that it has issued with effect from 6 April 2017.
- 14.2 When a licensing authority has granted a personal licence and becomes aware that the licence holder has been convicted of a relevant offence or foreign offence or been required to pay an immigration penalty, a licensing authority may revoke the licence or suspend it for a period of up to six months. This applies to convictions received and civil immigration penalties which a person has been required to pay at any time before or after the licence was granted, as long as the conviction was received after 6 April 2017, or the requirement to pay the civil penalty arose after 6 April 2017. Only magistrates' courts can order the forfeiture or suspension of a personal licence for convictions received prior to 6 April 2017.
- 14.3 The process which must be undertaken by the licensing authority to suspend or revoke a personal licence is set out at section 132A of the 2003 Act. The decision to revoke or suspend a personal licence must be made by the licensing committee or sub-committee, but the actions required before making a final decision may be made by a licensing officer.
- 14.4 The licensing authority may not take action if the licence holder has appealed against the conviction or the sentence imposed in relation to the offence, until the appeal is disposed of. Where an appeal is not lodged, the licensing authority may not take action until the time limit for making an appeal has expired.
- 14.5 If a licensing authority is considering revoking or suspending a personal licence, the authority must give notice to the licence holder. This notice must invite the holder to make representations about the conviction, any decision of a court in relation to the licence, or any decision by an appellate court if the licence holder has appealed such a decision. The licence holder may also decide to include any other information, for example, about their personal circumstances.
- 14.6 The licence holder must be given 28 days to make their representation, beginning on the day the notice was issued. The licensing authority does not need to hold a hearing to consider the representations. Before deciding whether to revoke or suspend the licence the licensing authority must consider any representations made by the licence holder, any decisions made by the court or appellate court in respect of the personal licence of which the licensing authority is aware, and any other information which the licensing authority considers relevant.
- 14.7 The licensing authority may not be aware of whether the court considered whether to revoke or suspend the licence, and there is no obligation on the licensing authority to find this out before making a decision themselves. Where the court has considered the personal licence and decided not to take action, this does not prevent the licensing authority from deciding to take action itself. Licensing authorities have different aims to courts in that they must fulfil their statutory duty to promote the licensing objectives, and therefore it is appropriate for the licensing authority to come to its own decision about the licence.
- 14.8 If the licensing authority, having considered a suspension and revocation and

subsequently considered all the information made available to it, proposes not to revoke the licence it must give notice to the chief officer of police in the licensing authority's area, and invite the chief officer to make representations about whether the licence should be suspended or revoked, having regard to the prevention of crime. The chief officer may make representations within the period of 14 days from the day they receive the notice from the licensing authority.

- 14.9 Any representations made by the chief officer of police must be taken into account by the licensing authority in deciding whether to suspend or revoke the licence.
- 14.10 Convictions may come to light via police in another area, for example if the personal licence holder no longer lives in the area of the licensing authority which issued the licence, or if the offence took place in another police force area. In this instance it would be good practice for the police providing the information to notify the police force in the licensing authority area, because it is the local chief officer who must provide representations if the licensing authority proposes not to revoke the licence.
- 14.11 Where the licence holder is convicted of immigration offences or has been required to pay a civil penalty for immigration matters, the licensing authority should notify Home Office Immigration Enforcement and allow representations to be made in the same way.
- 14.12 In deciding whether to suspend or revoke a personal licence, the licensing authority will have regard to all of the circumstances including the following:
- The need to assess each case on its merits
 - The duty to promote the licensing objectives
 - The guidance issued by the Secretary of State under section 182 of the Licensing Act 2003
 - The seriousness of the relevant offence
 - The sentence or penalty imposed on the licence holder for the relevant offence
 - Any representations made by the Police or Home Office Immigration Enforcement
 - Any representations made by the holder of the licence
 - Any evidence as to the previous character of the holder of the licence
- 14.13 The licensing authority must notify the licence holder and the chief officer of police of the decision made (even if the police did not make representations). The licence holder may appeal the licensing authority's decision to revoke or suspend their personal licence. A decision to revoke or suspend the licence does not take effect until the end of the period allowed for appealing the decision (21 days); or if the decision is appealed against, until the appeal is disposed of.
- 14.14 If the personal licence holder is a DPS, the licensing authority may notify the premises licence holder once the decision to revoke or suspend the licence has been made if it becomes necessary to do so in order for the licensing authority to be able to carry out their functions.
- 14.15 The licensing authority may also notify any person who has declared an interest in the premises under section 178 of the 2003 Act if it becomes necessary to do so in order for the licensing authority to be able to carry out their functions

15.0 LATE NIGHT REFRESHMENT EXEMPTIONS

- 15.1 Paragraph 2A of Schedule 2 to the 2003 Act (as inserted by the Deregulation Act 2015) gives licensing authorities powers to exempt premises, in certain circumstances, from the requirement to have a licence to provide late night refreshment.
- 15.2 This authority has not resolved to exempt any premises from the requirement to have a licence to provide late night refreshment.

16.0 IMMIGRATION ACT 2016 – ENTITLEMENT TO WORK

- 16.1 Section 36 of and Schedule 4 to the Immigration Act 2016 made a number of amendments to the Licensing Act 2003 to introduce immigration safeguards in respect of licensing applications made in England and Wales on or after 6 April 2017. The intention of these changes is to prevent illegal working in premises licensed for the sale of alcohol or late night refreshment.
- 16.2 The statutory prevention of crime and disorder licensing objective in the Licensing Act 2003 includes the prevention of immigration crime and the prevention of illegal working in licensed premises. The Council will work with the Home Office (Immigration Enforcement) as well as the police, in respect of these matters.
- 16.3 Section 36 of and Schedule 4 to the Immigration Act 2016 (the 2016 Act) amended the 2003 Act to provide that in England and Wales:
- Premises licences to sell alcohol or provide late night refreshment and personal licences cannot be issued to an individual who does not have permission to be in the UK, or is not entitled to undertake work relating to the carrying on of a licensable activity;
 - Licences issued to those with limited permission to be in the UK will lapse when their permission to be in the UK and work in a licensable activity comes to an end;
 - Immigration offences, including civil penalties, are ‘relevant offences’ as defined by the 2003 Act;
 - The Home Secretary (in practice Home Office (Immigration Enforcement)) was added to the list of responsible authorities in the licensing regime, which requires Home Office (Immigration Enforcement) to receive premises licence applications (except regulated entertainment only licences) and applications to transfer premises licences, and in some limited circumstances personal licence applications, and permits Home Office (Immigration Enforcement) to make appropriate representations and objections to the grant of a licence; and
 - Immigration officers are permitted to enter premises which they have reason to believe are being used to sell alcohol or provide late night refreshment, to investigate whether immigration offences are being committed in connection with the licensable activity.
- 16.4 The licensing authority will have regard to any guidance issued by the Home Office in relation to the immigration related provisions now contained in the Licensing Act 2003.
- 16.5 The licensing authority will also work in partnership with the Home Office (Immigration Enforcement) and Gloucestershire Police with a view to preventing illegal working in premises licensed for the sale of alcohol or late night refreshment.

FURTHER INFORMATION

For further information about Gloucester City Council's Licensing Policy, the Licensing Act 2003 and any other licensing matters please contact:

City Improvement

Telephone No.: 01452 396396

Email: heretohelp@gloucester.gov.uk

Gloucester City Council
PO Box 3252
Westgate Street
Gloucester
GL1 9FW

or go to the licensing pages on the Gloucester City Council website www.gloucester.gov.uk/licensing for application forms, details of fees and factsheets.

APPENDIX A

TABLE OF DELEGATED FUNCTIONS

Matter to be dealt with	Full Committee	Sub Committee	Officers
Application for personal licence with unspent relevant convictions		If a representation is made	If no representation is made
Application for personal licence with unspent convictions		All Cases	
Decision whether to suspend or revoke a personal licence		All cases	
Application for premises licence/club premises certificate		If a representation is made	If no representation is made
Application for provisional statement		If a representation is made	If no representation is made
Application to vary premises licence/club premises certificate		If a representation is made	If no representation is made
Application for a minor variation			All cases
Decision whether to consult responsible authorities on minor variation applications			All cases
Application to vary designated premises supervisor		If a police or Home Office representation is made	All other cases
Request to be removed as designated personal licence holder			All cases
Application for transfer of premises licence		If a police or Home Office representation is made	All other cases
Application for interim authority		If a police or Home Office representation is made	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a			All cases

complaint or objection is irrelevant, frivolous, vexatious etc			
Decision to object when Licensing Authority is a consultee and not the lead authority			All cases
Determination of a EH or police representation to a TEN		All cases	
Approval of licensing policy statement	All cases		

APPENDIX B**THE LICENSING PROCESS – ADDITIONAL INFORMATION:****Personal Licences**

Any individual may make application for a personal licence whether or not they have current employment or business interests associated with the use of the licence.

