



Gloucester City Council

Cabinet

**Meeting: Wednesday, 12th July 2023 at 6.00 pm
in Civic Suite, North Warehouse, The Docks, Gloucester, GL1 2EP**

Membership:	Cllrs. Cook (Leader of the Council and Cabinet Member for Environment) (Chair), Norman (Deputy Leader of the Council and Cabinet Member for Performance and Resources) (Vice-Chair), S. Chambers (Cabinet Member for Planning and Housing Strategy), Lewis (Cabinet Member for Culture and Leisure) and Padilla (Cabinet Member for Communities and Neighbourhoods)
Contact:	Democratic and Electoral Services 01452 396126 democratic.services@gloucester.gov.uk

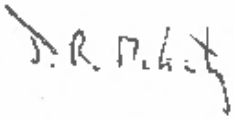
AGENDA

1.	APOLOGIES To receive any apologies for absence.
2.	DECLARATIONS OF INTEREST To receive from Members, declarations of the existence of any disclosable pecuniary, or non-pecuniary, interests and the nature of those interests in relation to any agenda item. Please see Agenda Notes.
3.	MINUTES (Pages 7 - 14) To approve as a correct record the minutes of the meeting held on 14 th June 2023.
4.	PUBLIC QUESTION TIME (15 MINUTES) The opportunity is given to members of the public to put questions to Cabinet Members. A question may be rejected if it: (i) Is not about a matter for which the local authority has responsibility or influence; or (ii) Is illegal, improper, defamatory, frivolous or offensive; or (iii) Is substantially the same as a question which has been put at a meeting of the Council, Cabinet or Committee in the past 6 months; or (iv) Requires the disclosure of confidential or exempt information; or (v) Is related to confidential staffing matters; or (vi) Is relating to the personal affairs or conduct of individual Members or Officers. To ask a question at this meeting, please submit it to democratic.services@gloucester.gov.uk by 12 noon on Friday 7 th July 2023 or telephone 01452 396203 for support.

<p>5.</p>	<p>PETITIONS AND DEPUTATIONS (15 MINUTES)</p> <p>To receive any petitions or deputations provided that no such petition or deputation is in relation to:</p> <ul style="list-style-type: none"> • Matters relating to individual Council Officers, or • Matters relating to current or pending legal proceedings
<p>6.</p>	<p>LEADER AND CABINET MEMBERS' QUESTION TIME (15 MINUTES)</p> <p>Any Member of the Council may ask the Leader of the Council or any Cabinet Member any question upon:</p> <ul style="list-style-type: none"> • Any matter relating to the Council's administration • Any matter relating to any report of the Cabinet appearing on the summons • A matter coming within their portfolio of responsibilities <p>Only one supplementary question is allowed per question.</p> <p>Questions must be submitted to democratic.services@gloucester.gov.uk by 12 noon on Friday 7th July 2023. Responses to questions will be published in an addendum to the agenda by 12 noon on the day of the Cabinet Meeting.</p>
<p>7.</p>	<p>RESPONSE TO THE RECOMMENDATIONS OF THE TASK AND FINISH GROUP ON DAMP AND MOULD IN GLOUCESTER'S RENTED ACCOMMODATION (Pages 15 - 42)</p> <p>To consider the report of the Cabinet Member for Planning and Housing Strategy informing Members of the findings and recommendations of the Overview and Scrutiny Committee Task and Finish Group on damp and mould in Gloucester's rented accommodation.</p>
<p>8.</p>	<p>BLACKBRIDGE SPORTS HUB (Pages 43 - 54)</p> <p>To consider the report of the Cabinet Member for Performance and Resources and the Cabinet Member for Culture and Leisure seeking Members to approve the acquisition of land from Gloucestershire County Council for the purpose of leasing it and additional land to Blackbridge Charitable Community Benefit Society (BCCBS) to build a community sports hub provided that certain pre-conditions are satisfied.</p>
<p>9.</p>	<p>LOCAL DEVELOPMENT SCHEME AND TIMETABLE FOR CHELTENHAM, GLOUCESTER AND TEWKESBURY STRATEGIC AND LOCAL PLAN (Pages 55 - 64)</p> <p>To consider the report of the Cabinet Member for Planning and Housing Strategy seeking Members to recommend to Council that the Gloucester City Council Local Development Scheme (LDS) be updated with a revised timetable and plan making approach.</p>
<p>10.</p>	<p>FINANCIAL OUTTURN 2022/23 (Pages 65 - 76)</p> <p>To consider the report of the Cabinet Member for Performance and Resources presenting the Council's final General Fund Revenue and Capital Outturn positions against agreed budgets for the 2022-23 financial year, and report on performance against certain key financial performance indicators.</p>

11. RISK MANAGEMENT ANNUAL REPORT 2022/23 (Pages 77 - 110)

To consider the report of the Cabinet Member for Performance and Resources presenting the Strategic Risk Register (SRR) and updating Members on the Council's risk management activities from 2022/23.



Jon McGinty
Managing Director

Date of Publication: Tuesday, 4 July 2023

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.

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

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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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CABINET

MEETING : Wednesday, 14th June 2023

PRESENT : Cllrs. Cook (Chair), Norman (Vice-Chair), S. Chambers (present for items 1-5), Lewis and Padilla

Others in Attendance

Cllrs. Field, Hilton and Wilson

Managing Director

Director of Communities

Monitoring Officer

Head of Place

Head of Culture

Democratic and Electoral Services Officer

APOLOGIES : None

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. MINUTES

RESOLVED that the minutes of the meeting held on 3rd May 2023 are confirmed as a correct record and signed by the Chair.

3. PUBLIC QUESTION TIME (15 MINUTES)

A member of the public representing Gloucestershire Catch the Bus Campaign referred to the written questions submitted as below. The Leader of the Council advised him that the answers would appear in the minutes as below.

Regarding question 1 the Leader of the Council emphasised that to avoid a breach of contract, the existing lease had to expire before a new arrangement could be made. In relation to question 5 the Cabinet Member for Communities and Neighbourhoods advised that the public should report issues to the City Protection Officers during usual office hours or the police at other times.

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- (1) What progress is being made on reopening the Gloucester Transport Hub café and kiosk since the issue was addressed at Cabinet on 6th April 2022 (Minute 108)?

Leader of the Council's Response: Both the Transport Hub café and kiosk are leased to operators. As neither are trading at present, officers are in discussions with both leaseholders with a view to ensuring these facilities are reopened at the earliest opportunity.

- (2) What progress is being made to put back combined bus, railway and National Express coach departure displays at Gloucester Transport Hub?

Leader of the Council's Response: Whilst the Council has provided facilities to enable the display of information to Transport Hub users, it is for the operators (not the Council) to provide the relevant information. Gloucestershire County Council have overall responsibility for display content.

- (3) The roof is leaking in the Transport Hub near the National Express coach bay, what progress is being made to repair the leaks?

Leader of the Council's Response: The Transport Hub gutters were blocked causing overflow into the Hub itself. Work has been instructed to clear the gutters which should prevent further leaks, as well as an enhanced maintenance schedule being put in place to prevent this happening again.

- (4) Concerning the Transport Hub toilets, whilst disabled passengers have radar keys it appears that we need extra emergency keys to held in the bus and station?

Leader of the Council's Response: I understand that additional keys are held at the bus station for emergencies.

- (5) What work is going on to make sure more patrols in the evening are carried out by the city marshals and Gloucestershire police to deal with anti-social behaviour issues and graffiti around the city bus shelters and infrastructure?

Cabinet Member for Communities and Neighbourhoods' Response: Gloucester operates the partnership Street Aware model which incorporates the Council, Solace, Police, CitySafe/CPOs as well as other partners as needed.

The City Protection Officers (CPOs) work until 6pm on a weekday and 10pm on a Friday & Saturday, and they patrol the City throughout their shifts. CPOs are often the first responders in reports of anti-social behaviour (ASB) and they play an integral role in our Street Aware process by intervening and addressing ASB where they can, and sharing evidence for further action against perpetrators where required. Currently the Council, ASB Team, Solace, are working with County Highways to address issues at bus stops and get unused bus stops removed so that they cannot be used to congregate and become ASB hotspots.

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The neighbourhood policing team patrol around other duties and proactively address ASB when it is reported to them.

With regards to graffiti, When graffiti is reported the Council (directly or via the CPOs). The matter is referred to Ubico and if the graffiti is on the Council's owned property, they arrange removal within 72 hours.

However, if the graffiti is on private property, the owner is made aware of the situation and they are expected to arrange removal. The only exception to this rule is if the graffiti is offensive (or the request has come from the police). In such situation, the graffiti is revolved/covered by Ubico within 24 hours regardless whether the graffiti is on private property or property in the Council's ownership.

All of the above work is undertaken proactively as much as possible, but we do also rely on businesses and members of the public reporting issues to us. Receiving reports not only lets us know what's going on, but it also helps us to direct resources accordingly and if we receive reports of issues at certain locations/times of day we can work with partners to try and arrange additional visible patrols.

Businesses who are part of CitySafe can report ASB via the DiSC system and a report will automatically come through to Solace. Businesses and members of the public can also report to the Police by phoning 101 (or 999 in an emergency), reporting online, or going in to Bearland police reception. High level or recurrent ASB issues can also be reported to Solace at asb@gloucester.gov.uk or via the Council's customer services team on 396396.

- (6) In the Gloucester Local Plan tourism is very important to the city and the county economy. What progress is being made on protecting the station hotel and getting it reopened and to work with the Canal and River Trust on the silting up of Gloucester Docks?

Leader of the Council's Response: The Station Hotel is currently occupied and in private ownership.

Dredging of the Docks is in hand by the Canal and River Trust (CRT) and will cease for the Summer on 9th June and recommence in September. The CRT have reopened moorings in the main basin and are publishing depths regularly. Officers are working with the CRT to communicate updates regularly.

- (7) What progress is being made on the marketing of the new half hourly MetroWest railway service from Bristol Temple Meads and the hourly train service to Worcester starting the 22nd May 2023 operated by First Group Great Western Railway (GWR)?

Cabinet Member for Culture and Leisure's Response: The additional MetroWest services operated by GWR launched on 22nd May 2023 and are already carrying lots of passengers. Trains are running every half hour between Gloucester and Bristol, and hourly to Worcester. The new services are being highlighted on the 'Getting to Gloucester' pages of the Visit Gloucester website, as well as on GWR and MetroWest's websites, and additional services are obvious when booking

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through rail ticket booking platforms. GWR released to the press on the 19th May 2023, celebrating the launch of the services. West of England Combined Authority (WECA) publicly announced the intention to extend these MetroWest services to Gloucester in July 2020, with project partners updating on the project through the press across 2021 and 2022.

The Democratic and Electoral Services Officer drew Members' attention to the written questions submitted by another member of the public, who was unable to attend in person, as below. The Cabinet Member for Environment stated that the answers would appear in the minutes as below.

- (8) What progress has the Climate Change Member Working Group made, in two years' of existence, having held no meetings in that time?

Cabinet Member for Environment's Response: The most recent meeting of Gloucester City Council's Climate Change Member Working Group took place on 17th April 2023.

There were two substantive agenda items:

The Group discussed the recent appointment of WSP as partners for work being undertaken to deliver a Climate Change Strategy and Action Plan, and a Climate Risk and Vulnerability Assessment, and received an introduction to the work from a senior WSP representative. More information on the project and the role of WSP can be found here: www.gloucester.gov.uk/about-the-council/news/2023-news/gloucester-city-council-announces-wsp-as-climate-change-strategy-partner/

The second substantive item for discussion was regarding the potential for micro energy generation and thermal efficiency interventions in Gloucester.

- (9) Do Council litter pickers have regular rounds, as they used to, or do they only go out to pick up rubbish when it's been reported by the public? (I ask this because of the fly tipping in alleys like the one behind Sidney Street, which is left there for months, despite being easily visible from the road).

Cabinet Member for Environment's Response: Street cleaners have rounds with varying schedules depending on the area. Areas of high footfall for example the town centre are cleaned daily, but the majority of wards are done on a fortnightly basis. Fly-tipping if reported to us is cleared within 48 hours, it should be noted that we are only responsible for rubbish which is fly-tipped on Council owned land, if it is private land we are not responsible.

- (10) If legislation to fine Asda in Gloucester for trolleys left on our streets was put into action in March of last year, why did the City Council answer a Freedom of Information request almost a year later to say that no fines had been imposed, and still haven't been, for all that Barton & Tredworth residents have been informed to the contrary?

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Cabinet Member for Environment's Response: The Council have introduced a 'charge' for collecting and holding trolleys on behalf of supermarkets, as opposed to a fine. Enviro-crime Officers are able to use their discretion to decide when to pass on these charges to the respective supermarkets. In the case of Asda in Barton and Tredworth (B&T), we had developed a working partnership with their management, whereby they would send their car park operatives to roam the streets (within close proximity of Asda) on a daily basis to bring their trolleys back and they would take the responsibility of removing all fly-tips onto their land once they have been investigated by our Enviro-crime Officers. As the partnership was working and Asda was seen to be making an effort, in the spirit partnership working, the Enviro-crime team have used their discretion not to charge Asda for the odd trolleys that Ubico were having to collect in B&T.

This situation is monitored and if and when needed, the charges will be passed on to Asda and failure to make payment (when the situation arises), the trolleys will be disposed of (as per legislation).

4. PETITIONS AND DEPUTATIONS (15 MINUTES)

There were no petitions or deputations.

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

In respect of question 5 Councillor Hilton queried whether the Cabinet Member was troubled by the 18-month gap between the data breach and its announcement to the public. The Cabinet Member for Performance and Resources reiterated that this derived from adherence to the advice of specialist agencies and other councils who had experienced similar incidents.

In respect of question 6 Councillor Hilton noted that the Council had been fined in 2017 for a data breach in 2014. He asked how confident the Cabinet Member was that there would be no fine for the 2021 breach and that the costs for the cyber-incident would not rise over £1 million. The Cabinet Member for Performance and Resources confirmed that there had been no increase to the cost of the cyber-incident. She advised that she could not predetermine the decision of Information Commissioner's Office but that the Council had been transparent and complied with them throughout the whole process.

In respect of question 7 Councillor Hilton queried why the Russian origin of the group responsible for the cyber incident had been denied before the announcement of 7th June 2023. The Cabinet Member for Performance and Resources noted that the Russian origin of the group had never been denied and that the Council had followed the advice of law enforcement agencies regarding disclosure from the beginning of the process.

In respect of question 8 Councillor Field sought further detail on progress made with the Gloucester City Homes senior management team. The Cabinet Member for Planning and Housing Strategy stated that conversations were ongoing with a meeting this week.

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In respect of question 9 Councillor Field enquired if the commercial elements of the regeneration plans would be discarded should construction cost inflation jeopardise the schemes. The Cabinet Member for Planning and Housing Strategy commented that it would be wrong to speculate on hypothetical scenarios.

In respect of question 15 Councillor Wilson asked if his understanding was correct that the H-Drive had been intended only for officer's personal working documents. The Cabinet Member for Performance and Resources responded that this was her understanding too and asked the Managing Director for clarification. The Managing Director advised that although this was the case, at the time of the cyber incident some staff, having received unclear guidance, had documents on the H-Drive that should have been on a shared drive. He reassured Members that clearer guidance was being developed.

In respect of question 16 Councillor Wilson sought clarification on when the investigation report would be shared with Members. The Cabinet Member for Performance and Resources commented that a timeline was not ready yet as a key officer at the time had since retired but she reassured Members that a timeline would be available within a month. The Cabinet Member for Performance and Resources further advised that there would probably be a report for the Overview and Scrutiny Committee, focused on the experience of the public, and one for the Audit and Governance Committee with an emphasis on internal issues.

In respect of question 18 Councillor Hilton informed Members that he perceived the Private Sector Housing Stock Condition Survey report to be important to the residents of Kingsholm, especially regarding small houses in multiple occupation (HMOs). He sought further clarification of the timeline towards evidence from the report being able to inform decisions on the conversion of HMOs. The Cabinet Member for Planning and Housing Strategy noted that she understood the report to be important to residents of all wards and that the timeline was dictated by legislation.

In respect of question 19 Councillor Hilton requested that the financing of works to improve Hillfield Gardens be reviewed as he believed it was not right to just rely on the Friends group for what he considered to be one of the best parks in Gloucester. The Cabinet Member for Environment stated that he shared the high regard expressed for the Gardens and commented that they might be an appropriate recipient of a ward member's community grant. He gave assurance that he would discuss raising the priority for funding of the park with officers but cautioned that resources were finite so spending more here would mean not spending elsewhere.