The Licensing Authority will grant a personal licence if it appears that:

- a) The applicant is over 18
- b) The applicant possesses a relevant licensing qualification
- c) The applicant has not forfeited a personal licence in the previous five years beginning with the day the application was made
- d) The applicant has not been convicted of any relevant offence
- e) The applicant has paid the appropriate fee

In order to substantiate whether or not an applicant has a conviction for an unspent relevant offence, applicants will be required to produce to the Licensing Authority a Criminal Records disclosure certificate.

Premises Licences

An application can be made to the Licensing Authority for any place used for licensable activities or recognised club activities within its area. Any application must be accompanied by:

- a) The required fee
- b) An Operating Schedule*
- c) A plan of the premises, and
- d) If it is intended to sell alcohol a form of consent given by the person the applicant wishes to have specified in the Premise Licence as the Designated Premises Supervisor, and a copy of that person's Personal Licence.

* The Operating Schedule must include a statement of:

- a) The proposed relevant licensable activities;
- b) The times during which the applicant proposes that the relevant licensable activities are to take place;
- c) Any other times during which the applicant proposes that the premises are to be open to the public and for what purpose they propose to be opened.
- d) Where the applicant wishes the licence to have effect for a limited period, that period;
- e) Where the relevant licensable activities include the sale by retail of alcohol, the name and address of the individual whom the applicant wishes to have specified as the Designated Premises Supervisor (DPS);
- f) Where the relevant licensable activities include the sale by retail of alcohol, whether such sales are proposed to be for consumption on or off the premises, or both; and
- g) The steps which the applicant proposes to take to promote the licensing objectives.

In considering the steps to be taken to promote the licensing objectives the applicant should give consideration to Appendix B of this policy above.

Community Premises

These premises which would include church halls, chapel halls, parish halls, village halls, community halls and other similar buildings may be licensed for the sale of alcohol without the need for a Designated Premises Supervisor or Personal Licence Holder provided that the Licence Holder for the premises is a committee or board of individuals with responsibility for the management of the premises. This 'management committee' could then be responsible for the supervision and authorisation of all alcohol sales should it so wish.

Existing premises which fit the definition of Community Premises and currently hold an authorisation for the sale of alcohol with the mandatory condition relating to a Designated Premises Supervisor may request disapplication of this condition in favour of the alternative condition relating to a management committee.

Takeaway food premises

It is recognised that takeaway premises open late at night can be associated with disorder as persons under the influence of alcohol having left, or in some cases being ejected from, late night venues congregate there.

Applicants for licences are recommended to have written policies for dealing with disorder and nuisance and should give consideration to the issues regarding takeaways.

The Licensing Authority may recommend that licensed premises principally used for selling hot food for consumption off the premises shall have suitable CCTV installed. Where Crime and Disorder issues arise the Licensing Authority may impose a requirement on the premises licence holder to employ SIA doormen.

Where the Licensing Authority considers it appropriate, it may impose conditions on a premises licence to require the operators of premises serving customers with hot food or drink to provide litter bins in the vicinity of the premises in order to prevent the accumulation of litter from its customers.

Sexual Entertainment Venues (SEV's)

The Licensing Authority has adopted the amended provisions of schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by section 27 of the Policing and Crime Act 2009 ('the 2009 Act') with respect to "relevant entertainment", that is:

- a) any live performance; or
- b) any live display of nudity.

which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means).

The adopted provisions came into effect on the 1st April 2011 in Gloucester.

Any premises that want to offer relevant entertainment on a regular basis, that is more frequent than 24 hours once a month on no more 11 occasions a year, can no longer offer this under the provisions of the Act as a result of the

abovementioned adoption. These premises must apply for a Sexual Entertainment Venue (SEV) licence.

Premises that want to offer relevant entertainment on an irregular basis can still do so under the provisions of the Act. These premises must be authorised for the performance of dance and the performance of recorded music.

The Government has seen it fit to exempt infrequent sexual entertainment from requiring a licence. Whilst the council recognises and accepts this, it is also acutely aware that unless it is properly managed there are risks to public protection and safety, an increased likelihood of associated crime & disorder and an inability of regulatory bodies to respond accordingly.

Pavement Cafes and External Areas

The Local Authority wishes, as far as is compatible with other highway uses, to promote the 'cafe culture' in Gloucester because of the added life and vitality this brings to the town.

Whilst the provision of tables and chairs outside a premises can enhance the attractiveness of a venue, regard should be had to the need to ensure that the use of such areas will not cause nuisance to local residents and other premises in the vicinity.

Premises that make use of external areas are expected to manage those areas in such a way that its use does not impede access to the premises, obstruct the highway and does not cause disturbance.

Shops Selling Alcohol (Off Licences)

There has been a trend towards more alcohol being purchased from shops and consumed at home and less being purchased and consumed in traditional pubs, restaurants and night clubs than used to be the case in the past. The growing practice of "pre-loading" has the potential to create specific problems and detriment to the licensing objectives.

Furthermore, the availability of alcohol for consumption off the premises has the potential to cause other problems that include ease of access to alcohol by children, ease of thefts, encouragement of street drinking and an increase of crime and disorder and public nuisance.

Where there is evidence that the licensing objectives are being compromised or are likely to be compromised, the Licensing Authority will consider imposing appropriate restrictions on a licence, this could be achieved either by reviewing the premises licence or agreeing appropriate conditions that would alleviate the Licensing Authority's concerns.

Club Premises Certificates

The Licensing Authority may issue a "Club Premises Certificate" to a qualifying Club. The Certificate will specify that the premises may be used for one or more of the 'recognised Club activities' and that the Club is a qualifying Club in relation to each of those activities.

Recognised Club activities are:

- a) The supply of alcohol by or on behalf of the Club to or to the order of a member of the Club;
- b) The sale by retail of alcohol by or on behalf of a Club to a guest or a member of the Club;
- c) The provision of regulated entertainment where that provision is by or on behalf of the Club for members of the Club or members of the Club and their guests.

The Club is a qualifying Club in respect of the recognised activities provided that, under the rules of the Club, a person may not be admitted to membership, or be admitted as candidates for membership, to any of the privileges of membership without an interval of at least two days between their nomination or application for membership to their admission. People becoming members without nomination or prior application may not be admitted to the privileges of membership without an interval of two days between them becoming members and their admission.

The Club must be established and conducted in good faith as a Club and have a minimum of 25 members.

A Club can apply for a Club Premises Certificate in respect of premises, which are occupied by, and habitually used for the purposes of the Club. The application must be accompanied by:

- a) The relevant fee;
- b) The Club Operating Schedule;*
- c) A plan of the premises;
- d) A copy of the rules of the Club;
- e) Evidence that the Club is a qualifying Club in relation to each of the recognised Club activities to which the application relates.

*The Club Operating Schedule **must** contain the following:

- a) Details of the recognised Club activities to which the application relates;
- b) The times during which it is proposed the recognised Club activities take place;
- c) Any other times during which it is proposed the premises are open to members and their guests; and
- d) The steps which it is proposed to take to promote the licensing objectives.

In considering the steps to be taken to promote the licensing objectives the applicant should give consideration to Appendix B of this policy (Factors for Consideration).

Club Premises Certificates will be dealt with in a similar manner as applications for Premises Licences.

Temporary Event Notices (TEN)

Temporary event notices are subject to various limitations. These are concerned with:

- a) **Duration** - they are limited to events lasting for up to 168 hours;
- b) **Scale** – they cannot involve the presence of more than 499 people at any onetime;
- c) **Use of the same premises** – the same premises cannot be used more than 15 times in a calendar year; to a maximum of 21 days
- d) **The number of notices** given by one individual within a calendar year is restricted to 5 unless that person is the Holder of a Personal Licence in which case 50 is the maximum.

In any other circumstances, a temporary event at which licensable activities are to take place would require a premises licence if the premises or place at which the event is to take place is currently unlicensed for the activity or activities involved. The procedures for applying for and granting such a licence are identical to those for a permanent licence.