6. 2022-2024 END OF YEAR COUNCIL PLAN UPDATE

Cabinet considered the report of the Leader of the Council that provided an update on the delivery of the activities as outlined in the Council Plan 2022-2024 intended to build a greener, fairer, better Gloucester.

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The Leader of the Council outlined the priorities driving the Plan (3.2) and highlighted some of the most significant achievements (3.5). The Cabinet Member for Performance and Resources reminded Members that the report had been considered by the Overview and Scrutiny Committee (5th June 2023 Minute 10) without recommendations for Cabinet.

RESOLVED that progress on delivery of the Council Plan 2022-2024 is noted.

7. COMMUNITY ASSET TRANSFER POLICY

Cabinet considered the report of the Cabinet Member for Performance and Resources that sought the adoption of a policy to establish a framework and a process that would enable assets to be transferred to community organisations where appropriate.

The Cabinet Member for Performance and Resources advised Members that the proposed policy would both protect assets and benefit communities. She stated that it had been discussed by the Overview and Scrutiny Committee (5th June 2023 Minute 9) and received a positive response.

The Cabinet Member for Culture and Leisure commented that the policy would be a further way of both engaging with, and empowering the public. The Cabinet Member for Communities and Neighbourhoods noted that it was in keeping with the administration's commitment to support community groups and benefit residents. The Cabinet Member for Environment informed Members that he was keen to have in place a consistent policy in place for all and that he looked forward to his forthcoming meeting with Gloucestershire Music Academy to secure the future of Barbican House in this context.

RESOLVED that the Community Asset Transfer (CAT) Policy is adopted.

8. TREASURY MANAGEMENT UPDATE - ANNUAL REPORT 2022/23

Cabinet considered the report of the Cabinet Member for Performance and Resources that sought Members to note treasury management activities for the period 1st October 2022 to 31st March 2023, prudential indicators, interest rate forecasts and an overview of the financial year 2022-23.

The Cabinet Member for Performance and Resources confirmed that there had been no new borrowing in the relevant period and that the Council had operated within the limits of the Treasury Management Strategy Statement (Council 24th March 2022 Minute 94).

RESOLVED that the contents of the report are noted.

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9. BLACKFRIARS PRIORY BUSINESS PLAN 2023-2028

Cabinet considered the report of the Cabinet Member for Culture and Leisure that presented the 2023-2028 Blackfriars Priory Business Plan and sought support to enter the next lease agreement with English Heritage.

The Cabinet Member for Culture and Leisure advised Members that he was confident that proposed plan (Appendix 1) and 25-year lease (10.4-5) would build on existing achievements which included receiving national recognition as an outstanding wedding venue, education facility and historic building. He took the opportunity to place on record his appreciation for the Blackfriars Team who were responsible for recent accomplishments.

The Cabinet Member for Environment confirmed that he had observed the enthusiasm of that team for himself. The Cabinet Member for Environment further commented that the site needed to make money and that he expected it to do so with the proposed plan.

RESOLVED that:

- (1) the interim Head of Finance and Resources and Head of Culture, in consultation with the Cabinet Member for Culture, are delegated to enter into negotiations for a new lease agreement with English Heritage
- (2) the aims of the business plan and continuation of Cabinet as an advocate for the Blackfriars programme are endorsed
- (3) a continued financial contribution by the authority for the next 5 years to develop Blackfriars Priory is committed to.

Time of commencement: 6.00 pm

Time of conclusion: 6.35 pm

Chair



Meeting:	Cabinet	Date:	12 July 2023
Subject:	Response to the Recommendations of the Task and Finish Group on Damp and Mould in Gloucester’s Rented Accommodation		
Report Of:	Cabinet Member for Planning and Housing Strategy		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Lauren Richards, Democratic and Electoral Services Officer		
	Email	lauren.richards@gloucester.gov.uk	Tel: 39-6735
Appendices:	1. Task and Finish Group – Damp and Mould in Gloucester’s Rented Accommodation 2. Cabinet Response to Recommendations		

FOR GENERAL RELEASE

1.0 Purpose of Report

1.1 To consider the recommendations of the Overview and Scrutiny Committee Task and Finish Group on damp and mould in Gloucester’s rented accommodation.

2.0 Recommendations

2.1 Cabinet is asked to **RESOLVE** that the recommendations of the Overview and Scrutiny Committee Task and Finish Group, as set out in Appendix 1 of this report be addressed and implemented at the earliest opportunity, and those recommendations requiring more detailed consideration be the subject of a further report to Cabinet as necessary.

3.0 Background and Key Issues

3.1 The Task and Finish Group was established by the Overview and Scrutiny Committee in January 2023 following the death of a two-year old child living in Manchester, Awaab Ishak, in December 2020 and the publication of the coroner’s report in November 2022 linking Awaab’s death to prolonged exposure to mould in his home.

3.2 The Task and Finish Group’s enquiry sought to establish the scale of damp and mould growth in Gloucester’s rented accommodation. Task and Finish Group Members wanted to ascertain how damp and mould issues are dealt with and whether sufficient resolution processes are in place for tenants living in both social housing and private rented accommodation. The Group wanted to establish what redress options are available to tenants if they are dissatisfied with the response of their landlord after reporting damp and mould in their home, and in considering their recommendations,

the Task and Finish Group contemplated whether there is any additional action the City Council could take to assist tenants in this area.

- 3.3 To date, the Task and Finish Group has held 7 meetings from February to May 2023. The scope of their project, summary of their findings and their recommendations are set out in Appendix 1 of this report.

4.0 Social Value Considerations

- 4.1 The Council's commitment to tackling inequalities is one of two key cross cutting themes that run through the Council Plan 2022-24. The Task and Finish Group project identified that low-income households who are living in poor quality housing are disproportionately affected by damp and mould. The recommendations in this report aim to drive behaviour change locally by promoting responsible renting, improve Council online resources so that tenants are able to find information on their rights and recourse options, as well as acknowledging that damp and mould growth is a complex national problem which requires ongoing action from both Local and Central Government.

5.0 Environmental Implications

- 5.1 There are no environmental implications in respect of the recommendations in this report.

6.0 Alternative Options Considered

- 6.1 There are no alternative options.

7.0 Reasons for Recommendations

- 7.1 Cabinet is asked to accept and implement the recommendations of the Overview and Scrutiny Committee Task and Finish Group as set out in Section 6 of Appendix 1.

8.0 Future Work and Conclusions

- 8.1 Overview and Scrutiny Committee will be monitoring the implementation of any recommendations agreed by Cabinet and will request an update approximately 6 months from the time after which they have been formally accepted.

9.0 Financial Implications

- 9.1 There are no financial implications resulting from the recommendations in this report.

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

10.0 Legal Implications

- 10.1 Section 9F (2) (e) of the Local Government Act 2000 provides that a scrutiny committee can make reports or recommendations to the Executive on matters which affect the authority's area or the inhabitants of that area.

10.2 Section 9FE of the Local Government Act 2000, requires Cabinet to consider the Task and Finish Group report and provide a response to the Overview and Scrutiny Committee setting out what action it proposes to take.

10.3 The Task and Finish Group report has informed the recommendations to be made to the Cabinet.

10.4 There are no other specific legal implications arising from this report.

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

11.0 Risk & Opportunity Management Implications

11.1 There are no risk and opportunity management implications.

12.0 People Impact Assessment (PIA) and Safeguarding:

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

13.0 Community Safety Implications

13.1 There are no community implications resulting from the recommendations in the report.

14.0 Staffing & Trade Union Implications

14.1 There are no staffing and trade union implications resulting from the recommendations in the report.

Background Documents: None

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Overview and Scrutiny Committee Task and Finish Group – Damp and Mould in Gloucester’s Rented Accommodation



Final Report and Recommendations
May 2023

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Section 7 – Acknowledgements

Section 1 – Introduction

- 1.1 The Task and Finish Group on Damp and Mould in Gloucester’s rented accommodation was commissioned by the Overview and Scrutiny Committee on 9th January 2023. The decision to form a Task and Finish Group followed the inquest into the death of a two-year-old child, Awaab Ishak, in December 2020 and publication of the coroner’s report in November 2022 linking Awaab’s death to prolonged exposure to mould in his home environment¹.
- 1.2 The Overview and Scrutiny Committee commissioned the Task and Finish Group with a view to understand how damp and mould issues are dealt with within Gloucester, to look into the scale of the problem and to investigate whether robust resolution processes are in place. It is important to note that when the Overview and Scrutiny Committee initially approved the Task and Finish Group Membership, the title of the project focused on social housing. This was changed during the early stages of the enquiry and further information and rationale around this change will be provided later in the report.
- 1.3 The following cross-party Members took part in the project:



Councillor Angela Conder (Chair)



Councillor Terry Pullen



Councillor Kathy Williams

¹ [Awaab Ishak - Prevention of future deaths report - 2022-0365 \(judiciary.uk\)](#)

- 1.4 The Task and Finish Group was supported by the City Council’s Housing Innovation Manager, Neil Coles, Principal Private Sector Housing Officer, James Dykes, and Democratic and Electoral Services Officer, Lauren Richards.

The National Context

- 1.5 Over the course of the Task and Finish Group investigation, it became evident that the coroner’s investigation and conclusions around Awaab Ishak’s tragic death has prompted a number of initiatives from Central Government aimed at holding social landlords to account, particularly in terms of their approach to tackling damp and mould. Following the coroner’s report, the Regulator of Social Housing undertook a survey of large Registered Social Housing Providers across the UK and asked organisations owning 1,000 homes or more to provide evidence outlining their approach to assessing damp and mould issues, the extent of those issues and the processes they take to remedy damp and mould referrals when they are raised by tenants. The initial findings published in early February 2023 confirmed that the number of affected homes is few, but still unacceptable, that social housing providers report less of an issue than councils who manage their own housing stock, and that most registered providers understand the scale of the problem but could further strengthen their approach.²
- 1.6 The Government has also tabled amendments to the Social Housing (Regulation) Bill³ to introduce ‘Awaab’s Law’ which if approved, will require social landlords to investigate and resolve serious problems and health hazards within specified timeframes. At the time of writing, the Social Housing (Regulation) Bill is in the final consideration of amendments stage. Timeframes in which landlords will be required to investigate hazards and implement repairs will be consulted on later this year. In March 2023, the Department for Levelling Up, Housing and Communities (DLUHC) launched the ‘Make Things Right campaign’⁴ aimed at encouraging social housing tenants experiencing damp and mould issues to complain to their landlord prior to escalating further. A new training scheme - ‘Four Million Homes’⁵ has also recently been initiated offering advice and guidance for social housing residents on repairs and maintenance and free training events aimed at explaining tenants’ rights, including the resolution of damp and mould issues.

Gloucester City Council – Responsibilities and Enforcement Powers

- 1.7 These interventions indicate that damp and mould are very much issues on the radar of Central Government, however they are targeted towards tenants living in social housing properties rather than tenants living in private rented accommodation. It is

² [Damp and mould in social housing: initial findings \[accessible version\] - GOV.UK \(www.gov.uk\)](#)

³ [Social Housing \(Regulation\) Bill \[HL\] - Parliamentary Bills - UK Parliament](#)

⁴ [Social Housing Complaints – If you're unhappy with the service from your social housing provider, make it right](#)

⁵ [Four Million Homes - Knowledge and action for change in social housing](#)

important to note at this stage that the Council does not own or manage any housing stock other than temporary emergency accommodation. Responsibility for social housing in Gloucester lies with several registered Social Housing Providers, who own varying amounts of housing stock across the city.

- 1.8 The council does however have a wide range of enforcement powers which can be utilised when it becomes aware of poor conditions in both social housing and private rented accommodation in Gloucester. During the first meeting of the Group on 2nd February 2023, the Council's Housing Innovation Manager provided Members with an overview of the responsibilities of the Council as the local enforcing authority for housing standards, as well as the enforcement powers which the Council can use against landlords who are not complying with their obligations.
- 1.9 The Task and Finish Group were advised that the Council has many powers and that there is a significant amount of legislation overseeing this area. However, powers relating to the assessment of hazards in the home, including damp and mould, are mostly governed by the Housing Act 2004. The Housing Innovation Manager explained that these powers are generally used to tackle poor private sector housing conditions but can also cover social housing and even owner-occupied properties.
- 1.10 The Task and Finish Group learnt that the system used by local authorities in assessing hazards in a property is the Housing Health and Safety Rating System (HHSRS)⁶. The HHSRS attempts to evaluate the health impact of 29 hazards (set out in the system guidance) and assess the priority for action. Hazards are scored and transferred into Category 1 or Category 2 bands. 'Damp and mould growth' is one of the 29 hazards outlined in the HHSRS guidance.
- 1.11 Category 1 hazards are hazards which councils have a duty to take action on and are considered the most serious. Less urgent hazards fall under Category 2, and councils have discretionary powers to tackle these issues but not a legislative duty. Members were advised that the approach of the Council's Private Sector Housing Team is to investigate *all* hazards reported to them, irrespective of which Category the hazard falls under, unless very insignificant or trivial.
- 1.12 The Housing Innovation Manager provided an overview of the courses of action the Council can take against landlords where there is an identified hazard. Courses of action include:
 - Hazard Awareness Notice – a formal notice from the council but no enforcement action.
 - Improvement Notice – a legal notice requiring the owner or landlord to carry out specified works to address a hazard within a specified timescale.

⁶ [Housing health and safety rating system \(HHSRS\) operating guidance: housing inspections and assessment of hazards - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/housing-health-and-safety-rating-system-hhsrs)

- Prohibition Orders – a legal order prohibiting the use of a property or part of a property until improvement works are carried out. These orders tend to be used where hazards are presenting an imminent risk of serious harm.
- Emergency Prohibition Orders – immediate prohibition where a Category 1 hazard presents an imminent risk of serious harm to the occupier(s).
- Emergency Remedial Action – the completion of immediate works to remedy a Category 1 hazard that presents an imminent risk of serious harm to the occupier(s).
- Demolition Order – final power requiring the demolition of the property.
- The Council also has the ability to carry out works in default if a notice has not been complied with, which enables the council to be satisfied that residents are living in a safe home.

1.13 Where the requirements of legal notices have not been met by the recipient, the Council is able to carry out works to remedy the hazard(s) and recover costs from the landlord or owner. The Council can also consider prosecution, and financial penalties through the civil route of up to £30k. It was confirmed that although the Private Sector Housing Team typically exercise these powers against private landlords, it can and has served legal notices requiring local Registered Social Landlords to put issues right.

Project Scope and Areas of Focus

1.14 During the initial scoping session, Task and Finish Group Members agreed that they wanted to investigate the scale of damp and mould in Gloucester's rented accommodation. They decided during the scoping session that they wanted their investigation to cover both social housing and private rented accommodation in the city, as it was their expectation that Registered Social Housing Providers would have processes in place which tenants could follow to report and escalate damp and mould issues. Members were keen to investigate these processes further. The Task and Finish Group suspected at the early stages of the project that there were likely to be significant challenges within the private rented housing sector.

1.15 The Task and Finish Group agreed that they firstly wanted to understand the processes that landlords put in place to investigate and resolve damp and mould issues for their tenants. They also wanted to learn more about further redress options available to tenants, through the Council or the Housing Ombudsman. Their ultimate aim was to help tenants in Gloucester understand their rights and the avenues available to them to address damp and mould issues through their landlord, and their additional options if the problems were not dealt with appropriately at first instance. In considering potential recommendations, the Task and Finish Group wanted to establish whether the Council could do more to help residents in this area, regardless of whether they live in social or private rented housing.

1.16 Following the scoping session, the Task and Finish Group agreed that they wanted to meet with the main Social Housing Providers in Gloucester to discuss their approach

to dealing with damp and mould referrals from their tenants. They met with the following providers, which together own around 86% of the social housing stock in Gloucester:

- Gloucester City Homes
- The Guinness Partnership
- Bromford
- Rooftop Housing

1.17 The Task and Finish Group also decided that they wanted to meet with representatives working in Gloucester's voluntary advice agencies. Members thought it would be helpful for the project if they gained an independent perspective on the issue, and if they had an idea of how much damp and mould casework local advice agencies were dealing with in Gloucester. They extended Task and Finish Group meeting invites to:

- Gloucester Law Centre
- North and West Gloucestershire Citizens Advice

1.18 Towards the conclusion of the Task and Finish Group project, Members met with Council Officers within the Private Sector Housing team. The purpose of this meeting was to tie together findings from the evidence sessions with Registered Social Housing Providers and voluntary advice agencies.

1.19 In respect of project timeframes, the Task and Finish Group agreed to aim to work to a 3-month timescale, with the aim of presenting initial findings by the end of May 2023.

Section 2 – Evidence Sessions: Registered Social Landlords

- 2.1 The Task and Finish Group made contact with Senior Directors and Managers of Gloucester City Homes, the Guinness Partnership, Bromford and Rooftop Housing Associations to ask whether they would be interested in speaking with Members about their experiences of tackling damp and mould issues in their properties. The purpose of these evidence sessions was to understand the scale of damp and mould in Gloucester’s social housing stock, and to ascertain whether robust resolution practices are in place for dealing with referrals from tenants.
- 2.2 Task and Finish Group Members were pleased that all of the providers who were asked to contribute to the project responded promptly and positively to the request. Task and Finish Group Members felt it important to note in this report that they very much respect and thank Gloucester City Homes, Guinness, Bromford and Rooftop for their time, honesty and openness in their meetings. The following section will outline the key themes and issues arising from these evidence sessions.
- 2.3 Ahead of their meeting with Task and Finish Group Members, each Registered Social Housing Provider was asked to provide written answers to a series of questions. Members then had the opportunity to discuss the written answers during the evidence sessions and put any additional questions to the Registered Social Housing Providers directly. The questions asked of the Providers were:
1. To what extent is damp and mould an issue in your properties? *(In your answer, please quantify the number of affected properties you are aware of which currently have a damp and mould issue).*
 2. In your experience, what are the main causes of damp and mould in your properties? *(In your answer, please provide details of any common trends, for example, rooms or areas which are typically affected and to what degree).*
 3. Please provide an indication of the age range of your properties
 4. Please could you provide an overview of the processes your organisation follows to investigate and resolve damp and mould issues, from receiving a complaint to case closure.
 5. Please could you provide a breakdown of how many damp and mould complaints you have received between 1st March 2022 and 1st March 2023. Please could you indicate how many of these complaints have been resolved and an average timescale for resolution.

6. Please could you provide an outline of a positive case study where a damp and/or mould referral was received, and both the organisation and the tenant felt that the complaint had been resolved satisfactorily.
7. Please could you provide a brief outline of a case study where a damp and/or mould referral was received with a less positive outcome.

Key themes

- 2.4 Housing stock numbers owned by each Social Housing Provider varied from the largest provider having approximately 4993 properties in Gloucester and the smallest having 519. The stock type and age range also varied between Social Housing Providers with a mix of new builds, Victorian houses and post-war properties built between 1945-80. One Social Housing Provider notably managed more older properties than the others. All Providers reported that damp and mould are typically seasonal problems, which prompt increased referrals during the autumn and winter months. All reported an increase in damp and mould reports in the previous quarter and all indicated that they had seen an increase in the number of referrals in 2022-23 compared to previous years.
- 2.5 It became evident during the evidence sessions that the death of Awaab Ishak and the resulting coroner's report had prompted national action and increased awareness of the seriousness of damp and mould. This had in turn, raised awareness amongst some social housing residents that damp and mould are hazards which they did not simply need to live with, and could be reported and dealt with.
- 2.6 In relation to the causes of damp and mould, the Task and Finish Group was advised that the issues generally arise as a result of high humidity levels within properties which causes condensation to settle on surfaces which in turn encourages mould growth. High humidity levels can be exacerbated by environmental factors, such as switching off extractor fans, closing vents and drying clothes internally. The quality of housing stock is also a major contributing factor to damp and mould, as many properties built between 1950-1970 have walls with cavities. This in turn means that the property is likely to be colder which makes it easier for water vapour to condense. One Social Housing Provider owned particularly high numbers of properties built within this period and was actively implementing solutions such as heating improvements and External Wall Insulation (EWI).
- 2.7 The approach to dealing with initial damp and mould reports from tenants varied amongst Social Housing Providers. Some ensure that all customer enquiries regarding damp and mould are inspected by a Property Services Team Member. Others have a triage system where customer facing colleagues provide advice and identify whether the case needs escalation. Complicated cases, such as those involving rising damp, tend to be referred to an independent damp and mould specialist to identify the root cause and plan a schedule of remedial works. All Registered Social Housing Providers had clear escalation processes, and some had

also recently delivered additional training to all customer facing staff on damp and mould.

- 2.8 One Social Housing Provider explained that they had seen a backlog of damp and mould cases caused by the departure of their external repairs contractor, however it was hoped that their new internal repairs service would help address this.
- 2.9 Some Social Housing Providers interviewed by the Task and Finish Group took a particularly proactive approach. For example, one Provider advised Members that in 2022 they had written to all households who had reported damp and mould in their homes offering a follow-up visit. They also related to Members that they undertook annual 'welfare' checks on tenants in addition to the annual gas safety checks required by law. This led to a discussion around further issues which can add to the complexity of damp and mould in properties, such as overcrowding, health inequalities and vulnerabilities and hoarding. It was noted that damp and mould complaints are sometimes tied into requests for tenants to be moved into an alternative property.
- 2.10 One Social Housing Provider confirmed that their damp and mould cases were recorded as a separate category to other complaints, so that open cases could be easily monitored, and managers could check that cases are being managed correctly. This Social Housing Provider confirmed to the Group noted that their damp and mould cases remain 'open' until the repairs are fully completed.
- 2.11 All Registered Social Housing Providers that took part in the project reported increased energy costs as an issue for tenants in respect of heating their homes. It was noted on several occasions that Providers were seeing residents cutting back on their heating for fear of large energy bills. There were discussions around steps tenants are encouraged to take to decrease the risk of damp and mould in their properties, such as heating their homes sufficiently, regularly opening windows and making sure that extraction fans are turned on and operating. The Task and Finish Group were advised that in response to rising energy prices over the autumn and winter of 2022-23, some tenants had turned ventilation fans off completely, closed ventilation vents and were keeping windows shut in an attempt to retain heat in their homes so that they could save money on energy bills.
- 2.12 Members of the Task and Finish Group were encouraged by the data they received outlining the number of complaints received by Social Housing Providers and how many were in progress and/or resolved. Most confirmed that damp and mould referrals in 2022-23 were resolved within a number of working days. Further redress options if social housing tenants are not satisfied with the response of their Social Housing Provider in dealing with damp and mould reports would be to complain to the Housing Ombudsman, or the Council's Private Sector Housing Team. None of the providers reported any particular increase in referrals to the Housing Ombudsman or Council.

2.13 All Social Housing Providers demonstrated a good understanding of the condition of their homes, and all understood the impact damp and mould can have on residents' health and wellbeing.

Main Findings

2.14 The main findings of the Task and Finish Group following the sessions with Gloucester City Homes, Guinness, Bromford and Rooftop are summarised as follows:

1. The Awaab Ishak case has undoubtedly brought to light the seriousness of damp and mould to both tenants and social landlords. National awareness and Government action has improved consistency across all providers.
2. Causes of damp and mould in the past have sometimes been attributed to lifestyle factors, however, there now is a recognition that the age and construction of properties are part of the issue and that some properties in Gloucester are not up to standard.
3. The Cost-of-Living crisis is having a real and tangible impact on tenants. Social Housing Providers are finding that tenants are becoming reluctant to turn on ventilation in their homes in an attempt to save money on bills, or open windows for fear of letting heat out of the property. Task and Finish Group Members were increasingly concerned about the position of tenants living in private rented accommodation, who may not be afforded the same amount of security or protection around their tenancy as tenants living in social housing.
4. The sessions provided Task and Finish Group Members with confidence in Gloucester's Social Housing Providers. It was clear that all Social Housing Providers interviewed by the Task and Finish Group were responsive to damp and mould referrals from tenants and had clear reporting and resolution processes in place.
5. The different approaches to annual property inspections were striking. Some Social Housing Providers were willing to go the extra mile and to check in on vulnerable tenants through welfare checks. The Task and Finish Group are mindful of staffing pressures; however it was felt that welfare checks were good practice which should be universally adopted.

Section 3 – Evidence Sessions: Voluntary Advice Agencies

- 3.1 The Task and Finish Group wanted to meet with local voluntary advice agencies for an independent perspective on whether damp and mould was a significant problem in Gloucester’s rented accommodation. Members hoped to obtain a better understanding of the experiences of tenants who might have approached Citizens Advice or Gloucester Law Centre for advice and assistance with damp and mould problems in their homes. They also hoped that the voluntary advice agencies could provide an insight into the scale of the issue in private rented accommodation. The Task and Finish Group were very grateful to the advice agencies who gave up their time to meet with them and wanted it noted in this report that their contribution and evidence were extremely helpful.
- 3.2 As with the sessions with Registered Social Housing Providers, ahead of their meeting with Task and Finish Group Members, both agencies were asked to provide written answers to a series of questions. Members then had the opportunity to discuss the written answers during the evidence sessions and ask further queries. The questions asked of the agencies were:
1. *In your view, to what extent is damp and/or mould a problem for tenants living in rented accommodation in Gloucester?*
 2. *What recourse option(s) do you advise tenants follow when they are seeking advice on a damp and mould issue?*
 3. *Please could you provide an indication of how many damp and mould case referrals you have received between 1st March 2022 and 1st March 2023.*
 4. *Are there any trends or common issues within damp and mould referrals in your experience? If so, please provide further details.*

Key themes

- 3.3 Both agencies reported that damp and mould was a common and increasing problem for tenants living in Gloucester, certainly in the private rented sector but also in social housing. It was confirmed that there had been an added increase in this enquiry area since the death of Awaab Ishak. It was interesting to note that one organisation had also seen more enquiries from medical professionals on behalf of patients who were concerned about health problems as a result of exposure to damp and mould.
- 3.4 Recourse action usually involved the advice agencies outlining the action which could be taken if landlords were ignoring complaints made by tenants. One agency advised that they routinely advise tenants experiencing damp and mould issues to

contact the Council's Private Sector Housing Team for further investigation. The other noted that communication between their agency and the Council has been impacted by the Covid-19 pandemic, and that informal links which had been in place prior to the pandemic had been lost with changes in work patterns and personnel.

- 3.5 The advice agencies noted that giving practical advice around damp and mould was a challenge, as it is very difficult for organisations to identify whether damp and/or mould were having an impact on tenants' health, how extensive the problems were and root causes. One agency noted that they do offer some practical advice around ventilation, controlling moisture and heating homes sufficiently, however in their experience, by the time tenants had approached them for help they were exasperated by efforts they had already made to address the issues.
- 3.6 In terms of trends, both organisations noted that tenants report that damp and mould has a negative impact on their general wellbeing, health and family life. Many also report respiratory problems. The Task and Finish Group was advised that there are major widespread consequences of living with damp and mould, and many tenants, particularly in the private rented sector, do not feel understood or taken seriously by their landlords in responding to requests to resolve damp and mould problems. Embarrassment about living conditions can be a barrier to some tenants feeling able to raise a report of damp and mould. One organisation confirmed that they were aware of many tenants losing clothing, bedding and belongings because of living in substandard conditions, which results in financial losses to tenants, some of whom are already living in financially desperate households. Both organisations confirmed that rising living and energy costs are having a detrimental impact on tenants, with one commenting that it is 'asking the impossible' of people in low incomes and low-quality housing to pay for rising heating costs to prevent damp and mould.
- 3.7 One advice organisation reported that they see many landlords who are poor at dealing with damp and mould problems. It was noted that some landlords are known to send surveyors to investigate, who subsequently tell tenants that their lifestyle is causing the problem. Members were advised that that too much emphasis is placed on tenants being at fault, which as a result causes tension between tenants and their landlords and sometimes ruins relationships before solutions are discussed. It was noted that many tenants expect to share some responsibility for damp and mould and that interim solutions, such as windowsill or electric dehumidifiers often bring about additional expenses for tenants who might already be struggling financially.
- 3.8 In the private rented sector, the voluntary advice agencies confirmed that they had seen an increase in landlords resorting to Section 21 'no fault eviction' notices rather than responding to complaints of disrepair. Members were advised that there is very limited legal protection in these cases as requirements for retaliatory evictions are so strict.⁷

⁷ Tenants who have raised concerns around hazards in their property are protected from section 21 eviction proceedings for 6 months if their landlord has failed to respond to disrepair concerns and hazards are

- 3.9 In relation to the social housing sector, both agencies confirmed their view that Registered Social Housing Providers were now taking damp and mould problems seriously, following the Awaab Ishak case and legislation such as the Homes (Fitness for Human Habitation Act) 2018⁸.

Main Findings

- 3.10 The main findings of the Task and Finish Group following the evidence sessions with North and West Gloucestershire Citizens Advice and Gloucester Law Centre are summarised as follows:
1. Damp and Mould have been long-standing issues raised with voluntary advice agencies. These sessions supported earlier findings that prior to the Awaab Ishak case and national action from Central Government, referrals were more likely to be dismissed as self-inflicted lifestyle issues however local Registered Social Landlords are taking damp and mould reports seriously.
 2. There are still concerns about tenants living with damp and mould issues in private rented accommodation in Gloucester. There is no local list of private landlords or requirement for a national register of landlords in England at the moment, however there a proposal to implement a national register is included in the Renters (Reform) Bill currently making its way through parliament. In the meantime, a local accreditation scheme for private landlords would be a helpful step in promoting responsible renting.
 3. These sessions provided further confirmation that the cost-of-living crisis is having a significant impact on tenants.
 4. Reinstating an informal 'link' between advice agencies and the City Council might be helpful in assisting service users experiencing damp and mould issues.

subsequently identified in the property by the council. ([Evicting tenants \(England and Wales\): Section 21 and Section 8 notices - GOV.UK \(www.gov.uk\)](#)).

⁸ [Homes \(Fitness for Human Habitation\) Act 2018 \(legislation.gov.uk\)](#)

Section 4 – Evidence Sessions: Private Sector Housing Team

- 4.1 The final stage of the Task and Finish Group’s project involved revisiting the role of the Council’s Private Sector Housing Team as the housing standards enforcing authority for Gloucester. Task and Finish Group Members met with the Housing Innovation Manager and Principal Private Sector Housing Officer with a view of gaining their input further to the evidence received from Registered Social Housing Providers and local voluntary advice agencies. As an overview of the work of the Private Sector Housing Team was provided at the start of the enquiry during the scoping stage, this was treated as a summary meeting.

Key Themes

- 4.2 The Private Sector Housing Team reiterated that councils have sufficient powers to tackle hazards in homes, including damp and mould. Members learnt that some councils have previously been reluctant to use them, particularly in respect of ‘Category 2’ hazards where there is no duty for councils to take action. The Private Sector Housing Team confirmed that their longstanding approach has been to use the enforcement powers available. It was noted that aside from the legal route, which can involve significant costs, enforcement action through the Council’s Private Sector Housing Team is the only escalation or recourse available for tenants living in private rented accommodation who are not satisfied with steps taken by their landlord to address damp and mould issues.
- 4.3 The work of the Private Sector Housing Team is varied and extensive. They confirmed to Members that the wide range of powers afforded to them by legislation allows them to take firm and robust action against landlords who are not complying with their obligations. Damp and mould growth is one of many hazards the Private Sector Housing Team can and do assist with. Task and Finish Group Members felt that it would be useful to extend this knowledge to all Members. They surmised that if Members had more understanding and knowledge of the role of the team and issues they could assist with, they would be able to signpost appropriately and help more residents living with damp and mould, as well as other hazards in the home.
- 4.4 The Private Sector Housing Team are a small team and resources are a challenge. They are generally reactive in their approach through responding to reports from residents and have received around 900 requests for investigation within the last 12 months. The Task and Finish Group was advised that the Private Sector Housing Team work in partnership with colleagues in social care, care navigators and the fire service to assist residents. Their approach is one of providing advice and support as well as enforcement work.

- 4.5 It was of particular interest to Members that currently, the Council does not publicise enforcement action taken by the Private Sector Housing Team against landlords who have not complied with their legal obligations, or where the council has had to step in to carry out works in default to ensure a resident's home is safe. The Task and Finish Group was reminded that Housing Standards Offences are criminal offences, and it was noted that other local district councils do publicise enforcement action. Where the Council issues financial penalties against landlords, any revenue generated from fines is ringfenced back into the Private Sector Housing team and must be used to financially support the Council's Private Sector housing obligations. If councils pursue criminal prosecution, any financial penalties imposed by the courts would be collected by the Ministry of Justice.
- 4.6 This evidence session confirmed that the increasingly competitive and complex housing market is having an impact on the willingness of tenants, particularly in the private rented housing sector, to report issues for fear of losing their home through Section 21 eviction notices or unaffordable rent increases. The Council is currently awaiting the outcome of a Private Sector Housing Stock Condition survey, which at the time of writing is expected towards the end of 2023. The outcome of this survey will identify key characteristics of Gloucester's private sector housing stock, including the prevalence of hazards across different tenures. Task and Finish Group Members were advised that damp and mould are not expected to be identified as an excessive problem in the current housing stock, however, excess cold might well be.