Temporary event notices do not require the Licensing Authority's permission. In general, only the police may object on the grounds of disorder to such an event. The Council will only ever intervene itself if the limits on the number of notices that may be given in various circumstances would be exceeded.

Many premises users giving temporary event notices will not have commercial backgrounds or ready access to legal advice. They will include, for example, people acting on behalf of charities, community and voluntary groups, schools, churches and hospitals all of which may stage public events to raise funding at which licensable activities will take place. The Licensing Authority will ensure that local guidance about the temporary permitted activities is clear and understandable and will strive to keep the arrangements manageable and user-friendly for these groups.

The Licensing Authority will not seek to attach any terms, limitations or restrictions on such events other than those set down in the legislation. However the Licensing Authority will provide local advice about proper respect for the concerns of local residents; of other legislative requirements regarding health and safety, noise pollution or the building of temporary structures; of other necessary permissions, for example, with regard to road closures or the use of pyrotechnics in public places; with regard to local bye-laws; and the need to prevent anti-social behaviour by those attending. Local publicity will also remind notice givers of relevant offences under licensing law including the laws governing sales of alcohol to minors or to any person who is drunk, and of the police powers to close down events with no notice on grounds of disorder, the likelihood of disorder or the because of public nuisance, including noise emanating from the premises.

A purpose of the notification requirement is to enable the Licensing Authority to check that the limitations set down in the Act are being observed and to intervene if they are not. Where the application is not within the parameters described above, the Licensing Authority will issue a counter notice to the person giving the notice. Where the notice is in order, the fee prescribed by the Secretary of State paid, the event falls within the limitations in the Act, and there has been no Police intervention, the Licensing Authority will record the notice in its register and send an acknowledgement to the premises user.

Additional limitations

On receiving a temporary event notice the Licensing Authority will also check that other requirements of the Act are met. (For example, a temporary event notice would be void unless there is a minimum of 24 hours between events notified by the premises user in respect of the same premises. This is to prevent evasion of the 168-hour limit on such events, and emphasise the need to obtain a full premises licence for more major events. In addition, for these purposes, a notice is treated as being from the same premises user if an associate gives it.)

The Act defines an associate as being:

- a) the spouse of that person;
- b) a child, parent, grandchild, grandparent, brother or sister of that person or their spouse; or
- c) an agent or employee of that person or their spouse;

A person living with another person as his or her husband or wife is treated for these purposes as his or her spouse.

Provisional Statements

Where premises are being constructed for the purposes of being used for one or more licensable activities or are being extended or otherwise altered for that purpose (whether or not they are already being used for that purpose) a person may apply for a Provisional Statement if they have an interest in the premises and, if an individual, they are aged 18 years or over.

An application for a Provisional Statement must be accompanied by a schedule of works that includes details of the licensable activities for which the premises will be used; a plan of the premises; and such other information as may be prescribed.

Applications for Provisional Statements will be dealt with in a similar manner as applications for a Premises Licence.

If a Provisional Statement has been issued and the person subsequently applies for a Premises Licence in respect of the premises, a part of them or premises which are substantially the same as the relevant premises (or part of them) and the application is in the same form as the Licence described in the Schedule of Works accompanying the application for that statement has been satisfactorily completed then any representations made by a person shall not be taken into account if:

- a) Given the information in the application for a Provisional Statement the person objecting could have made the same, or substantially the same, representations about the application but had failed to do so without reasonable excuse; and,
- b) There has been no material change in circumstances relating either to the relevant premises or to the area in the vicinity of those premises.

Variations of Licences

Applications to vary a Premise Licence/Club Premises Certificate will be dealt with in a similar manner to applications for a new Premise Licence. If relevant representations are not received the application for variation will be granted.

If relevant representations are made and not withdrawn the Licensing Authority will hold a hearing and at that hearing the Licensing Authority may:

- a) Modify the conditions of the Licence; or
- b) Reject the whole or part of the application.

The Licence will not be varied so as to:

- a) Extend the period for which the Licence has effect; or
- b) To vary substantially the premises to which it relates.

The Licensing Authority may vary a Premise Licence so that it has effect subject to different conditions in respect of:

- a) Different parts of the premises concerned; and
- b) Different licensable activities.

Minor Variations

An amendment to the Licensing Act in July 2009 allows for a simplified, faster, cheaper procedure to vary a Premises Licence or Club Premises Certificate where the proposed variations are no more than:-

- minor changes to the structure or layout of a premises
- small adjustments to licensing hours
- the removal of out of date, irrelevant, unenforceable conditions
- the addition of volunteered conditions
- the addition of certain licensable activities (not the sale or supply of alcohol)

In all cases the overall test is whether the proposed variation could impact adversely on any of the four licensing objectives.

Interim Authorities

Generally a Licence will remain in force for as long as the Licensee continues to operate the business unless it is revoked or it is specified it has effect for a limited period and that period expires. However, if the holder of a Premise Licence dies, becomes mentally incapable or becomes insolvent then the Licence will lapse.

If, within a twenty eight day period of such circumstances, a person who had an interest in the premises concerned or is connected to the person who held the Premises Licence immediately before it lapsed gives the Licensing Authority an 'Interim Authority Notice' the Licence will be reinstated for a three-month period.

At the end of the three months it will lapse unless an application for a transfer of the Licence is made.

A person is connected to the former holder of a Premise Licence if, and only if:

- a) The person is the personal representative in the event of the holder's death;
- b) In respect of someone who has become mentally incapable the person is acting under section 6 of the Enduring Power of Attorney Act 1985; or,
- c) In the event of insolvency the person is acting as an Insolvency Practitioner.

Interim Authority Notices must also be served on the Police. If the Police consider that the grant of an Interim Authority Notice would undermine the prevention of crime objective the Licensing Authority will arrange a hearing to consider the Notice.

Transfer of Premises Licences/Club Premises Certificate

The following persons may apply for the transfer to them of a Premise Licence/Club Premises Certificate:

- a) A person who carries on, or proposes to carry on, a business, which involves the use of a premise for the licensable activities, authorised by the Premise Licence/Club Premises Certificate;
- b) Any person who makes the application in pursuance of one or more of its statutory functions which relate to those licensable activities;
- c) A relevant Club within the meaning of the Act;
- d) A charity
- e) An educational institution;
- f) A hospital; or
- g) A person of such other description as may be prescribed.

Notice of the application must be given to the Police.

If the Police consider the granting of the application would undermine the crime prevention objective the Licensing Authority will consider their reasons for that decision and will reject the application if the Licensing Authority consider it necessary for the promotion of the crime prevention objective to do so.

An application for a transfer of a Licence can contain a request that the transfer has immediate effect. Such a request can only be made with the consent of the holder of the Premises Licence/Club Premises Certificate unless the applicant has taken all reasonable steps to obtain that consent and would be in a position to use the premises while the application is pending for the licensable activities authorised by the Premises Licence.

A full transfer of the Licence can only be made with the consent of the Premise Licence/Club Premises Certificate Holder unless identical circumstances apply.

In the event of a death, incapacity or insolvency of a Licence Holder and where no Interim Authority Notice has been given, provided that an application is made within 7 days after the Licence lapsed, a person can make an application for the transfer of the Licence to him and the Licence shall be reinstated from the time the application is received by the Licensing Authority.

Reviews

Reviews of Premise Licences/Club Premises Certificates represent a key protection for the community where problems associated with disorder, public safety or disturbance are occurring. If relevant representations* are made about a current licence the Licensing Authority will hold a hearing to consider them unless the Licensing Authority, the applicant and everyone who has made representations agreed that the hearing is not necessary.

A request to the Licensing Authority can be applied for at any time after a licence has been issued although it would be necessary for the licence to have been in operation for a reasonable period to allow the licensee to sort out any initial problems and also allow for the gathering of sufficient evidence by the person wishing to request the review. Government guidelines suggest a 12 month period is reasonable. This allows for seasonal changes should this be a relevant factor.

Before considering a request for a review it is suggested that a contact be made with the Premises Licence Holder/Designated Premises Supervisor or, in the case of a

Club, the secretary, chairman or other committee member. It may be that the problem(s) could be sorted out amicably.

***Relevant Representations**

'Relevant representations' are representations:

- a) About the effect of the Premise Licence/Club Premises Certificate on the promotion of the licensing objectives;
- b) Are made by an a responsible authority or 'other persons', have not been withdrawn and, in the case of representations made by an 'other persons' they are not in the Licensing Authority's opinion frivolous or vexatious

A Licence review will normally follow any action by the Police to close down the premises for up to 24 hours on grounds of disorder or public nuisance.