Main Findings

- 4.7 The main findings of the Task and Finish Group following the follow-up session with the Private Sector Housing Team were as follows:
1. The Council's Private Sector Housing Team are instrumental in the enforcing of housing standards in Gloucester and Officers should be commended for their work.
 2. The Council should raise further awareness of the role and work of the Private Sector Housing Team, both amongst Members and in the local media. The Task and Finish Group believe that this would encourage behavioural change amongst landlords in the private rented sector who are not complying with their obligations and raise awareness amongst residents who are dealing with damp and mould and other hazards in their homes that they can approach the City Council for help.
 3. The Private Sector Housing Team have confidence in Registered Social Housing Providers in their approach to dealing with damp and mould referrals from

tenants, but will take enforcement action and carry out works in default where necessary. There are concerns about the private rented housing sector which are being exacerbated by the current competitive, complex housing market and rising living costs.

Section 5 – Conclusions

- 5.1 The Task and Finish Group project confirmed that damp and mould is a problem in Gloucester, however the council will need to await the outcome of the Private Sector Housing Stock survey to confirm the full extent and severity of the issue. It became clear throughout the project that damp and mould growth is also a national issue which is being compounded by the condition of properties and pressures caused by the ongoing Cost-of-Living Crisis. A common theme arising from all Task and Finish Group evidence sessions was that rising energy and living costs are having a detrimental impact on tenants living in both social housing and private rented accommodation, in that they are affecting tenants' ability to heat and ventilate their homes to help prevent damp and mould growth.
- 5.2 That said, the Task and Finish Group were satisfied that both the Council and local Registered Social Housing Providers take damp and mould reports seriously. The Registered Social Housing Providers who contributed to the project demonstrated that they had clear and robust reporting mechanisms in place for their tenants. It became clear throughout all stages of the project that the tragic Awaab Ishak case has raised awareness of the seriousness of damp and mould nationally, and this alongside proposed legislative changes and initiatives from Central Government had improved consistency across Social Housing Providers. The Task and Finish Group have made a series of recommendations to the Council's Cabinet, however Members wanted to note in their report that they would also like to make a recommendation to Registered Social Housing Providers to undertake 'welfare checks' on their tenants in addition to statutory annual gas safety checks. The Task and Finish Group felt this was good practice which should be adopted across the board.
- 5.3 The findings of the Task and Finish Group project confirmed the Group's initial expectation that the main challenges in this area are within the private rented sector. As a result of the uncertain housing climate and pressures caused by the increased cost of living, the Task and Finish Group learnt that tenants living in private rented accommodation are increasingly reluctant to complain to their landlord or escalate complaints, for fear of issues being put down to a 'lifestyle' problem and ultimately, risk losing their homes. The Task and Finish Group would have liked to have met with landlords who own private rented accommodation in Gloucester to gain their insight and perspective, however as there is no national or local register of private sector landlords, it was very difficult for the Task and Finish Group to reach out to them in a fair and transparent way.
- 5.4 The Task and Finish Group acknowledge that many of the issues uncovered by the project are complex, national challenges which are beyond the scope of the Council to address. However, the Group believe that the following recommendations will go some way to driving behaviour change locally by promoting responsible renting and will help raise awareness of the assistance City Council can provide to tenants living

in rented accommodation in Gloucester who are experiencing hazards in their homes.

Section 6 – Recommendations of the Task and Finish Group

The Task and Finish Group of the Overview and Scrutiny Committee recommends that:

- 1) The Council considers implementing a Gloucester city-wide landlord accreditation scheme to promote responsible renting. The scheme would provide certification that the Council is satisfied that the landlord complies with their legal obligations.
- 2) The Cabinet Member for Planning and Housing Strategy writes to the Member of Parliament for Gloucester in support of the proposals in the Renters (Reform) Bill to impose a national registration scheme for landlords of private rental properties in England.
- 3) A Member Development Session be offered to all Councillors on the role of the Private Sector Housing Team and how they can assist residents who are experiencing damp and mould growth and other hazards in their home. It is also recommended that such sessions are repeated following City Council elections and offered to new Councillors.
- 4) Where appropriate, the Council publicises any enforcement action, such as Financial Penalty Notices, the Council takes against landlords who are not complying with their obligations through local media. This would raise awareness of the work of the Private Sector Housing Team in taking action against landlords who have committed criminal offences and help drive landlord behaviour change.
- 5) Consideration be given to reinstating an informal link between the Private Sector Housing Team and voluntary advice agencies in the city to ascertain whether there has been improvement in standards.
- 6) The City Council website is updated to include an information page, fact sheet or FAQs document explaining the recourse options available to both private rented and social housing tenants who are experiencing hazards in their homes. This resource could include links to advice from specialist housing advice agencies and should be shared on the Council's Social Media and included in enforcement press releases in order to further enhance communications in local media.
- 7) The Task and Finish Group report on damp and mould and resulting recommendations be shared with relevant colleagues in Gloucestershire County Council, all Gloucestershire district councils, the Member of Parliament for Gloucester and the local Integrated Care Partnership.

Section 7 – Acknowledgements

The Task and Finish Group on Damp and Mould in Gloucester’s rented accommodations would like to thank the following partner organisations who contributed to the project:

- Gloucester City Homes
- The Guinness Partnership
- Bromford
- Rooftop Housing
- Gloucester Law Centre
- North and West Gloucestershire Citizens Advice

The Task and Finish Group would also like to thank the following City Council Officers for their contributions, advice and assistance:

- Housing Innovation Manager
- Principal Private Sector Housing Officer
- Democratic and Electoral Services Officer

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Cabinet Response to Recommendations

Recommendation	Accepted/Rejected	Comments and/or Reasons for Decision
1) The Council considers implementing a Gloucester city-wide landlord accreditation scheme to promote responsible renting. The scheme would provide certification that the Council is satisfied that the landlord complies with their legal obligations.	Accepted (with Cabinet amendment)	The Council will consider working with the National Residential Landlords Association (NRLA) to implement a Gloucester city-wide landlord accreditation scheme to promote responsible renting
2) The Cabinet Member for Planning and Housing Strategy writes to the Member of Parliament for Gloucester in support of the proposals in the Renters (Reform) Bill to impose a national registration scheme for landlords of private rental properties in England.	Accepted (with Cabinet amendment)	The Cabinet Member for Planning and Housing Strategy will write to the Member of Parliament for Gloucester in support of the proposals in the Renters (Reform) Bill to introduce a national Privately Rented Property Portal that will require all landlords of private rental properties in England to register themselves and their properties.
3) A Member Development Session be offered to all Councillors on the role of the Private Sector Housing Team and how they can assist residents who are experiencing damp and mould growth and other hazards in their home. It is also recommended that such sessions are repeated following City Council elections and offered to new Councillors.	Accepted	
4) Where appropriate, the Council publicises any enforcement action, such as Financial Penalty Notices, the Council takes against landlords who are not complying with their obligations through local media. This would raise awareness of the work of the Private Sector Housing Team in taking action against	Accepted (with Cabinet amendment)	Where appropriate, the Council will publicise enforcement action (such as Financial Penalty Notices) where landlords and other responsible parties have committed criminal offences through local media. This would

landlords who have committed criminal offences and help drive landlord behaviour change.		raise awareness of the work of the Private Sector Housing Team in taking actions against criminals and help drive behaviour change.
5) Consideration be given to reinstating an informal link between the Private Sector Housing Team and voluntary advice agencies in the city to ascertain whether there has been improvement in standards.	Accepted (with Cabinet amendment)	The Private Sector Housing Team will consider implementing regular liaison meetings with voluntary advice agencies in the city to improve awareness of concerns of poor housing standards.
6) The City Council website is updated to include an information page, fact sheet or FAQs document explaining the recourse options available to both private rented and social housing tenants who are experiencing hazards in their homes. This resource could include links to advice from specialist housing advice agencies and should be shared on the Council's Social Media and included in enforcement press releases in order to further enhance communications in local media.	Accepted	
7) The Task and Finish Group report on damp and mould and resulting recommendations be shared with relevant colleagues in Gloucestershire County Council, all Gloucestershire district councils, the Member of Parliament for Gloucester and the local Integrated Care Partnership.	Accepted	



Meeting:	Cabinet	Date:	12 July 2023
Subject:	Blackbridge Sports Hub		
Report Of:	Cabinet Member for Policy and Resources, and Cabinet Member for Culture and Leisure		
Wards Affected:	Podsmead		
Key Decision:	Yes	Budget/Policy Framework:	No
Contact:	Melloney Smith, Asset Management Officer		
	Email: Melloney.smith@gloucester.gov.uk	Tel: 396849	
Appendices:	<ol style="list-style-type: none"> 1. Plan of Land to be Transferred from Gloucestershire County Council 2. Plan of Land to be Leased to Blackbridge Charitable Community Benefit Society 3. Details of Environmental Implications 		

FOR GENERAL RELEASE

1.0 Purpose of Report

Following the satisfaction of a number of pre-conditions, to approve the acquisition of the freehold interest in land from Gloucestershire County Council for the purpose of leasing the land plus additional land owned by the City Council to Blackbridge Charitable Community Benefit Society (BCCBS) to build a community sports hub.

2.0 Recommendations

2.1 On written confirmation from County Council that outline permission has been granted for the erection of up to 30 dwellings at New Dawn View Cabinet is asked to **RESOLVE** that:

- (1) the acquisition of land from the County Council for £1 subject to a restriction that the land acquired is used only as a community sports hub (see plan of land in appendix 1) be agreed
- (2) following the completion of the acquisition of the land from the County Council, a 125-year lease at a minimal rent to BCCBS (see plan of land in appendix 2) be granted.
- (3) it be agreed to delegate authority to the Head of Finance and Resources in consultation with the Asset Management Team to agree the terms for the acquisition of the land from the County Council and for the disposal by way of a 125-year lease to BCCBS

- (4) authority be delegated to the Director of One Legal to prepare and conclude the necessary legal documentation to:
 - a) reflect the acquisition terms negotiated and agreed between the County Council and the Council and to execute such documents
 - b) reflect the lease terms negotiated and agreed between the Council and BCCBS and to execute such documents.

3.0 Background and Key Issues

- 3.1 The land currently owned by the County Council is used as public open space and part used as sports pitches by local football teams.
- 3.2 The County Council are retaining part of their land to be disposed of as a residential development site. This land is currently subject to an outline planning application.
- 3.3 Subject to planning permission being granted, County Council have agreed to transfer the land (shown on plan 1) to the Council for sum of £1 on the condition that the land is leased to BCCBS for a Community Sports Hub.
- 3.4 BCCBS have undertaken extensive work together with Sport England, Football Association, England Hockey, the Rugby Football Union, the English Cricket Board and Gloucester Active Partnership on their project to construct a Community Sports Hub.
- 3.5 BCCBS has submitted a planning application for a community sports building comprising a gym, changing rooms, studio space, bar, and kitchen and an all weather flood lit pitch with associated parking. Permission was granted at Planning Committee on 6 June 2023.
- 3.6 BCCBS is a community benefit society established at the end of 2021. Board members have experience of delivering community building projects and of running them.
- 3.7 The Council has allocated £1.8 million of Section 106 money from the developer of the Civil Service Club site for sports provision mitigation. BCCBS have raised a further £3,367,000 from Youth Investment Fund, Football Foundation and UK Shared Prosperity. The scheme is estimated to cost £5 million but this will be confirmed once contracts for construction have been tendered and awarded.
- 3.8 BCCBS have undertaken public consultations on their plans. Richard Graham MP is supportive of the scheme. Local ward members have been consulted.
- 3.9 The Blackbridge Sports Hub is identified in the Gloucester City Plan 2011-2031.
- 3.10 An independent valuation has been commissioned to consider both the value of the land to be transferred by County Council to the Council and lease of the land from the Council to BCCBS.
- 3.11 Access to the land has been agreed with a third-party owner.

4.0 Social Value Considerations

4.1 This proposal supports the asset-based community development approach. The plans are the result of a passionate group who want to improve the local facilities for local people and involve other residents, community groups and sports clubs in the process. The Council has supported this approach from the beginning of the project. The project supports the Sports and Physical Activity Strategy 2023-2028.

5.0 Environmental Implications

5.1 BCCBS are committed to improving the local environment and constructing a sustainable building. See appendix 3 for more details.

6.0 Alternative Options Considered

6.1 Not to go ahead with this project - This would mean the loss of the opportunity to support the provision of a community sports hub

6.2 The Council undertakes the project itself. The Council does not have the resources to undertake this project. The Council would not be able to access such wide sources of grant funding meaning the project would not be financially viable.

6.3 The County Council deal directly with leasing the land to BCCBS – This would not meet with the County Council's Disposal Policy and the function of providing sports/leisure facilities is the Council's responsibility

7.0 Reasons for Recommendations

7.1 It is recommended that the Council support this project to provide a new sports facility in this location as it complies with both Gloucester City Council's City Plan and the Sports and Physical Activity Strategy 2023-2028.

7.2 The long lease that is proposed is offered to BCCBS by the Council will protect the land transferred for the future use as a sports facility and playing fields.

8.0 Future Work and Conclusions

8.1 The County Council need to obtain planning permission for their residential development. It is understood that the County Council may not agree the transfer of the land in the event that they are not granted planning permission on their retained land.

8.2 BCCBS have obtained planning permission for the Sports Hub and pitches. BCCBS need to go out to tender on building contract.

8.3 The County Council to transfer the land to Council.

8.4 After the land is transferred to the Council, the Council is required to advertise the disposal of open space relating to the long lease to BCCBS.

- 8.5 One Legal will be instructed to deal with the acquisition of the land from the County Council and to draw up the lease to BCCBS. Terms to ensure that the land and building are protected/kept for community purposes will be included in the lease.

9.0 Financial Implications

- 9.1 The cost of the project is still subject to confirmation once construction contracts have been tendered and awarded, the estimated cost is £5,000,000. Funding of £5,167,000 is available via grant funding (Youth Investment Fund, Football Foundation and UK Shared Prosperity) and s106 allocations.
- 9.2 If procurement exercise exceeds funding available, BCCBS could not go ahead with the project unless more funds were raised. There is not an obligation or expectation that the Council has to meet any shortfall in funding.

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

10.0 Legal Implications

- 10.1 A sale or a lease of land of more than seven years is regarded as a disposal. Section 123 Local Government Act 1972 (LGA 1972) provides the Council with the power to dispose of land in any manner provided that such a disposal is for the best consideration reasonably obtainable.

The County Council is subject to a satisfactory outcome of the Disposal of Public Open Space process (Section 123). The County Council has advertised the land in accordance with s123 2(a) LGA 1972 which it has received no objections. The Council can only commence their s123 process once in ownership of the land

- 10.2 The disposal by way of a 125-year lease to BCCBS for a nominal sum is likely to be less than best consideration. The Council will therefore need to carry out a cost benefit assessment to consider its powers to dispose under the General Disposal Consent (England) 2003. This applies where the Council considers the disposal will help to promote or improve the 'social, economic or environmental well-being' of the Council's area or residents.
- 10.3 Heads of Terms relating to both the acquisition and the disposal will need to be agreed in advance by the Asset Management Team outlining the terms and appropriate restrictions on use and subject to appropriate approvals/consents being obtained.
- 10.4 Section 123 (2A) also provides that before disposal of public open space by way of lease, the Council must first advertise such proposed disposal in a local newspaper for two consecutive weeks and to consider any objections.
- 10.5 One Legal has provided advice on the timings of the acquisition and disposal of the land, the Council has indicated that it would like these to take place simultaneously, this is unlikely to be attainable given the Council's duty to advertise under Section 123.
- 10.6 One Legal has made the suggestion that the Council discuss with the County if can grant the long lease to BCCBS prior to the County's disposal to the Council.

- 10.7 One Legal has provided advice on the potential issues of the Land Registry Registration Gap as the Council may not be the competent landlord at the time of the disposal to BCCBS.
- 10.8 In addition to the acquisition appropriate title checks and searches will be carried out before the Council is committed to acquire the land in order to ensure that the title is good and marketable,
- 10.9 Any concerns on the title will be reported to the Asset Management Team for further instruction. Ambiguities in, for example, the lease, may result in unanticipated expenditure by the Council in the future.
- 10.10 The advice of an independent valuer should be obtained and followed although it is anticipated that no money will pass upon the exchange of land, SDLT will be payable calculated by reference to the value of the land acquired.
- 10.11 There is the risk that the lease may not complete or the tenant may fail, leaving the Council with the financial responsibility for the maintenance and outgoings of the property.
- 10.12 Under the Subsidy Control Act 2022 land transactions at an undervalue are considered financial assistance. Officers will therefore need to work with One Legal to consider whether this transaction falls within the definition of a Subsidy and if it does to review whether the subsidy complies with the Principles laid down in the Act. If this transaction falls within the definition of a subsidy and the value of the transaction is over £100,000 the Council must publish details of the subsidy on the BEIS portal and interested parties are granted a right to challenge the award.

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

11.0 Risk & Opportunity Management Implications

- 11.1 There is a risk that the County Council do not obtain planning permission on their retained land. They will need to consider whether they will transfer the land if this is the case.
- 11.2 There will be a period of time when the land is in the ownership of the Council before the lease to BCCBS is granted. It is to be noted that the Council has to be in ownership of the land before it can commence the Section 123 disposal and we cannot grant the lease until this process has been completed. There is a risk that this may delay matters if any objections are received.
- 11.3 There is a risk that BCCBS do not complete the lease on the land and the Council are left with the land to manage and maintain. The Council do have the expertise to manage playing fields together with their partners Ubico. There is demand for pitches
- 11.3 There is a risk that BCCBS do not complete the building or fail in the running of the facility. If the building is part built a decision will have to be made whether the Council wish to take over the project or whether another body can be found. If they

fail in the management of the building, there would be the option of adding it to the leisure property contract or leasing it directly to another community group or sports club.

12.0 People Impact Assessment (PIA) and Safeguarding:

12.1 The PIA Screening Stage was completed and it identified a positive impact. A full PIA was not required.

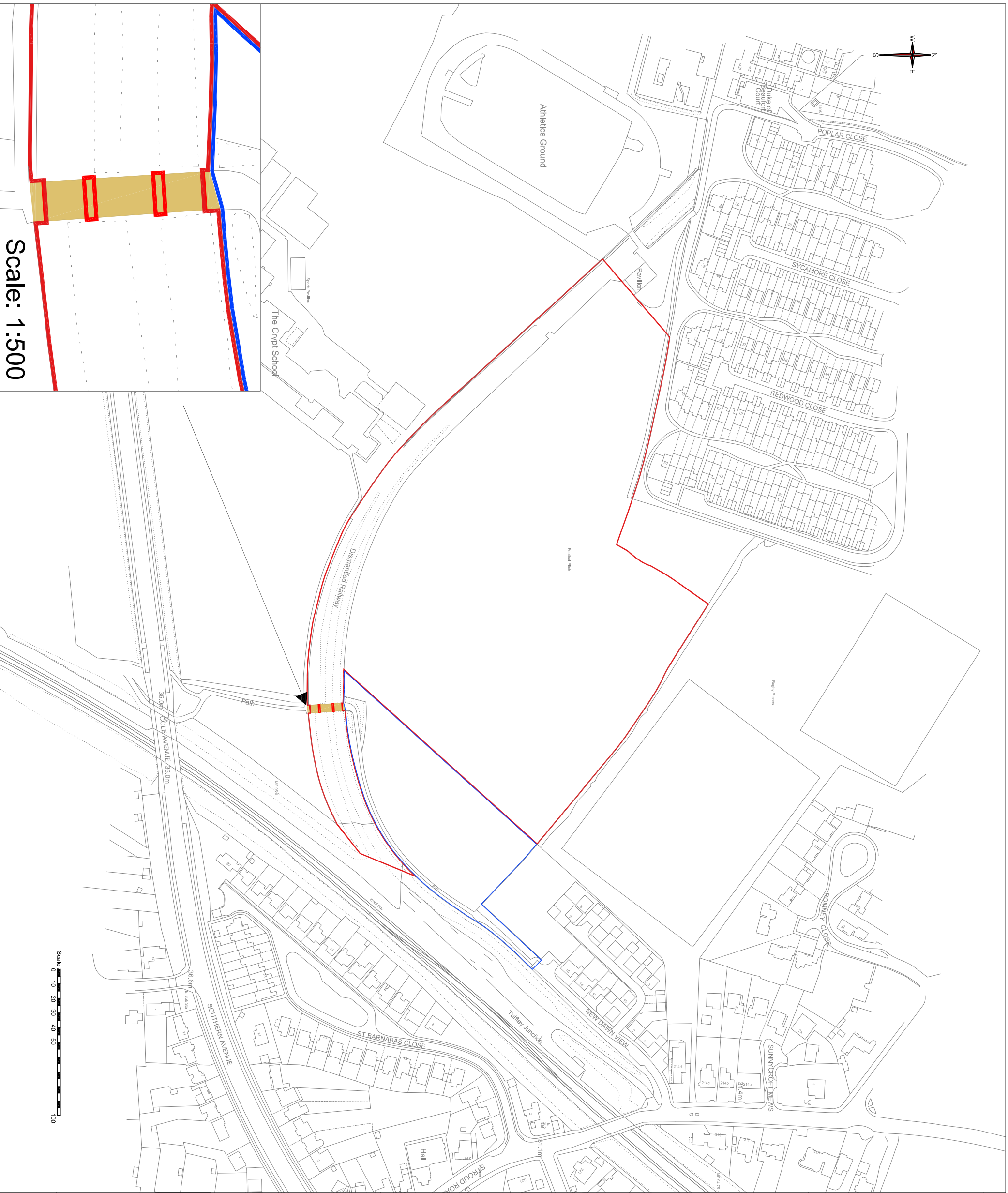
13.0 Community Safety Implications

13.1 None

14.0 Staffing & Trade Union Implications

14.1 None

Background Documents: None



REV	DESCRIPTION	DATE
A	Addition of retained land edged blue	9/5/2023

NOTES
<p>ALL DIMENSIONS ARE IN METRES UNLESS STATED OTHERWISE.</p> <p>THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT DOCUMENTS, DRAWINGS, ETC.</p> <p>Blue edged area - residential development site</p> <p>Red edged area - Land to be transferred to Gloucester City Council for community sports use subject to grant of planning permission for residential development on green edged area</p> <p>Brown land - bridge with public right of way, crossing former railway to be retained by Gloucestershire County Council with the exception of the walkways underneath which will transfer to the City Council</p>

SITE
Blackbridge Playing Fields

PROJECT

DRAWING

DRAWN	SCALE	DATE
NBC	1:2500 @ A3	24/4/2023
DRAWING NUMBER	REVISION	
Z1/G/817-005-Sale	- A	

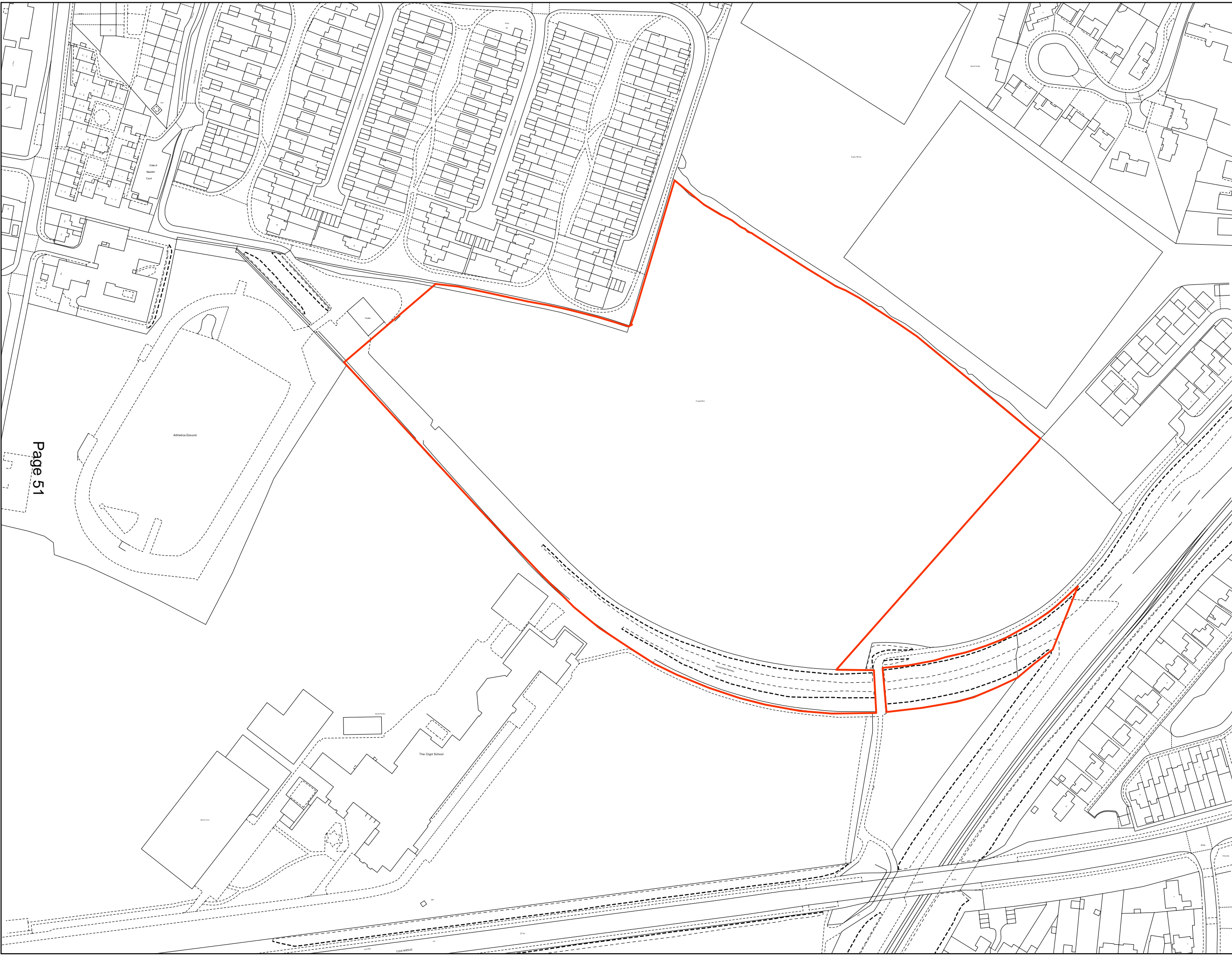
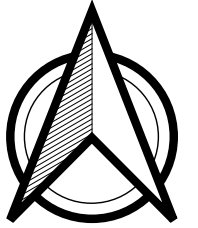


Asset Management & Property Services
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 Gloucester. GL1 2TG
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 Fax : (01452) 427129
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Blackbridge Sports Hub



Page 51



MAP SCALE 1:2000
CREATED DATE: 26/05/2023
PHOTOGRAPHIC COPY
LIABLE TO DISTORTION
IN SCALE

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Appendix 3 – Details of Environmental Implications (information provided by BCCBS)

The Blackbridge Community and Sports Hub will bring many more people into the Blackbridge field connecting them with the green space together with new opportunities to improve their well-being as residents and families. The development is committed to improving the local environment by –

- Creating the site to the *Building With Nature* building standard established as a national standard by Gloucestershire Wildlife Trust
- Improving biodiversity of the Blackbridge field through increased wildflower and tree planting (including the planting of over 100 new trees). The proposals will result in a 51.72% biodiversity net gain with regard to habitats, and 43.86% biodiversity net gain with regard to hedgerows.
- A full specification of habitats including relevant management will be produced within a Landscape and Ecological Management Plan (LEMP)
- Using sustainable urban drainage systems (SUDS) to improve local habitats as well manage site water flows
- Installation of bird and bat boxes
- Creation of a dark corridor between sports facilities and potential bat roosting areas together with specialist lighting to minimise impact
- Manage the woodland that borders the site in line with an agreed LEMP
- A Construction and Ecological Management Plan (CEMP) will also be prepared as part of the condition compliance
- The M&E design provides an environmental and energy efficiency solution to providing heating, comfort cooling, ventilation and hot water services, supplemented by an array of roof mounted photovoltaic panels.
 - Heating is provided via air source heat pump located on the plant deck. The efficiency of this type of system is approximately 400%, that means for every unit of electricity used 4 units of heat are produced.
 - Some rooms are provided with air source variable refrigerant comfort cooling and heating units. These are able to transfer heat removed from rooms requiring cooling and provide heating to rooms requiring heating, without the need to operate the compressor, thus providing energy efficient heating/cooling.
 - All ventilation is provided with plate heat exchangers to recover the heating (and cooling) from individual rooms, thus minimising the energy consumption of the systems.
 - The hot water for the development will be provided via air source heat pump water heaters located within the plant room.
 - Photovoltaics will allow the imported electrical energy to operate the foregoing systems to be minimised as they all require electricity to function.
 - All lighting is LED and offices are provided with absence detection and the stores, toilets and changing rooms etc are provided with presence detection to minimise the time these low energy fittings are operated.
- The proposed materiality of the Hub building prioritises the use of materials which are attractive, robust and with a long lifespan to reduce the need for maintenance and future replacement. Brickwork facing and rendered walls are proposed as the

external finishes. High performance double-glazed window systems are proposed for maximum solar gain and minimum heat loss.

- Encouraging cycling and walking to the site through the creation of safe dedicated access, and improved facilities

Gloucester City Council

Meeting:	Cabinet Council	Date:	12 July 2023 13 July 2023
Subject:	Local Development Scheme and Timetable for Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan		
Report Of:	Cabinet Member for Planning and Housing Strategy		
Wards Affected:	All		
Key Decision:	Yes	Budget/Policy Framework:	Yes
Contact Officer:	Adam Gooch		
	Email: adam.gooch@gloucester.gov.uk	Tel:	39-6836
Appendices:	1. Local Development Scheme 2023-2026		

FOR GENERAL RELEASE

1.0 Purpose of Report

- 1.1 To seek adoption of the Gloucester City Council Local Development Scheme (LDS) 2023-2026, which outlines the timetable for preparing statutory development plan documents in the city. It is a statutory requirement under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). The published version of Gloucester's LDS (2022) requires revision as the timetable has been refreshed and the plan making approach changed. As such, an up-to-date LDS is required.

2.0 Recommendations

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

- (1) the updated Local Development Scheme (Appendix 1) be adopted and takes effect immediately
- (2) Council delegate authority to the Head of Place, in consultation with the Cabinet Member for Planning and Housing Strategy, to prepare the Local Development Scheme for publication correcting any minor errors such as spelling, grammar, typographical and formatting changes that do not affect the substantive content of the Local Development Scheme.

- 2.2.1 Council is asked to **RESOLVE** that:

- (1) the updated Local Development Scheme (Appendix 1) be adopted with immediate effect.

- (2) authority be delegated to the Head of Place, in consultation with the Cabinet Member for Planning and Housing Strategy, to prepare the Local Development Scheme for publication correcting any minor errors such as spelling, grammar, typographical and formatting changes that do not affect the substantive content of the Local Development Scheme.