Appeals

Entitlements to appeal for parties aggrieved by decisions of the Licensing Authority are set out in Schedule 5 of the 2003 Act.

An appeal against a decision by the Licensing Authority in the case of Premises Licences, Club Premises Certificates or Temporary Event Notices has to be made to the Magistrates' Court for the area in which the premises is situated. In the case of personal licenses, the appeal must be made to the Magistrates' Court for the area in which the licensing authority (or any part of it) is situated.

An appeal may be initiated by the giving of a notice of appeal by the Appellant to the Justices' Chief Executive for the Magistrates' Court within a period of 21 days beginning with the day on which the Appellant was notified by the Licensing Authority of the decision appealed against.

The Licensing Authority will always be a respondent to the appeal, but in cases where a favourable decision has been made for an applicant against the representations of a responsible authority or an interested party, the holder of the premises licence or club premises certificate will also be entitled to act as a Respondent.

On determining an appeal the court may:

- a) dismiss the appeal;
- b) substitute for the decision appealed against any other decision which could have been made by the Licensing Authority; or
- c) remit the case to the Licensing Authority to dispose of it in accordance with the direction of the court.

The court may make such order as to costs as it thinks fit.

Giving reasons for decisions

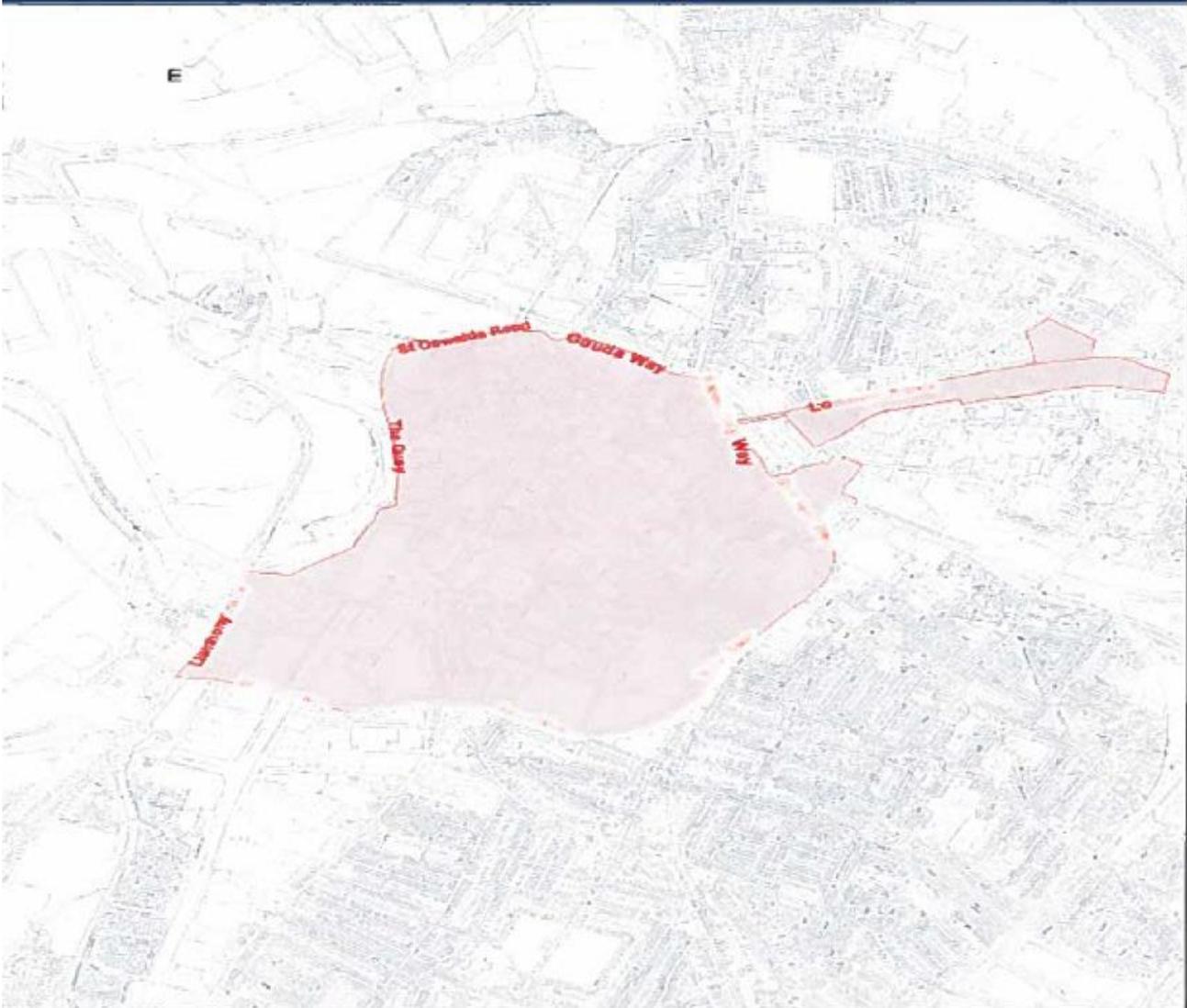
The Licensing Authority will maintain comprehensive records recording the reasons for its decisions. On making findings of fact in its reasons, the Licensing Authority will also ensure that they address the standard of proof and the burden of proof that they have adopted. The Licensing Authority will also address the extent to which the decision has been made with regard to its statement of licensing policy and the Guidance issued by the Home Office under section 182 of the Act.

Implementing the determination of the Magistrates' Courts

Upon notification of the Court's decision the Licensing Authority will seek to action that determination without undue delay, unless ordered by a higher court to suspend such action (for example, as a result of an on-going judicial review). The Act provides for no further appeal against the determination of the Magistrates' Courts.

APPENDIX D

Gloucester City Council



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APPENDIX E**GLOSSARY OF TERMS****“LICENSABLE ACTIVITIES”**

- Retail sale of alcohol or supply of alcohol by a club.
- Provision of regulated entertainment.
- Late night refreshment i.e. serving hot food or hot drink between 23:00 hours and 05:00 hours.

“LICENSING AUTHORITY”

The Council of a district in England. In this case the Licensing Authority is Gloucester City Council.

“RESPONSIBLE AUTHORITY”

The following have been named as Responsible Authorities in the Act and/or Regulations:

- Police
- Fire Authority
- Enforcing Authority for Health and Safety at Work etc. Act 1974 i.e. Gloucester City Council Environmental Health or Health and Safety Executive
- Local Planning Authority i.e. Gloucester City Council Planning and Building Control Services
- Gloucester City Council Environmental Protection when dealing with matters under the Environmental Protection Act
- Authority responsible for or interested in matters relating to the protection of children from harm i.e. Gloucestershire County Council, Social Services
- Any Licensing Authority in whose area part of the premises is situated.
- Gloucester City Council Licensing Authority
- Weights and measures authority
- Local Health Board

IN RELATION TO A VESSEL:

- A Navigation Authority (where vessel is usually moored or any waters where it is or is proposed to be navigated at the time when it is used for licensable activities)
- The Environment Agency
- The British Waterways Board, or
- The Secretary of State

“PREMISES LICENCE”

A licence issued by the Licensing Authority in respect of any premises which authorises the premises to be used for one (or more) licensable activity(ies). The licence is valid

indefinitely unless a shorter period is specified on the licence, or unless it is surrendered or revoked.

“PREMISES”

Any vehicle, vessel or moveable structure, or any place or a part of any premises used for licensable activities.

“PERSONAL LICENCE”

Licence granted by the Licensing Authority to an individual that authorises that individual to supply alcohol or authorise the supply of alcohol in accordance with a premises licence.

“DESIGNATED PREMISES SUPERVISOR (DPS)”

The individual named in the premises licence as the premises supervisor. The Designated Premises Supervisor must hold a valid Personal Licence.

“TEMPORARY EVENT NOTICE (TEN)”

An individual aged 18 or over may use a Temporary Event Notice (TEN) where it is proposed to use premises for one or more licensable activity during a period not exceeding 168 hours and where the maximum number of persons to be admitted is less than 500.

“CLUB PREMISES CERTIFICATES”

A Club Premises Certificate may be applied for by any qualifying club that is established and conducted in good faith and possesses at least 25 members. New members to any club must wait at least two days between their nomination and admission to membership.

The grant of a Club Premises Certificate means that a qualifying club is entitled to certain benefits, namely:

- The authority to supply alcohol to members and sell it to guests without the need for any member or employee to hold a Personal Licence.
- The absence of a requirement to specify a Designated Premises Supervisor (DPS).
- More limited rights of entry for the Police and authorised persons.
- Not being subject to the police powers of instant closure, and
- Not being subject to potential orders of the Magistrates Court for a closure of all licensed premises in an area.

“OTHER PERSONS”

- Residents living near the premises
- Persons with an interest in the premises or locality
- Local Councillors
- Businesses with an interest in the premises or locality
- Organisations with an interest in the locality, premises or licensable activities

APPENDIX F

REFERENCE SOURCES

In addition to the guidance offered by this policy the below publications can provide applicants with useful information that should be considered when applications for licensed premises are being considered:

- ❖ [The Licensing Act 2003](#)
- ❖ Guidance issued under section 182 of the Licensing Act 2003
- ❖ The Gloucestershire Constabulary Licensing Policy
- ❖ The Event Safety Guide ('The Purple Book').
H.S.E. BOOKS – ISBN: **0717624536** – Published: Oct 1999.



<http://www.hsebooks.com/Books/>

- ❖ Managing Crowds Safely.



<http://www.hse.gov.uk/pubns/indg142.htm>

- ❖ 5 Steps to Risk Assessment Case Studies. – ISBN **0717615650**



<http://www.hse.gov.uk/pubns/indg163.pdf>

- ❖ The Guide to Safety at Sports Grounds ('The Green Guide') - ISBN **0113410018** - published by The Stationery Office (<http://www.tso.co.uk/>)

- ❖ Safety Guidance for Street Arts, Carnival, and Large Scale Performances.



<http://www.streetartsnetwork.org.uk/cn/publications/index.php>

- ❖ Home Office Guidance:

Practical Guide for Preventing and Dealing with Alcohol related problems
Alcohol Disorder Zone Guidance
Selling Alcohol Responsibly
UK Police Requirements for Digital CCTV Systems

USEFUL REFERENCES (ORGANISATIONS)

Association of Convenience Stores (ACS)
<http://www.thelocalshop.com/tls/index.asp>

Association of Licensed Multiple Retailers (ALMR)
<http://www.almr.org.uk/>

Association of Town Centre Managers (ACTM and Purple Flag)
<http://www.atcm.org/>

British Beer and Pub Association (BBPA)
<http://www.beerandpub.com/>

British Board of Film Classification (BBFC)
<http://www.bbfc.co.uk>

British Institute of Inn Keeping (BII)
<http://www.bii.org/>

British Retail Consortium (BRC)
<http://www.brc.org.uk/>

Circus Arts Forum
<http://www.circusarts.org.uk>

Cinema Exhibitors' Association (CEA)
<http://www.cinemauk.org.uk/>

Department for Culture, Media and Sport (see links to the Licensing Act 2003, Explanatory Notes, Guidance and Regulations)
<http://www.culture.gov.uk>

Equity
<http://www.equity.org.uk/>

Independent Street Arts Network
<http://www.streetartsnetwork.org.uk>

Institute of Licensing (IOL)
<http://www.instituteoflicensing.org/>

Justices Clerks' Society Good Practice Guide, Licensing
<http://www.jc-society.co.uk>

LACORS
<http://www.lacors.gov.uk/>

Licensed Victuallers Associations (LVAs)
<http://www.flva.co.uk/>

National Association of Local Government Arts Officers

<http://www.nalgao.org/>

National Pub Watch

<http://www.nationalpubwatch.org.uk/>

NOCTIS

(formerly Bar, Entertainment and Dance Association (BEDA))

<http://www.noctisuk.org/>

The Portman Group

<http://www.portmangroup.org.uk>

APPENDIX H**LIST OF RESPONSIBLE AUTHORITIES****GLOUCESTERSHIRE CONSTABULARY**

Licensing Unit
Community Engagement Department
Police HQ
No1 Waterwells
Quedgeley
Gloucester
GL2 2AN

Telephone: 01452 754482
Email: licensing@gloucestershire.pnn.police.uk

The main Police switchboard number is 0845 090 1234.

GLOUCESTERSHIRE FIRE AND RESCUE

Chief Fire Officer
Fire Service Headquarters
Waterwells Drive
Quedgeley
Gloucester
GL2 2AX

Telephone: 01452 753333
Email: fire.safety@glosfire.gov.uk

POLLUTION PREVENTION

Gloucester City Council
PO Box 3252
Westgate Street
Gloucester
GL1 9FW

Telephone: 01452 396396
Email: communitywellbeing@gloucester.gov.uk

HEALTH AND SAFETY ENFORCEMENT

If you are uncertain who enforces Health and Safety on your premises please assume it is Gloucester City Council and forward a copy of the application to the address below:-

WHERE THE LOCAL AUTHORITY IS THE ENFORCING AUTHORITY:

Gloucester City Council
Health and Safety Team
PO Box 3252
Westgate Street
Gloucester
GL1 9FW

Telephone: 01452 396396
Email: Communitywellbeing@gloucester.gov.uk

WHERE THE HSE ARE THE ENFORCING AUTHORITY:

Health and Safety Executive
4th Floor, The Pithay
All Saints Street
BRISTOL
BS1 1ND

Telephone: 02920 263000
Email: (i) For service employment e.g. Central and Local Government, NHS etc. the contact is paula.Johnson@hse.gsi.gov.uk
(ii) For other employment e.g. manufacture and repair, agriculture, transport, the contact is nigel.chambers@hse.gsi.gov.uk

LOCAL PLANNING AUTHORITY

Group Manager Development Services
Gloucester City Council
PO Box 3252
Westgate Street
Gloucester
GL1 9FW

Telephone: 01452 396396
Email: development.control@gloucester.gov.uk

CHILD PROTECTION

Gloucestershire Safeguarding Children Board
Room 128
1st Floor, Block 4
Gloucestershire County Council
Shire Hall
Gloucester
GL1 2TG

Telephone: 01452 426321
Email: gscb@gloucestershire.gov.uk

GLOUCESTERSHIRE TRADING STANDARDS

The Tri Service Centre
Waterwells Drive
Quedgeley
Gloucester
GL2 2AX

Telephone: 01452 426201
Email: tradstds@gloucestershire.gov.uk

LOCAL HEALTH BOARD

Public Health Department
Block 4, 2nd Floor
Gloucestershire County Council
Shire Hall
Westgate Street
Gloucester
GL1 2TG

Telephone: 01452 328607
Email: publichealth@gloucestershire.gov.uk

CANAL & RIVER TRUST - Business Licence applications only

The Dock Office
Commercial Road
Gloucester
GL1 2EB

Telephone: 0303 040 4040



Meeting:	Council	Date:	23 September 2021
Subject:	Appointment of the Independent Remuneration Panel		
Report Of:	Policy and Governance Manager		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Tanya Davies, Policy and Governance Manager		
	Email: tanya.davies@gloucester.gov.uk	Tel:	39-6125
Appendices:	None		

FOR GENERAL RELEASE

1.0 Purpose of Report

1.1 The purpose of this report is to seek approval for the appointment of a new Independent Remuneration Panel (IRP).

2.0 Recommendations

2.1 Council is asked to **RESOLVE** that the following be appointed to the Independent Remuneration Panel for a period of three years:

- Ms Kim Hawkins
- Mr Chris Markley
- Mr John Morris
- Mr Graham Russell.

3.0 Background and Key Issues

3.1 Council is required, under the Local Authorities (Members' Allowances) (England) Regulations 2003 and the Local Authorities (Members' Allowances) (England) (Amendment) Regulations 2003 to appoint an Independent Remuneration Panel to make recommendations to the Council on a Scheme of Members' Allowances for adoption.

3.2 The Regulations specify that there must be at least three panel members and the guidance suggests that, as far as possible, the make-up of the panel should be representative of the diversity of the communities in the local authority area.

3.3 Since Autumn 2019, the council has engaged in joint recruitment for panel members with Stroud District Council (SDC) to take advantage of a wider pool of applicants. Both councils have proceeded to appoint the same panel members, but the panels remain separate. Following a resignation in September 2020, a replacement panel member was appointed alongside the reappointment of the remaining two panel members for a period of three years.