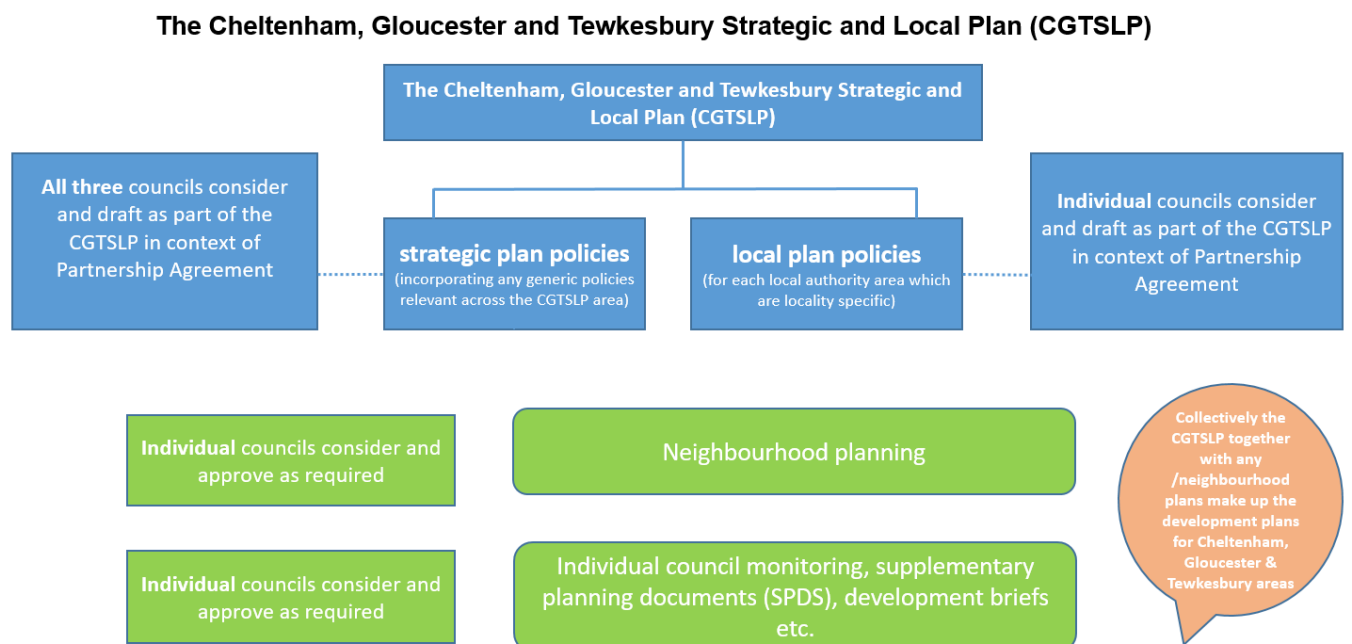
3.0 Background and Key Issues

- 3.1 Local Planning Authorities are required by law to prepare, publish, and maintain a Local Development Scheme (LDS) setting out the timetable for preparing statutory Development Plan Documents (DPD), which form the Local Plan.
- 3.2 The Council's current LDS was adopted in 2022 and needs updating. There are a number of reasons for this including:
- Extensive evidence base development
 - Uncertainties arising from government changes
 - Need to make efficient use of resources
- 3.3 Part of Gloucester's development plan, the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 – 2031 (JCS) is now beyond 5 years post adoption and in line with government guidance needs to be updated.
- 3.4 The partner authorities have discussed and agreed in principle their commitment to the benefits of continued joint working and the LDS sets out the programme. The continued reasons for this include:
- The three authorities share functional economic and housing market areas.
 - Administrative boundaries are tightly drawn around the large built-up areas, and therefore the duty to cop-operate across boundaries remains key.
 - Infrastructure demands go beyond administrative boundaries, and
 - Strategic and local highway and public transport networks operate across the area, if we are going to drive modal shift, managing investment and interventions across boundaries will be key.
- 3.5 The LDS presents a commitment to work on a combined development plan that covers all strategic and local policies for the three authorities. This will see the creation of a new '*Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan*' (CGTSLP) which will replace the JCS and the local district plans in each area in time. For Gloucester the local district plan is the Gloucester City Plan 2011-2031 (adopted January 2023).
- 3.6 Like the previous JCS, the CGTSLP will set out the strategic development strategy; development requirements (jobs, houses and retail); joint strategic and generic policies as well as locally specific policies. The CGTSLP will replace the JCS in its entirety. Taking climate change as the golden thread, this will be a key steer to establishing the spatial distribution of development. The CGTSLP will also contain locality based policies that address any area/community specific issues agreed by individual councils and supporting the joint general and strategic policies of the CGTSLP.

3.7 There are a number of potential benefits to a single plan approach including:

- a) Demonstrating a clear “Duty to Co-operate” for cross boundary issues.
- b) Co-ordination with Gloucestershire County Council as strategic planning, highway and education, etc. authority would be embedded through the combined DPD.
- c) Single point of engagement with national bodies such as the Environment Agency, Homes England and National Highways.
- d) Local plans are required to be justified with robust evidence base around areas such as housing and employment needs, land availability, transport impacts, flood risk, Green Infrastructure, Biodiversity Net Gain, renewable energy and Green Belt. A combined DPD means co-ordination of the evidence base and ensure it is consistent across the area, as well as potential cost savings.
- e) A combined DPD would require just one Public Examination, rather than four for the combined area, if a one strategic and three separate district plans were prepared.
- f) Cost savings in terms of producing a combined evidence base, and holding one Public Examination, as well as a focus of time and resources.

3.8 The diagram below sets out the approach.



3.9 An updated Partnership Agreement will provide the safeguards that sets out the terms and conditions for the operation of the partnership. This would include a clear protocol that individual districts would not seek to fetter the discretion of the other district authorities in the drafting of the local plan policies.

3.10 Government guidance on plan making articulates the role of the development plan, which is to “set out a vision and a framework for the future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for conserving and enhancing the natural and historic environment, mitigating and adapting to climate change, and

achieving well designed places. It is essential that plans are in place and kept up to date.”

- 3.11 Planning is at the heart of place making, strengthening the connection between people and the places they share. The new CGTSLP will aim to sustainably deliver new homes, jobs, and connected and active communities. The development plan is at the heart of the planning system and will be a fundamental tool in helping to support the council’s priorities to build a greener, healthier, and sustainable city, as set out in the Council Plan 2022 - 2024.

4.0 Social Value Considerations

- 4.1 No impact.

5.0 Environmental Implications

- 5.1 The government requires the plan making process to address the impacts of climate change and plan for sustainable development.

6.0 Alternative Options Considered

- 6.1 An alternative option would be to progress a single strategic and local plan just for Gloucester. However, the geography of the three councils is such that there are very strong inter-relationships and dependencies in housing, employment, infrastructure and transport patterns. The combined approach would simplify the duties around cross-boundary co-ordination and evidence collation.
- 6.2 Another alternative would be to work in partnership with Cheltenham and Tewkesbury councils to prepare a ‘strategic plan’ for the whole area and then to prepare a more detailed plan for Gloucester. This would mirror the approach taken since 2017. In doing so the benefits outlined of 3.7 of this report would not be realised, and as such this is not a recommended approach.

7.0 Reasons for Recommendations

- 7.1 The purpose of the LDS is to set out the Local Development Documents that are to be Development Plan Documents (DPDs) and which will be prepared by the Authority. The LDS also needs to give details as to what they will contain and timescales for their production. It is important that plans for the future of the city are produced in a timely and efficient manner. If they are not, development which is necessary for the city’s continued growth and prosperity may be delayed or abandoned, the coordination of housing development and infrastructure provision may be difficult to achieve and there is the potential for development to be approved on appeal in locations that the Authority does not consider suitable.

8.0 Future Work and Conclusions

- 8.1 It is intended that on the approval of the LDS, a dedicated team will be created on behalf of the three authorities to take forward the process of making the CGTSLP.

9.0 Financial Implications

- 9.1 The financial costs to update and publish the LDS are included within the funds set aside for the Joint Strategic Plan. Any future updates to the LDS would need to be costed on an individual basis.

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

10.0 Legal Implications

- 10.1 The preparation and maintaining of a Local Development Scheme is required under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). This must specify (among other matters) the documents which, when prepared, will comprise the Local Plan for the area (development plan documents), the subject matter and geographical area to which each document is to relate, which if any are to be prepared jointly with one or more other local planning authorities and the timetable for the preparation and revision of those documents. The Local Plan, together with Neighbourhood Plans as well as any Mineral and Waste Local Plans, make the Development Plan for the Council.

Section 28 of the Planning and Compulsory Purchase Act 2004 provides that where a development plan document is prepared jointly by two or more local planning authorities any step which may be or is required to be taken in relation to the document (including adoption) must be done by each of the authorities.

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

11.0 Risk & Opportunity Management Implications

- 11.1 If the council does not have an up-to-date LDS then it will not be performing part of its statutory duty.

12.0 People Impact Assessment (PIA) and Safeguarding:

- 12.1 A PIA is not applicable for the LDS which is a timetable. A PIA screening will be required for future decisions relating to the creation and adoption of any plan.

13.0 Community Safety Implications

- 13.1 None

14.0 Staffing & Trade Union Implications

- 14.1 None

Background Documents: None

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Local Development Scheme 2023-2026

Adopted XXXXXX

**Gloucester
City Council**

1. Introduction

- 1.1 Gloucester City Council has a statutory duty to maintain an up-to-date LDS¹. This LDS sets out the Development Plan Documents (DPDs)² that will be prepared and the programme for their preparation. This LDS supersedes any previously published LDS.

Proposed Development Plan Document (DPD)

- 1.2 Gloucester City Council, in conjunction with Cheltenham Borough Council and Tewkesbury Borough Council, are intending to produce one DPD as can be seen in Figure 1.

Figure 1: Proposed Development Plan Document

The Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan (CGTSLP) (produced by Gloucester City Council, Cheltenham Borough Council and Tewkesbury Borough Council)	
Role and subject / geographical coverage	<p>This will set out the development strategy; development requirements; policies (strategic and non-strategic) and site allocations for Gloucester City Council, Cheltenham Borough Council and Tewkesbury Borough Council.</p> <p>Strategic plan policies – drafted jointly by Gloucester City Council, Cheltenham Borough Council and Tewkesbury Borough Council with the support of Gloucestershire County Council</p> <p>Gloucester local plan policies – drafted by Gloucester City Council</p>
When adopted, will supersede	<ul style="list-style-type: none"> i. Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (adopted December 2017); ii. Gloucester City Plan 2011-2031 (adopted Jan 2023); and iii. Remaining, yet to be replaced ‘saved’ policies of the City of Gloucester Local Plan (1983)
Timetable – Key Stage³	

¹ Section 15 of the [Planning and Compulsory Purchase Act 2004 \(as amended\)](#)

² A document setting out the Council’s planning policies and proposals. They are subject to community involvement, consultation and independent examination by an independent Planning Inspector

³ Regulation references taken from [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012\) as amended](#)

Consultation on Spatial Options and Key Policy Areas (Regulation 18)	Commencing October 2023
Consultation on Preferred Options (Regulation 18)	Commencing March 2025
Consultation of Pre-submission (Regulation 19)	Commencing January 2026
Submission to Secretary of State (Regulation 22)	April 2026
Stages below subject to Planning Inspector Programme	
Hearings (sometimes referred to as Examination in Public ⁴) (Regulation 24) and Major Modifications Consultations (the latter if needed)	TBC
Inspector's final report sent to LPA (Regulation 25)	TBC
Adoption (Regulation 26)	TBC

Policies Map

- 3.1 The Policies Map spatially illustrates policies contained in DPDs on an Ordnance Survey base map. The Policies Map will be updated as the CGTSLP is progressed. The Policies Map will show matters including:
- i. designations, e.g. settlement boundaries; and
 - ii. site allocations, e.g. sites may be allocated for a variety of uses including housing.

4 Neighbourhood Plans

- 4.1 Neighbourhood Plans are prepared to timescales that are set by the qualifying body, such as Quedgeley Town Council or a designated Neighbourhood Forum, and not by Gloucester City Council. Therefore, the timetable for their preparation is not contained within this LDS. Following successful examination and referendum, Neighbourhood Plans become part of the statutory Development Plan.
- 4.2 For communities that may wish to develop their own Neighbourhood Plan, information can be found via [Neighbourhood Plans](#).

⁴ The examination begins when the Plan is submitted to the Planning Inspectorate and is completed when the final report is sent to the Local Planning Authorities.

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Gloucester City Council

Meeting:	Cabinet	Date:	12 July 2023
Subject:	Financial Outturn 2022/23		
Report Of:	Cabinet Member for Performance and Resources		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Hadrian Walters, Accountancy Manager		
	Email:	hadrian.walters@gloucester.gov.uk	Tel: 396231
Appendices:	1. Capital Outturn		

FOR GENERAL RELEASE

1.0 Purpose of Report

- 1.1 To present to members the Council's forecast General Fund Revenue, and Capital outturn positions against agreed budgets for the 2022-23 financial year, and report on the performance of the Council against certain key financial performance indicators.
- 1.2 For Cabinet to note the final outturn position and to approve the movements to and from earmarked revenue reserves.

2.0 Recommendations

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

- (1) it be noted that:
- a) the year-end position for the financial year 2022-23 is currently a decrease to the General Fund balance of £278k against a budgeted net zero position
 - b) the General Fund balance has decreased from £1.127m to £0.849m at the end of 2022-23
 - c) that the level of earmarked reserves has decreased by £3.209m to £4.264m, with the final release of £2.811m from the Section 31 Grant Repayment Reserve created in 2020-21 because of the Covid-19 pandemic
 - d) the current level of Capital expenditure as shown in Appendix 1
 - e) that the work to reconstitute the large volume of data from the manual transactions processed following the cyber incident in December 2021 into the system is in progress. The volume of manual data being analysed and reconciled means that there will be movements between the outturns forecast for the detailed categories, and that the figures provided are the best estimates based on current analyses

- (2) the transfers to and from earmarked reserves as detailed in the table in section 6 of this report be approved.

3.0 Background and Key Issues

- 3.1 The Council approved the 2022-23 Budget in February 2022. This report sets out the financial position at the end of the financial year 2022/23. It is based on an analysis of the manual payment and income records that have been maintained whilst the finance systems were being recovered, along with the items processed through the new cloud-based systems.
- 3.2 The financial year 2022-23 was dominated by higher than budgeted cost inflation resulting from the impact of the war in Ukraine on energy costs, and its wider economic impacts. This has seen further financial challenges for the Council with higher than expected increases to costs, leading to further budgetary pressures on the Council that are being managed to ensure that the Council has sufficient financial resources to achieve its ongoing service delivery obligations and continue its wider regeneration activities.

4.0 Whole Council Summary

- 4.1 The summary table below shows the forecast outturn position for the Council by Cabinet portfolio.

Council Summary	22/23	Year End	Grant or	Year End	Final
	Budget	Actual	Reserve Funded	Outturn	Variance
Communities & Neighbourhoods	995	969	0	969	(26)
Performance & Resources	196	1,684	(152)	1,532	1,336
Culture & Leisure	1,361	1,910	(91)	1,819	458
Planning & Housing Strategy	1,226	1,390	(63)	1,327	101
Environment & Leader	6,578	6,709	(45)	6,664	86
Corporate & Funding	(10,356)	(11,305)	(728)	(12,033)	(1,677)
Total	0	1,357	(1,079)	278	278

- 4.2 The General Fund and Earmarked Reserves balances continue to place the Council in a stable financial position in the current uncertain climate of Local Authority funding and inflationary cost pressures. However, robust budgetary management and control will be necessary during 2023-24 to maintain the stability of the Council's finances.
- 4.3 The table above highlights the outturn position on the General Fund for the Council for the year to 31st March 2023. The figures included are based off an initial analysis by the finance team of the over 11,000 manual records maintained as a result of the systems implemented following the cyber incident in December 2021.
- 4.4 The financial systems are now operational and have been moved into the Cloud. The process of reviewing, analysing, and reconciling the vast quantum of manual data for upload into the system is in progress. The volume of data concerned means that there will be movements between the detailed categories and that the figures provided are the best estimates based on our current analyses.

5.0 Significant items of note

Communities and Neighbourhoods

Communities & Neighbourhoods	22/23	Year End	Grant or	Year End	Forecast
	Budget	Actual	Reserve Funded	Outturn	Variance
Community Strategy & Other Projects	807	807		807	1
Community Grants	125	105		105	(20)
Shopmobility	64	57		57	(7)
Total	995	969	-	969	(26)

- 5.1 The outturn for this portfolio is a minor underspend as a result of the performance of Shopmobility. Similar to 2021-22 the Communities teams have continued to work collaboratively with the County Council and the neighbouring districts to ensure a co-ordinated response to a series of community and social wellbeing projects; where appropriate costs have been shared to ensure the efficient use of funds. This along with a variety of targeted Government grants has enabled spend to be maintained within the budgeted levels.
- 5.2 During the year the Communities team has received grants and shared service funding for which it has managed the spend on a variety of projects from the provision of community protection officers, food safety inspections, and various community school holiday and meal projects. The Communities team has managed the distribution of Household Support Fund grants of £0.371m received from the County Council to support households in the most need with food, energy and water bills and other essential items; £0.12m having been received in March 2022.
- 5.3 The Communities team has also commenced work on the Health Inequalities Project and has received a further £260k of grant funding from the NHS towards this project during 2022-23. These grants have been placed in an earmarked reserve to match to the spend in 2023-24.