- 3.4 Following the further resignation of Mrs Wynn Bartlett in March 2021 due to relocating out of the area, the council is now required to make one or more appointments to reconstitute its panel. The council places on record its thanks to Mrs Bartlett for her service.
- 3.5 The advert for panel members has remained live in the event that either council needed to replace panel members and as such, three applications had been awaiting consideration.
- 3.5 The applicants were interviewed and assessed by the current panel members, Mr Graham Russell and Mr Chris Markley, and the Policy and Governance Managers from both Gloucester and Stroud on 24 June. The intention had been to recommend that all three applicants be appointed to the panel, however, one rescinded their application shortly after the interviews due to a change of circumstances, and it is now recommended that the two remaining applicants be appointed.
- 3.6 Information from candidates' applications was circulated to Group Leaders, along with a recommendation to appoint both applicants, with a request for any objections to be highlighted. As no objections were received, it is recommended that both applicants be appointed to the panel for a period of three years, along with the two existing panel members to bring their service into line. It is hoped that a larger panel will reduce the frequency with which it has been necessary to re-appoint as the panel can continue its work with 3 or more members. SDC will also be formally considering appointing both new applicants to their panel.
- 3.7 A brief summary of the experience of each of the four proposed panel members is included below:
- Existing Member - Mr Graham Russell has an extensive local authority background as a previous Head of Democratic Services and is an experienced Chair of IRPs across the South West.
 - Existing Member - Mr Chris Markley has a military background and has worked as a military inspector/auditor of public funded allowances.
 - New Member – Ms Kim Hawkins has a varied employment background, having worked as a PA for many years and previously for the Chartered Institute of Marketing as a Quality Manager.
 - New Member – Mr John Morris has a military background and undertakes various voluntary duties across the county.
- 3.8 All of the proposed panel members have a keen interest in voluntary service and making a contribution to their community.

4.0 Social Value Considerations

- 4.1 It is important that the make-up of the panel is representative of the diversity of the communities in the local authority area and applications from all sectors of the community have been encouraged for this important role.

5.0 Environmental Implications

- 5.1 There are no environmental implications.

6.0 Alternative Options Considered

6.1 There are no alternative options.

7.0 Reasons for Recommendations

7.1 The Council is required to have regard to the recommendations of an IRP when agreeing a Scheme of Allowances and therefore must appoint a panel.

8.0 Future Work and Conclusions

8.1 A minor review could take place in autumn 2021; however, as the current scheme is indexed to the local government staff pay award for a period of four years, there is no requirement to bring forward a recommendation from the panel unless specific changes are being pursued. Group Leaders have been consulted on the need for a minor review at this time and subsequently agreed that a review will not take place. The current scheme will therefore apply unamended for the 2022-23 financial year, with the index applied to the scheme if there is a local government staff pay award.

8.2 In line with the four-yearly cycle, the next detailed review is scheduled to report to Council in January 2023 and the review will commence in the autumn of 2022.

9.0 Financial Implications

9.1 There are no financial implications resulting from the recommendations in the report as the Panel will be appointed on a voluntary basis.

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

10.0 Legal Implications

10.1 The legal implications are detailed in the body of the report.

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

11.0 Risk & Opportunity Management Implications

11.1 There are no risks associated with the recommendations.

12.0 People Impact Assessment (PIA):

12.1 While the importance of appointing a representative Panel has been identified, the PIA Screening Stage was completed and did not identify any potential or actual negative impact in respect of the specific recommendations within this report because the roles are open to all prospective applicants; therefore a full PIA was not required.

13.0 Community Safety Implications

13.1 There are no community safety implications arising from the recommendations in this report.

14.0 Staffing and Trade Union Implications

14.1 There are no Staffing and Trade Union implications arising out of the recommendations in this report.

Background Documents: None

Gloucester City Council

Meeting:	Council	Date:	23 September 2021
Subject:	Designation of Monitoring Officer		
Report Of:	Head of Paid Service		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Jon McGinty, Managing Director		
	Email: jon.mcginty@gloucester.gov.uk	Tel:	39-6200
Appendices:	None		

FOR GENERAL RELEASE

1.0 Purpose of Report

1.1 To designate a Monitoring Officer

2.0 Recommendations

2.1 Council is asked to **RESOLVE** that

- (1) Stephen Taylor be designated Monitoring Officer for the City Council in accordance with section 5 of the Local Government and Housing Act 1989 with effect from 1 October for an interim period of up to 6 months but no more than 12 months.
- (2) To enter into an agreement to second the above mentioned officer from Stroud District Council to Gloucester City Council on terms to be agreed between Stroud District Council, Gloucester City Council and the officer.
- (3) To delegate authority to the Managing Director to agree the terms of the secondment and to sign the secondment agreement on behalf of Gloucester City Council and to make any necessary consequential amendments to the Council's Constitution arising from the agreed terms and any re-assignment of the current Monitoring Officer functions.
- (4) To note that the Managing Director took an urgent decision on 13th August 2021 to appoint Jodie Townsend as Interim Monitoring Officer for the period 16 August 2021 until 30 September 2021.

3.0 Background and Key Issues

3.1 The Local Government and Housing Act 1989, Section 5, requires all local authorities to designate one of their officers as the "Monitoring Officer". The Act specifically excludes the Head of Paid Service and the Chief Finance Officer (Section 151 Officer)

from being the Monitoring Officer, although any other officer of the Council can be appointed.

- 3.2 The Act imposes a duty on the Monitoring Officer, if at any time there appears to the Monitoring Officer that any proposal, decision or omission of the Council, or Committee etc. either has given rise to, or is likely to give rise to, a breach of any law, or any maladministration as would be dealt with by the Ombudsman, to prepare a report to the Council specifying the contravention.
- 3.3 The Monitoring Officer also has a number of responsibilities arising from the Localism Act 2011 relating to Councillor conduct (City and its Parish Council). These responsibilities include dealing with complaints on the Code of Conduct, as well as providing training for Members thereon. There is a close connection with the S151 Officer and Internal Audit and the Monitoring Officer is a member of the Corporate Governance Group.
- 3.4 The current functions of the Monitoring Officer are specified in the Constitution, including the Monitoring Officer's Protocol although some of these may be assigned to other officers by the Managing Director. There is no statutory requirement for the Monitoring Officer to be a Solicitor, although the majority are given a Solicitor's training and role within a Council.
- 3.5 Council resolved on 24th May 2021 to designate Patrick Arran as interim Monitoring Officer for a period of up to 12 months. Mr Arran subsequently undertook this role for a number of months; however he was offered a permanent position elsewhere which he accepted and ceased working for the Council (and Stroud District Council) on 13th August 2021. The Managing Director and his equivalent in Stroud District Council undertook a recruitment process for a replacement interim Monitoring Officer and identified Stephen Taylor as a suitable replacement for Patrick Arran. Mr Taylor is a highly experience solicitor with over 35 years' experience as a solicitor in the public sector and 21 years' experience as a Director of Law and Democratic Services. He has performed the role of Monitoring Officer in a number of Councils including most recently at Swindon Borough Council.
- 3.6 Having considered the current resource requirement for a Monitoring Officer in Gloucester City Council, it is proposed to contract with Mr Taylor on 1 day/week basis. It is proposed to contract with Mr Taylor for an initial period of 6 months, but no more than 12 months. This is in order to enable the Head of Paid Service to consider over this timescale the future shape of leadership arrangements at the City Council following the departure of its two corporate directors.
- 3.7 Due to other assignments, Mr Taylor is not available to start with Gloucester City until 1st October 2021. Therefore, the Managing Director took an urgent decision on 13th August 2021, in line with his delegated authority as set out in the constitution, to appoint Jodie Townsend as Interim Monitoring Officer for the period 16 August 2021 until 30 September 2021, also on a 1 day/week basis. Mr Townsend is similarly experienced in legal, democratic and governance matters and has worked for a number of councils and related organisations, including most recently Oxfordshire County Council, Basingstoke and Deane Council and West Midlands Combined Authority.

4.0 Social Value Considerations

4.1 Not applicable

5.0 Environmental Implications

5.1 Not applicable

6.0 Alternative Options Considered

6.1 The option of designating an officer already within the Council was considered but discounted on the basis of short-term capacity pressures plus the need to consider any potential new permanent appointments to the Council's senior management team first.

6.2 One Legal were approached to see if they could offer these services on an interim basis but also had capacity pressures that meant they were unable to do so.

7.0 Reasons for Recommendations

7.1 It is a legal requirement that the Council designates one of their Officers as Monitoring Officer. The Head of Paid Service advises that designating Stephen Taylor as Monitoring Officer in the terms detailed within this report will provide a better solution for the Council than other options.

8.0 Future Work and Conclusions

8.1 The recommended designation will be an interim one, subject to review within the next twelve months, to enable the Head of Paid Service to consider over this timescale the future shape of leadership arrangements at the City Council, and the Monitoring Officer function will be part of that review.

9.0 Financial Implications

9.1 It is proposed to contract with Mr Taylor for an average of around 1 day per week (the intention is that MO support would be available at any time during the working week as needed), initially for six months. This cost can be met through some of the savings arising from holding over Corporate Director vacancies following the recent retirement of Mr Lund and Mrs Brinkhoff, and provides a saving in comparison to the 2.5 days a week engagement of Mr Arran.

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

10.0 Legal Implications

10.1 These are contained in the main body of the report.

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

11.0 Risk & Opportunity Management Implications

11.1 If a Monitoring Officer is not in post, the Council would be in breach of Section 5 Local Government and Housing Act 1989.

12.0 People Impact Assessment (PIA) and Safeguarding:

12.1 None.

13.0 Community Safety Implications

13.1 None

14.0 Staffing & Trade Union Implications

14.1 The Local Government and Housing Act 1989 effectively requires the person designated as Monitoring Officer to be employed by the Council. There will therefore be a need to second Stephen Taylor to the City Council on terms to be agreed between the parties in order to undertake this aspect of his work for the Council.

Background Documents: 24 May 2021 Council Report: Designation of Interim Monitoring Officer

Paragraph 12.02 of Part 4 of the Rules of Procedure contained within the City Council's Constitution provides that a Member of the Council may submit a written question to any Cabinet Member.

This document informs Members of Council of written questions put to Cabinet Members and written replies thereto.

Council is recommended to RESOLVE to note the written questions submitted and corresponding responses.

No.	Question from/to	Question
1.	From Councillor Hyman to the Cabinet Member for Environment	Please will you advise how many prosecutions there have been in regards to dog fouling in Gloucester and what actions the Environmental Protection Officers have taken to try and catch those dog walkers who do not clear up after their dogs?
	Response: Dog-fouling is not an easy offence to issue a FPN for or prosecute. An Enforcement Officer has to witness an offence being committed before issuing an FPN, which is very difficult to achieve. In the last 2 years, no FPN has been issued for an offence of Dog Fouling in Gloucester. Nevertheless, whenever a report of repeated dog-fouling is received, the matter is reported to an Enforcement Officer, for him/her to show a presence in the area, which can act as a visual deterrent to potential offenders. The enviro-crime team has started to schedule unannounced/unpublicised visits to dog fouling hotspots (based on reports received via the Contact Centre). These scheduled visits will continue for the next 2 months.	
2.	From Councillor Hilton to the Cabinet Member for Planning and Housing Strategy	How is the housing stock survey progressing and when will the results be reported back to council?
	Response: The private sector housing stock condition survey is being delivered on a countywide basis and the survey work was expected to have begun during the summer. Unfortunately, there have been unexpected extended delays arising from legal queries from other councils within the countywide partnership. We are advised that the tender documentation will be published by the end of September, and the timetable for the survey and the resultant report will be agreed following the appointment of the company delivering the survey.	
3.	From Councillor Hilton to the Cabinet Member for Planning and Housing Strategy	Please list outstanding sums of section 106 money that the council has on deposit?
	Response:	

	<p>At 31 August 2021, the Council held £1,323,444.75 of s106 for spend on play areas (£355,774.96), open space (£206,470.38), sports (£622,510.54) and affordable homes (£138,688.87).</p> <p>Please note that S106 contributions are made for specific purposes detailed in the relevant legal agreements.</p>	
4.	From Councillor Hilton to the Cabinet Member for Planning and Housing Strategy	Please list any CIL sums of money that the council has on deposit?
	Response:	
	<p>At the 31st August 2021, the Council held £627,083.02 of Community Infrastructure Levy collected in accordance with the approved CIL Charging Schedule.</p> <p>Of this amount, 5% (£31,354.15) is for the administration of the CIL programme, 15% (£94,062) is for locally determined community projects considered and approved in accordance with the Cabinet decision taken in November 2020. Finally, (£501,666.87) for JCS wide strategic infrastructure identified in the Annual Infrastructure Funding Statement approved in December 2020.</p>	
5.	From Councillor Hilton to the Cabinet Member for Performance and Resources	What progress has been made to webcast future council meetings and committee meetings?
	Response:	
	<p>A preferred solution has been identified based on the existing Civica Modern Gov platform. This solution can be delivered within the budget set by full Council at Budget Council in February. The release of this solution has now been delayed until the end of the year.</p> <p>Alternative solutions have been researched and explored, however the costs were significantly higher and prohibitive. These solutions were likely to require the Civic Suite to be set up with studio quality sound and video equipment.</p>	
6.	From Councillor Hilton to the Leader of the Council	Two senior directors resigned from the council earlier this year. Could the leader confirm what progress has been made to replace them?
	Response:	
	<p>The Leader and Head of Paid Service have commissioned some (free) consultancy support from the LGA to advise the Council on senior management structure options. This advice will be considered and discussed with Group Leaders in due course.</p>	
7.	From Councillor Wilson to the Cabinet Member for Performance and Resources	<p>(a) What is the policy of Gloucester City Council with regards to rejected postal ballot papers in elections?</p> <p>(b) In 2021 were there any rejected postal ballot papers?</p> <p>(c) In what circumstances were they rejected?</p> <p>(d) What criteria is used to justify a referral to the police?</p> <p>(e) How many referrals were made to the police in relation to either postal vote applications</p>

		or postal vote ballot papers in the 2021 elections?
	Response:	
	<p>(a) The circumstances in which a postal ballot pack must be rejected are laid out in legislation and are:</p> <ul style="list-style-type: none"> • the signature provided on the postal voting statement does not match the example held by the Returning Officer; and, or • the date of birth provided alongside the postal voting statement does not match the one held by the Returning Officer; and, or • no signature was provided on the postal voting statement; and, or • no date of birth was provided on the postal voting statement; and, or • no ballot paper was returned in the pack; and, or • no postal voting statement was returned in the pack. <p>The Returning Officer for Gloucester City Council follows these statutory requirements.</p> <p>(b) Yes</p> <p>(c) Postal ballot packs were rejected for the following reasons:</p> <ul style="list-style-type: none"> • the signature provided on the postal voting statement did not match the example held by the Returning Officer; • the date of birth provided alongside the postal voting statement did not match the one held by the Returning Officer; • no ballot paper was returned in the pack; • no postal voting statement was returned in the pack. <p>(d) A referral to the police would be made where the Returning Officer or a member of his/her election staff identify potential evidence of electoral fraud.</p> <p>(e) One referral was made in relation to a postal vote application</p>	
8.	From Councillor J. Brown to the Cabinet Member for Environment	Please advise the criteria used for deciding which services and businesses may advertise on recycling vehicles.
	Response:	
	We have a contract arrangement with Roadvert who handle all advertising on our behalf and pay us 50% of the profit. They have parameters set down in the contract to ensure there is no unacceptable advertising such as alcohol, tobacco etc.	
9.	From Councillor Conder to the Cabinet Member for Planning and Housing Strategy	What green energy measures are demanded of volume house builders at present? For example, solar thermal and photovoltaic panels, heat pumps, rainwater recovery.