Performance and Resources

Performance & Resources	22/23	Year End	Grant or	Year End	Forecast
	Budget	Actual	Reserve Funded	Outturn	Variance
Financial & Corporate	901	757	178	935	34
Revenues & Benefits	766	415		415	(350)
IT	1,916	2,313	(380)	1,933	16
Parking	(1,566)	(1,307)		(1,307)	260
Business Support	335	397		397	62
Democratic Services	791	799		799	8
Asset Management	807	1,142		1,142	335
Commercial Property	(3,402)	(2,569)		(2,569)	832
SWRDA	(153)	(404)	50	(354)	(201)
Cemeteries & Crematorium	(1,481)	(1,307)		(1,307)	174
Internal Audit	194	187		187	(6)
Transformation/Commercialisation	145	131		131	(14)
HR & Communications	448	483		483	35
Legal Services	465	508		508	43
Housing Subsidy	(377)	(287)		(287)	91
Customer Services	407	425		425	17
Total	196	1,684	(152)	1,532	1,336

- 5.4 This portfolio includes many of the income generating activities of the Council that were disrupted by the Covid pandemic, the cyber incident, and which have also been impacted by the high rates of inflation and energy costs during 2022-23.
- 5.5 The number of people parking in the city centre has continued to increase across the financial year and is now at normal pre-Covid levels. The inflationary pressures noted above have led to an increase in the costs of providing the service (addressed by the tariff increases agreed in the 2023-24 Budget), along with the slower than expected return to normal parking levels in the early months of 2022-23, has led to an adverse position of £260k.
- 5.6 The cyber incident has led to significant IT spend during 2022-23 as projects have been undertaken to restore services, replace hardware, and make the IT provision more robust for the future by moving software packages into cloud-based services. The reserve of £380k set aside at the end of 2021-22 has been utilised in full to cover the additional revenue costs of the systems restoration, and where appropriate hardware spend has been capitalised. The bringing back in-house of the IT Service provision has also contributed towards an initial cost-saving.
- 5.7 From June 2022 the Revenues and Benefits service were brought back in-house. This has led to cost savings that along with various new burdens grants from the Government, to cover the administrative costs of the additional work that has been required of the Council to distribute a variety of new grants (including Homes For Ukraine and Energy Subsidy) to the population of Gloucester, has led to this area being favourable to budget by £350k. Following the removal of statutory restrictions as the pandemic eased, the Council has also been able to commence the follow-up bad and doubtful debtors through the courts, enabling greater levels of recovery of outstanding debts.
- 5.8 As noted in previous monitoring reports, the Council manages more than £30m of Housing Subsidy and benefit payments, and the smallest percentage change can have a significant impact on the final outturn. The outturn for 2022-23 is an overspend of £91k. This cost is out of the Council's control. This pressure is mitigated by the favourable variance from Revenues & Benefits, new burdens funding from the Government and the recovery of historic housing benefit overpayments by the Revenues & Benefits service.
- 5.9 The Commercial Property portfolio is adverse to budget by £0.8m but has still contributed a net income to the Council of £2.57m. The Council has purposefully invested in city centre real estate as part of its regeneration agenda. Given its location, much of this estate is retail based. Gloucester, along with the majority of towns and cities across the country, has experienced significant downward trends in centre based retail for well understood reasons (e.g. COVID, Cost of Living etc). This along with the delays that were caused to the regeneration of the Kings Walk Shopping Centre by the pandemic (works which are now to take place during the first half of 2023-24), has led to a short term budget pressure. Discussions are ongoing with various prospective tenants at the various locations, and the position is improving in relation to Kings Walk following the Kings Square redevelopment and is expected to do so as The Forum and University of Gloucestershire developments approach completion later in 2023-24. The historic investment property portfolio is slowly recovering as new arrangements are reached with tenants. The delayed disposal of the HKP warehouses has also meant that the Council has faced a business rates charge of £82k in year.
- 5.10 The Cemeteries & Crematorium service has performed well in the year and the Arbor has seen an increase in demand for wakes. The costs of the Crematorium have seen

unexpected increases in the year because of the increasing cost of energy, increases to the costs of regular cremator maintenance, and the continued need for good sanitisation of the chapel following the pandemic. This has led to an adverse year end position of £174k.

- 5.11 The overspends in the various shared services areas (Human Resources, Communications, Legal Services) are a result of the increased staff costs following the annual local government NJC salary settlement.

Culture & Leisure

	22/23	Year End	Grant or	Year End	Forecast
Culture & Leisure	Budget	Actual	Reserve	Outturn	Variance
			Funded		
Museums	598	597		597	(1)
Guildhall & Blackfriars	445	542		542	97
Events	285	286		286	1
Destination Marketing	143	233	(91)	143	-
Aspire	(30)	360		360	390
Markets & Street Trading	(79)	(108)		(108)	(29)
Total	1,361	1,910	(91)	1,819	458

- 5.12 The Culture & Leisure team have had a busy year managing improvement works to their venues as a result of their successful grant applications during 2021-22. The venue improvement works at the Guildhall took place during the summer of 2022-23 using the ACE Guildhall Galvanised grant funding, and the planning of the works at the Museum to utilise the MEND grant funding in 2023-24 is in progress. The Guildhall team have also been successful in their application for ACE National Portfolio Organisation funding for the next 3 years that will allow it to continue to develop and expand its exciting programme.
- 5.13 Inevitably, there is an impact of the summer closure of the Guildhall on the forecast outturn as it was not included in the original budget, and so for 2022-23 the outturn is £97k adverse to budget. However, the positive results from the works on the venue and the implementation of a new EPOS system are already being seen.
- 5.14 The Council has continued to support the leisure trust in the wake of the effects of the pandemic and the increased energy costs on its business. This has led to the Council contributing an additional £360k to assist it with the additional energy cost pressures during the year, leading to an overspend of £390k.

Planning and Housing

	21/22	Year End	Grant or	Year End	Forecast
Planning & Housing Strategy	Budget	Actual	Reserve	Outturn	Variance
			Funded		
Planning	(17)	67		67	84
Planning Policy	242	305	(63)	242	-
Community Infrastructure Levy	-	-		-	-
Land Charges	(73)	(71)		(71)	2
Private Sector Housing	209	241		241	32
Housing Strategy	122	103		103	(19)
Homelessness & Housing	743	745		745	2
County Homelessness Partnerships	0	1		1	0
Total	1,226	1,390	(63)	1,327	101

- 5.15 This portfolio was adverse to budget by £101k. The initial months of 2022-23 continued to be affected by the cyber incident and the need to utilise manual processes to allow the continued provision of the service at a basic level.
- 5.16 Accordingly the planning service was £84k adverse to budget. The Planning Service also faces issues that are common within planning councils around the country because the statutory nature of the fees that can be charged in many cases prevents the full costs of the service provision from being recouped. There is a Government consultation currently underway to review planning processes and costs, this will hopefully lead to a more equitable position for the Council. The Council has also received a grant from the Government to work on a project in co-ordination with other Councils towards transforming and digitising planning processes.
- 5.17 The City Plan review process finally reached its conclusion during 2022-23 and the Council successfully adopted the City Plan (its first in 30 years), the costs incurred in relation to this process have been met by the earmarked reserves specifically put in place for this purpose in the 2020-21 financial outturn.
- 5.18 The overall homelessness budget for the year is forecast to be favourable as a result of a combination of the positive steps taken by the Council over the past few years to increase the temporary accommodation capacity available to it, and the positive actions taken to ensure all Government grant and benefit funding is being promptly claimed. The increase in the cost of living presents a potential risk to this and work continues within the Housing team to identify further properties to alleviate future pressures.

Environment

Environment & Leader	22/23 Budget	Year End Actual	Grant or Reserve Funded	Year End Outturn	Forecast Variance
Waste & Recycling	4,857	5,035		5,035	178
Streetcare & City Centre	751	730		730	(21)
Environmental Health	194	139		139	(55)
Licensing	(137)	(147)		(147)	(10)
Parks & Countryside	204	252	(45)	207	3
Economic Development	326	268		268	(58)
Heritage	121	121		121	0
Climate Change & Environment	73	73		73	-
Senior Management	188	238		238	50
Total	6,578	6,709	(45)	6,664	86

- 5.19 This portfolio is adverse to budget by £86k. The unexpected high inflation rates causing increases to fuel and labour costs impacted on the costs of the waste and recycling contract. These increased costs have been mitigated by the continued high prices being obtained for the sale of recyclable materials. The net position is an adverse favourable variance on the waste contract of £178k for the year.
- 5.20 Some of the overspend in waste and recycling is mitigated by the favourable positions in Streetcare & City Centre and Environmental Health, both of which utilise elements of the waste service. The cyber incident and the manual processes being applied have prevented a thorough analysis and allocation of the spend.
- 5.21 The final position for the Economic Development service is a favourable variance of £58k, after taking into account the Regeneration Reserve funding of staff working on the Forum Project, and the Levelling Up funded works. The Economic Development

team have also been busy working on developing criteria, assessing grant applications and managing the distribution of the UK Shared Prosperity Fund received from the Government during the year to assist local projects and businesses.

- 5.22 During the year the Heritage team have continued to successfully manage the spend of the High Street Heritage Action Zone grants towards the development and improvement work occurring within the Cathedral Quarter and Westgate areas of the City.
- 5.23 The Council has opted to contract-in the services of a Monitoring Officer to cover this statutory role following the retirement of the individual who held that role leading to the additional costs shown.

6.0 Movement in Earmarked Reserves

- 6.1 The Council continues to hold an earmarked reserve balance of over £4.2m as shown below:

Reserve Name	Opening Balance	Transfers In	Transfers Out	Closing Balance
Historic Buildings	53	-	-	53
Housing Survey	60	-	-	60
Shopmobility	29	-	-	29
Regeneration	145	412	(337)	220
Insurance	10	-	-	10
Land Adoption	873	-	-	873
VAT Shelter	167	228	(228)	167
Business Rates	1,023	-	(290)	733
Environmental Insurance	900	-	-	900
Repairs	23	-	-	23
Community Builder	29	-	(29)	-
Planning Strategy	165	25	(64)	126
Flooding Works	10	-	-	10
Lottery	20	-	-	20
Museum Bequest	305	-	-	305
Transformation	100	-	(75)	25
Budget Equalisation	243	-	(210)	33
Destination Marketing	150	-	(65)	85
Homelessness	100	-	-	100
Planning Appeals	50	-	-	50
Communities	18	-	-	18
Climate Change	66	-	-	66
Neighbourhood Spaces	57	-	(45)	12
Defibrillator	6	-	-	6
Cyber Recovery	-	380	(380)	-
Monuments	-	10	(10)	-
Health Inequalities	60	280	-	340
Collection Fund Timing	2,811	-	(2,811)	-
Reserves Total	7,473	1,335	(4,544)	4,264

- 6.2 The Council has drawn down previously reserved funds to pay for their intended usage during 2022-23 and where applicable carried forward amounts for future use.
- 6.3 There has been a net transfer to the Regeneration reserve in the year. The net surplus from the SWRDA assets generated £412k to contribute to the reserve. The reserve was earmarked to contribute towards the Council's regeneration projects in 2022-23, £337k was spent in year towards this project leaving an overall net transfer to the reserve of £75k. The balance will continue to be used to support future regeneration work.
- 6.4 The authority continues to receive funding relating to the arrangement for a "VAT shelter" relating to the Housing Stock transfer of 2015. In 2022-23 funding of £228k was received. £228k was allocated from the reserve to contribute to the borrowing costs for the redevelopment of Kings Square and Kings Quarter – the Forum.
- 6.5 As forecast in the Money Plan and Budget, amounts have been drawn down against various of the earmarked reserves for use against expenditure included in the 2022-23 budget papers.
- 6.6 During 2022-23 an amount of £280k has been received from the NHS in relation to the joint Health Inequalities programme. This work for this programme is being planned and the amount has been earmarked for spend during 2023-24.
- 6.7 The Government pays Section 31 grants to the Council to compensate for changes to the increases in business rates that it implements centrally that reduce the amount of business rates collectable. In 2020-21 and 2022-23 due to the significant nature of this timing differences amounts were included in the Collection Fund Timing Reserve was created to account for the repayment in the following years of the grants received early. During 2022-23 the amount repaid of £2,811k was released from the reserve. Similar early payment of the section 31 grants are not expected in relation to 2023-24.

7.0 Capital Programme

- 7.1 The current position for the Capital Programme £30.11m against the budget for the year of £29.59m.
- 7.2 Expenditure for 2022-23 has seen continued progress with The Forum development, including the completion of White Friar apartments. Budget on this project has been brought forward from 2023-24 as the development continues at pace.
- 7.3 The Council continues to work with partners to deliver projects, such as Cathedral Quarter as part of the Heritage Action Zones with The Historic Buildings and Monuments Commission. The agreement to join Ubico for waste services has seen the Council continue to purchase new domestic waste vehicles in year for this partnership.
- 7.4 The nature of capital projects means that many of them span a number of financial years; budgets are set per project any unspent budgets at the end of any one financial year may be carried forward into the next
- 7.5 A summarised table for the Capital Programme is shown as Appendix 2.

8.0 Prompt payment performance

- 8.1 The Council aims to make payments to all suppliers promptly and in accordance with contract terms. Due to the cyber incident that occurred in December 2021 we do not have access to sufficient data to provide these statistics. Following the cyber incident processes have been put in place to ensure the continued payment of the Council's creditors as promptly as is feasible in the circumstances.

9.0 Social Value Considerations

- 9.1 There are no social value implications as a result of this report.

10.0 Alternative Options Considered

- 10.1 A wide range of options are explored by officers in order to reduce budgetary pressure, to achieve savings targets, and to ensure value for money.

11.0 Reasons for Recommendations

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

12.0 Future Work and Conclusions

- 12.1 Work will continue to review, analyse, and reconcile the vast quantum of manual data for upload into the system. Steps will continue to be taken to limit in year and future budget pressures.

13.0 Financial Implications

- 13.1 All financial implications are within the report, which is of a wholly financial nature.

14.0 Legal Implications

- 14.1 There are no legal implications from this report. One Legal have been consulted in the preparation this report.

15.0 Risk & Opportunity Management Implications

- 15.1 There are no specific risks or opportunities as a result of this report.

16.0 People Impact Assessment (PIA):

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

17.0 Other Corporate Implications

Community Safety / Sustainability / Staffing & Trade Union

- 17.1 None.

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Scheme	Budget	Actual	Variance
	2022/23	Spend to date	
Kings Quarter - The Forum	20,000,000	25,335,637	(5,335,637)
Food Dock	3,000,000	950,000	2,050,000
High Streets - HAZ	606,000	374,668	231,332
GCC Building Improvements	100,000	378,546	(278,546)
ICT Projects	50,000	257,504	(207,504)
Housing projects	648,372	747,668	(99,296)
Drainage and Flood Protection Works	95,000	72,522	22,478
Horsbere Brook Local Nature Reserve works	50,000	5,001	44,999
Play Area Improvement Programme	60,000	31,957	28,043
Crematorium Cremator Improvements	45,000	-	45,000
GWR Railway Improvement Scheme	2,500,000	18,191	2,481,809
Domestic Waste Vehicles	2,256,136	1,453,237	802,899
St Oswalds	-	61,020	(61,020)
Grant Funded Projects	182,723	431,454	(248,731)
TOTAL CAPITAL PROGRAMME	29,593,231	30,117,405	(524,174)

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Meeting:	Cabinet	Date:	12 July 2023
Subject:	Risk Management Annual Report 2022/23		
Report Of:	Cabinet Member for Performance and Resources		
Wards Affected:	Not applicable		
Key Decision:	No	Budget or Policy Framework:	No
Contact Officer:	Piyush Fatania, Head of Audit Risk Assurance (ARA)		
	Email:	Tel: 01452 328883	
	piyush.fatania@gloucestershire.gov.uk		
Appendices:	Appendix 1 - Risk Management Annual Report 2022/23		
	Appendix 2 - Strategic Risk Register		

FOR GENERAL RELEASE

1.0 Purpose of Report

1.1 To present the Strategic Risk Register (SRR) and update Members on the Council's risk management activities from 2022/23 for their awareness and consideration.

2.0 Recommendations

2.1 Cabinet is asked to **RESOLVE** that the Strategic Risk Register and the planned risk management arrangements for 2022/23 be noted and endorsed.

3.0 Background and Key Issues

3.1 'Risk management is the culture, process and structures that are directed towards effective management of potential opportunities and threats to the Council achieving its priorities and objectives' – ALARM, the public risk management association.

3.2 The Accounts and Audit Regulations 2015 (part 2 paragraph 3) state a relevant Council 'must ensure that it has a sound system of internal control which...includes effective arrangements for the management of risk'.

3.3 Risk management is a key part of the Council's corporate governance framework and internal control environment. It is one of the seven core principles within the Council's Code of Corporate Governance – 'managing risks and performance through robust internal control and strong public financial management'.

3.4 The Council recognises the importance of effective risk management. That it is essential for good governance and sound internal control within a public body. Also, its positive contribution to the delivery of successful strategic and service level outcomes.

- 3.5 The previous Risk Management Annual Report was presented to Audit and Governance Committee in March 2022.
- 3.6 The Risk Management Annual Report 2022/23 is attached at **Appendix 1**. It supports the risk management work, advice and support (provided by ARA), delivered during the year.

4.0 Social Value Considerations

- 4.1 There are no social value implications as a result of the recommendations made in this report.

5.0 Environmental Implications

- 5.1 There are no environmental implications as a result of the recommendations made in this report.

6.0 Alternative Options Considered

- 6.1 No other options have been considered.

7.0 Reasons for Recommendations

- 7.1 A Risk Management Annual Report and Action Plan are required to support the Audit and Governance Committee function to 'monitor the adequacy and effectiveness of the Council's governance arrangements'.