	<p>Response:</p> <p>The current Local Plan for Gloucester is the adopted Joint Core Strategy (2017) and emerging Gloucester City Plan (currently at examination).</p> <p>The adopted Joint Core Strategy includes policy SD3 ‘Sustainable Design and Construction’. This includes a requirement for developers to demonstrate how proposals contribute to the aims of sustainable development by increasing energy efficiency, minimising waste and avoid unnecessary pollution. It further requires development to be adaptable to climate change in terms of layout, siting, orientation and function of both buildings and external spaces. It does not specifically require the implementation of certain measures such as solar thermal and photovoltaic panels, heat pumps and rainwater recovery, but encourages them. Policy SD4 requires passive design to control the overheating of buildings.</p> <p>The Gloucester City Plan (currently at examination) includes a requirement for all new dwellings to include an electric car charging point and the implementation of water efficiency measures.</p>	
10.	From Councillor Conder to the Cabinet Member for Planning and Housing Strategy	Are there any plans to impose these options (above) ahead of the Government's ban on gas boilers in new-build properties in 2025?
	<p>Response:</p> <p>The Joint Core Strategy review is in the early stages of preparation and will include a review of planning policy required to adapt and mitigate climate change. This will seek to deliver against the climate change emergencies declares by Gloucester City Council, Cheltenham Borough Council and Tewkesbury Borough Council, and their respective climate change strategies. This will likely includes measures for on-site and offsite renewable energy generation and a range of other measures to mitigate and adapt to climate change. The next stage will be consultation on a draft plan next year.</p>	
11.	From Councillor Castle to the Cabinet Member for Planning and Housing Strategy	<p><i>Questions 11-15</i></p> <p>Can an update be provided regarding the planning application related to the Playing Field at the Rear of 3-29 Paygrove Lane, Gloucester. Ref 16/01558/OUT. Outline planning permission (with means of access offered for consideration) for residential redevelopment of up to 10 dwellings and public open space including associated landscaping, car parking and access was granted on the 24th of August 2018 for 5 years, which means it will run out in in August 2023.</p> <p>Has the county council or its agent filed a reserved matters application?</p>
	<p>Response:</p> <p>No application has been submitted</p>	
12.	From Councillor Castle to the Cabinet Member for	Has the county council sold the land to a potential developer?

	Planning and Housing Strategy	
	Response:	
	The County Council have confirmed the sale of the land has not completed.	
13.	From Councillor Castle to the Cabinet Member for Planning and Housing Strategy	Is the city council's development control team in pre-application discussions with a developer or the county council about a reserved matters planning application?
	Response:	
	No	
14.	From Councillor Castle to the Cabinet Member for Planning and Housing Strategy	The outline planning permission granted in 2018 had 24 conditions. Which conditions have been resolved and which have not been resolved?
	Response:	
	Nothing has been discharged as yet	
15.	From Councillor Castle to the Cabinet Member for Planning and Housing Strategy	Has the county council and city council ever had discussions about transferring the land to the city council for it to be dedicated as public open space?
	Response:	
	No discussions have taken place between County Council and Asset Management or with the City Council's Open Space Strategy Team Lead	
16.	From Councillor Field to the Leader of the Council	Will this council be signing up to the Good Business Charter?
	Response:	
	<p>The Good Business Charter is an initiative of the Good Business Foundation, a charity registered in England and Wales. The CBI (Confederation of British Industry) and the TUC (Trades Union Congress) both have trustee representation on the board of the Good Business Foundation to ensure that the voices of business and employees are heard. The Good Business Charter is a simple accreditation which organisations in the UK can sign up to in recognition of responsible business practices. It measures behaviour over 10 components: real living wage, fairer hours and contracts, employee well-being, employee representation, diversity and inclusion, environmental responsibility, paying fair tax, commitment to customers, ethical sourcing, and prompt payment.</p> <p>I will ask officers to examine the Charter in more detail and, if appropriate, will discuss signing up with the Federation of Small Businesses, the Gloucestershire Chamber of Commerce, the Gloucester BID and UNISON.</p>	
17.	From Councillor Field to the Cabinet Member for Communities and Neighbourhoods	How can councillors and residents help with the Afghan refugees being housed in Gloucester?
	Response:	
	There are a few different ways that councillors and residents can support:	

<p><u>Volunteering and household items:</u> Gloucester City Council are working closely with our local partners GARAS to welcome and support new families arriving in the County. You can find out more about GARAS and different ways to support them at www.garas.org.uk. If your offer relates to providing items or your own time to support new arrivals, please contact GARAS directly on admin@garas.org.uk. As the organisation working directly with families, GARAS have the best understanding of what is most needed and what they already have at any given time. However, please be aware that due to health and hygiene reasons they are unable to accept any form of clothing.</p> <p><u>Properties:</u> We remain in need of housing to provide sustainable accommodation for families through the scheme: if you are a landlord or know a landlord who is interested in letting a property to a family through this scheme please contact Gorib Hossain on gorib.hossain@gloucester.gov.uk in the first instance.</p> <p><u>Community Support:</u> If you are aware that a family have been resettled in your community please support them as appropriate as you would with any new resident. Other residents are usually best placed to welcome new residents to a community and help them settle as quickly as possible.</p> <p><u>Sharing social media:</u> the one thing everyone can do is share/ retweet the posts on social media which are asking for help, particularly targeting landlords. The wider we can get the message the more chance we have of securing suitable accommodation for the scheme.</p>	
18.	<p>From Councillor Field to the Cabinet Member for Environment</p> <p>When can members see the map of litter bins in the city and their relative usage?</p> <p>Response: An installation programme of new litter bins and dual use recycling bins is now underway and must be completed by December in line with the grant funding application. Once installation is complete the bins need to be added to the new Council GIS mapping layer as resource allows within the team. I have nominated the member of my team for training, who will be responsible for keeping the mapping layers up to date.</p>
19.	<p>From Councillor Field to the Cabinet Member for Culture and Leisure</p> <p>Please would you provide an update on the latest with regards to the Blackbridge project?</p> <p>Response: Directors of Blackbridge Community Benefit Society and their consultant team are continuing to progress the project and have spent recent weeks focussing on two major issues.</p> <p>The first is future access to the site. The scheme had been progressing with the proposed access being created by Crypt School offering a portion of their land to help form an access road. However, in the spring the school wrote stating they would not agree to support the scheme (and therefore release the land) unless a number of conditions were met, many of which went against</p>

	<p>previous statements/intentions from the school and would, if followed, potentially undermine the trading viability of the project.</p> <p>In reaction to this the CBS directors asked that alternative access to the site be revisited, and to this end CTP transport consultants undertook a study into access from Laburnum Road to the east of the site. The report – which indicates that in principle access from this location is viable - is now with Gloucester City Council for a pre-app review.</p> <p>The second major issue is securing funding to cover the anticipated capital cost of £5m. With approximately £1.6m of Section 106 funding ringfenced and a potential investment from the Football Foundation of around £700k, CBS directors are keen to explore ways of addressing the shortfall. The subject was raised with Jon McGinty of the City Council when he visited the site in July, and he undertook to discuss funding options with City and County Council colleagues.</p> <p>Finally, a fair amount of work has been going on in the background to develop the business plan for the scheme, for example the commissioning of renewable energy experts ShareEnergy to look at income generating opportunities, together with discussions with Podsmead Big Local around the feasibility of using Blackbridge CBS as the future ‘legacy vehicle’ to continue the valuable community development work delivered by the Big Local when the project formally ends.</p>	
20.	From Councillor Field to the Cabinet Member for Housing and Planning Strategy	Please would you provide an update on the Podsmead and Matson Regeneration plans, particularly with regards to recent delays and the reasons for these, and detailing the arrangements for consultation in October?
Response:		
<p>Cllr Field will be aware from our monthly update meetings with Gloucester City Homes that progress is being made on the regeneration of both the Podsmead and Matson estates. He will also be mindful that some of the detail is commercially sensitive (such as land values), so I would offer the following by way of update of information that is in the public domain.</p> <p>Podsmead: GCH has been in discussion with our planning officers and planning consultees for some months to design a scheme that balances good design with financial viability. Podsmead offers an opportunity for us jointly to come up with a high standard of design that meets the needs of current and future residents and creates an attractive place in which people want to live. This is entirely in line with the changes to the planning system recently introduced by the Government in the revised National Planning Policy Framework (NPPF) and it is appropriate that we consult effectively and purposefully on a workable scheme for residents. At the same time our officers and GCH are engaged with the Gloucester United Schools Trust who have an interest in some of the land proposed to be included in the scheme. Once we have a robust and acceptable design in hand, and once we have secured the willingness of the GUS trust and the Council as landowner to permit GCH to develop the land, then GCH will start consultation with local residents. I would anticipate this being towards the end of the year.</p>		

Matson: it has proved more difficult to identify sites that are suitable for redevelopment and which will enable the first phase of regeneration to commence. GCH is currently considering the options that are available and which enable the housing development to proceed without compromising amenities held by the community. Our officers and GCH are liaising with our planners and planning consultees over one particular site on a pre-app basis to ascertain the appropriateness of its development. Once that steer has been provided GCH will be in a better position to identify a way forward and to commence consultation with the community.

It is important in both communities that the regeneration is seen holistically, and that whilst it is led by housing development the outcome is to drive up standards of housing as well as education, health, incomes and wellbeing amongst other factors. This administration remains fully committed to delivering the regeneration of both estates but it is essential that we propose schemes that achieve comprehensive regeneration and drive up standards of living in the widest sense across both communities.