8.0 Future Work and Conclusions

- 8.1 A Risk Management Action Plan has been developed for 2023/24 with the goal to further embed risk management within the Council. The Action Plan is included, as an **Appendix 1**, to the Annual Risk Management Report 2022/23

9.0 Financial Implications

- 9.1 There are no direct financial implications arising from the report recommendations.

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

10.0 Legal Implications

- 10.1 None specifically arising from the report recommendations.
- 10.2 It is fundamental that the Council has an embedded risk management framework (including a Risk Management Strategy). The framework should consider the

identification, recording and management of risks to the Council in the delivery of its priorities and objectives.

- 10.3 The existence and application of an effective Risk Management Strategy assists prudent decision making. Failure to identify and manage strategic risks could lead to inappropriate decision making, unnecessary liability and costly legal challenge.

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

11.0 Risk and Opportunity Management Implications

- 11.1 Failure to deliver on effective risk management, particularly during periods of significant change, may have a negative effect. This may impact the achievement of potential opportunities and adversely affect the assets, reputation and objectives of the council, strategic decision making and the wellbeing of our stakeholders.

12.0 People Impact Assessment (PIA) and Safeguarding:

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

13.0 Community Safety Implications

- 13.1 There are no Community Safety implications as a result of the recommendations made in this report.

14.0 Staffing and Trade Union Implications

- 14.1 There are no Staffing and Trade Union implications as a result of the recommendations made in this report.

Background Documents: [Accounts and Audit Regulations 2015](#)
CIPFA and Solace Delivering Good Governance in Local Government: Framework 2016 Edition
[Council's Constitution](#)
[Public Sector Internal Audit Standards 2017](#)

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RISK MANAGEMENT ANNUAL REPORT - 2022/23

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1. Background

- 1.1 It is important for the Council to identify and manage its risks. This view is reinforced by public sector legislation, such as the Accounts and Audit Regulations 2015. National Standards, including ISO31000:2018 Risk Management Principles and Guidance, also explicitly reference council risk management arrangements.
- 1.2 Risk management is the systematic identification, analysis and economic control of opportunities and risks that challenge the assets, reputation and objectives of an organisation.
- 1.3 It enables Gloucester City Council (the Council) to effectively manage strategic decision making, service planning and delivery to safeguard the well-being of its stakeholders. The likelihood of achieving outcomes is also increased.
- 1.4 Effective risk management is an essential element of good management and a sound internal control system. Risk management being a key contributor to good governance and the Annual Governance Statement (AGS).
- 1.5 Risk management principles for the Council are contained within the Constitution and are further defined within the Council's Risk Management Policy Statement and Strategy 2020-2023. This includes roles, responsibilities and accountabilities for risk management across the Council, which include (but are not exclusive to):
 - i. Cabinet;
 - ii. Audit and Governance Committee;
 - iii. Corporate Directors;
 - iv. Heads of Service; and
 - v. Service Managers.
- 1.6 As part of the defined risk management approach, Audit Risk Assurance (ARA) supports the implementation and facilitation of effective risk management arrangements across the Council.

2. Frameworks

- 2.1 Details of the risk management framework are included in the Risk Management Policy Statement and Strategy 2020-2023, available on the Council intranet (GlosNet).
- 2.2 In summary, key responsibilities are as follows:
 - i. Lead Committee for risk management – the Audit and Governance Committee.
 - ii. Lead Member responsible for risk management – Chair of the Audit and Governance Committee.
 - iii. Senior Management responsibilities – during 2022/23 the Senior Management Team (SMT) continued to take ownership of strategic risk management with each of the strategic risks being owned by a member of SMT. Half-yearly strategic risk management reports are provided to the Audit and Governance Committee to enable them to gain assurance that the Council's strategic risks

are being effectively managed. The Director of Policy and Resources was the SMT lead overseeing the risk management activities during 2022/23.

- iv. Operational Risk Management – the Strategy requires that all staff have a role to play in managing risk, with risk management principles embedded into all key business processes. This includes financial, performance, programme, contract and project management arrangements. Championship of risk management is undertaken by SMT, working alongside ARA and helping to embed risk management into the Council’s culture.

Risk Management and links to Good Governance and the Annual Governance Statement (AGS)

2.3 The Council acknowledges its responsibility for ensuring that there is effective governance. A Code of Corporate Governance has been developed that defines the principles and practices that underpin the governance arrangements operating within the Council.

2.4 The Code is consistent with the principles of the Chartered Institute of Public Finance and Accountancy (CIPFA)/Society of Local Authority Chief Executives (SOLACE) guidance “Delivering Good Governance in Local Government – 2016”. One of the seven core principles of good governance states:

“Managing risks and performance through robust internal control and strong public financial management.”

2.5 In order to gauge the effectiveness of the risk management arrangements operating within the Council, an assurance framework is in operation which underpins the statements made within the AGS. The process requires all Corporate Directors and Heads of Service to provide high level examples of compliance against the seven core principles via an Assurance Statement. This includes the risk principle above, to demonstrate that risk management is being effectively applied within each service area. The Heads of Service Composite Assurance Statements are also reviewed, challenged and countersigned by the relevant Corporate Director and Managing Director.

2.6 The Three Lines of Defence assurance model helps Members and senior management to:

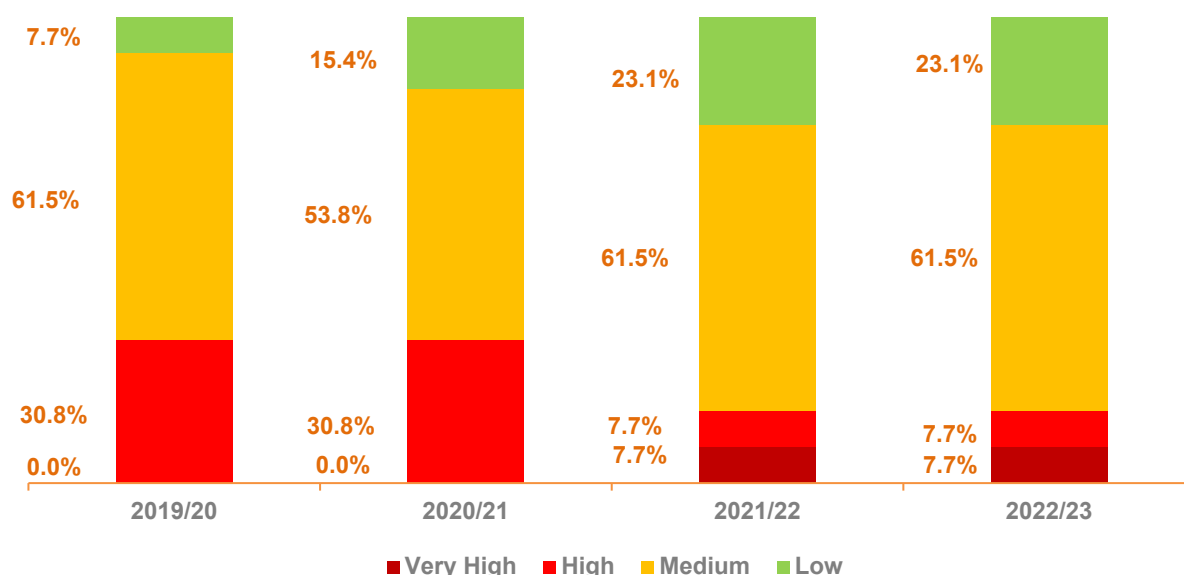
- i. Understand where risk assurances are being obtained from;
- ii. The level of reliance they place on that assurance; and
- iii. Identify potential gaps in assurance, enabling the application of relevant risk mitigation measures and/or controls accordingly.

What is the Three Lines of Defence Model?

- 2.7 Assurance can come from many sources within the Council. The Three Lines of Defence is a concept for helping to identify and understand the different sources of assurance. Defining these sources into three categories as below, helps the Council understand how each contributes to the overall level of assurance and how best they can be integrated and supported.
- 2.8 The 'Three Lines of Defence' assurance model distinguishes three groups (or lines) involved in effective risk management:
- i. The first line Functions that own and manage risks;
 - ii. The second line Functions that oversee risks and ensures compliance; and
 - iii. The third line Functions that provide independent assurance.
- 2.9 Please see **Attachment A** below which summarises the Council's risk assurance framework. A framework that is based on the revised Three Lines of Defence model.

Strategic Risk Register

- 2.10 The Council's Risk Management Policy Statement and Strategy 2020-2023 requires compilation and formal review of a strategic risk register. The purpose is to identify and assess risks associated with the achievement of the Council's priorities and objectives within the Council Plan. This includes both strategic risks and emerging strategic risks.
- 2.11 At the first quarter reporting of the strategic risk register to SMT, a strategic risk benchmarking exercise was undertaken against two neighbouring and similar councils. This focussed on risk categories and types.
- 2.12 The common themes on the Strategic Risk Registers of these councils include:
- Impact on Residents Health and Wellbeing,
 - Employee Wellbeing, and
 - Tackling the causes and consequences of climate change and promoting Sustainability.
- 2.13 The main aim of this analysis was to evaluate whether the Council had considered and captured all key relevant risks associated with delivering the Council's objectives. Benchmarking the areas with similar councils.
- 2.14 The information was scrutinised and discussed by SMT. It was concluded that the strategic risks identified and assessed by Gloucester City Council were in line with expectation of the Council's areas of business.
- 2.15 Analysis of the strategic risk register residual risk ratings recorded over the last four years (see below) demonstrates the commitment of the Council to manage and reduce key risks.



2.16 A summary of the Council’s end-of-year 2022/23 strategic risk register is provided at **Appendix 2**.

3. Risk Management links to Internal Audit

3.1 Whilst the responsibility for identifying and managing risks belongs to management, one of the key roles of Internal Audit is to provide independent assurance that those risks have been properly managed. In order to achieve this, Internal Audit within Gloucester City Council positions its work in the context of the Council’s own risk management framework. This approach is known as Risk Based Internal Auditing.

Risk Based Internal Audit Planning

3.2 All Councils must make proper provision for Internal Audit in line with the Accounts and Audit Regulations 2015. The Regulations provide that a relevant Council ‘must undertake an effective Internal Audit to evaluate the effectiveness of its risk management, control and governance processes, taking into account public sector internal auditing standards or guidance’. Completion of annual Internal Audit activity based on the risk profile of the Council also supports the Section 151 Officer’s duty to ensure the proper administration of the Council’s financial affairs.

3.3 The guidance accompanying the Regulations recognises the Public Sector Internal Audit Standards 2017 (PSIAS 2017) as representing ‘proper Internal Audit practices’. The Standards define the way in which the Internal Audit service should be established and undertake its operations. These Standards require the Head of ARA to produce an Annual Risk Based Internal Audit Plan to determine the priorities of Internal Audit activity.

3.4 ARA develop the Internal Audit Plan in consultation with senior management and Audit and Governance Committee. The Plan is drafted to ensure the proposed activity is consistent with the Council’s priorities and objectives. This takes into account the risk management framework, risk appetite levels set by management and Internal Audit’s own judgement of risks.

- 3.5 For the 2023/24 Internal Audit Plan, ARA enhanced the methodology to analyse and document risks. The new process is analytically driven and improves the ability to measure and compare risks more accurately. This enables Internal Audit work to be better aligned to the risks of the Council.

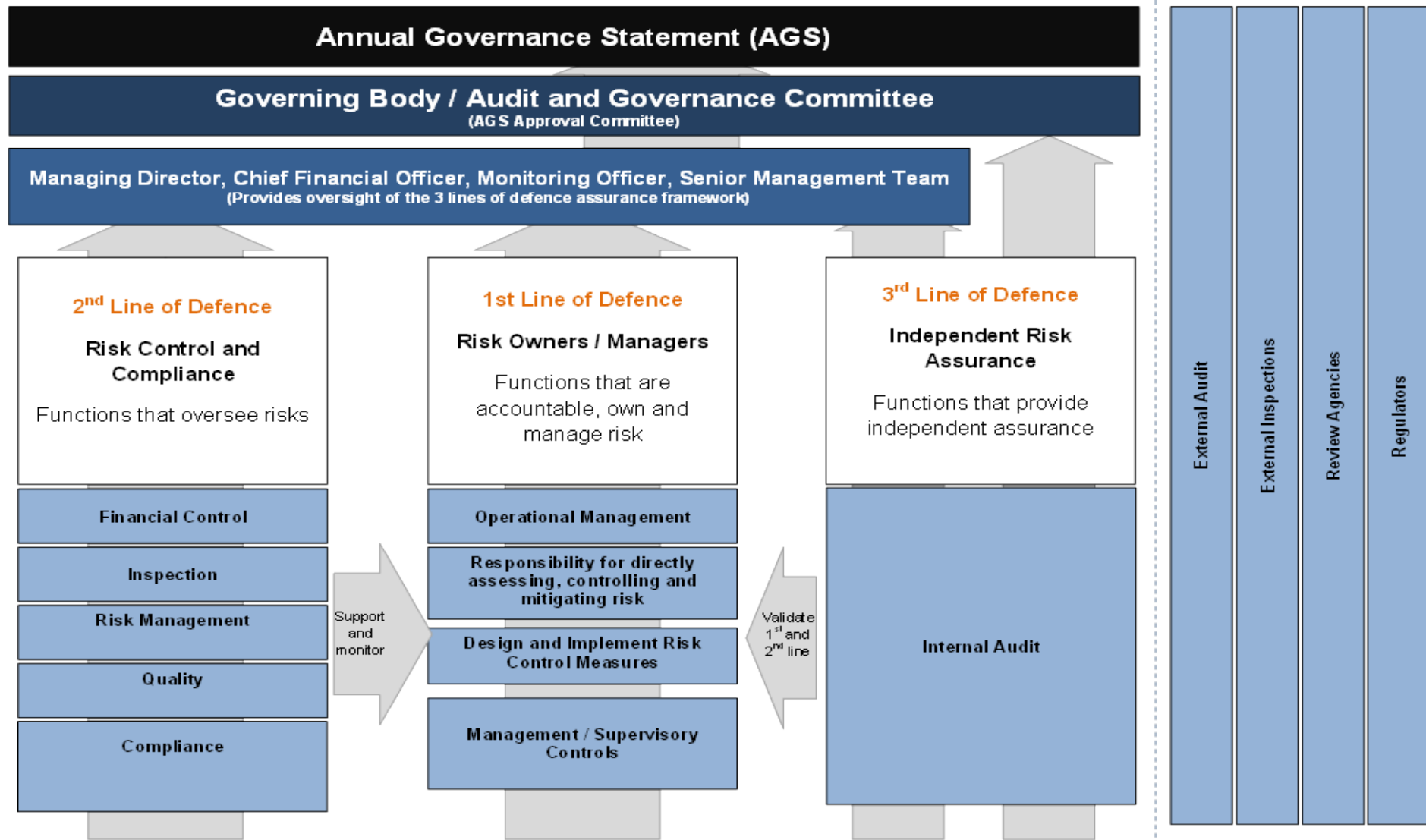
4. Future Developments in 2023/24

- 4.1 For 2022/23, ARA has produced and plans to deliver a dynamic Risk Management Action Plan (**Attachment B**). The goal of the Action Plan is to further embed and promote risk management good practice within the Council.
- 4.2 ARA have commenced work to help the Council develop a risk assurance map. This will provide a visual representation of the sources of assurance to management and Members. The assurance map will help to identify if there are any gaps in.

5. Conclusion

- 5.1 On the basis of the information set out in this report, it can be concluded that arrangements for managing risk within the Council are reasonable.

Attachment A – Three Lines of Defence Model: Governance, Risk and Control Assurance Framework



The Three Lines of Defence (Assurance Model)

The Three Lines of Defence Assurance Model distinguishes among three groups (or lines) involved in effective risk management:

- i. Functions that own and manage risks;
- ii. Functions that oversee risks; and
- iii. Functions that provide independent assurance.

The first line

As the first line of defence, operational management has ownership, responsibility and accountability for directly identifying, assessing, controlling and mitigating risks.

The second line

The second line of defence consists of activities covered by several components of internal governance (compliance, risk management, IT, HR, finance and other control functions). This line monitors and facilitates the implementation of effective risk management practices by operational management. Including monitoring the adequacy and effectiveness of internal control, accuracy and completeness of reporting, compliance with laws and regulations, and timely remediation of deficiencies.

Management establishes these functions to ensure the first line of defence is properly designed, in place, and operating as intended. Each of these functions has some degree of independence from the first line, but they are by nature management functions. As management functions, they may intervene directly in modifying and developing the internal control and risk systems. Therefore, the second line of defence serves a vital purpose but cannot offer truly independent analyses to governing bodies regarding risk management and internal controls.

The third line

Internal Audit form the Council's third line of defence. An independent Internal Audit function will, through a risk based approach to its work, provide assurance to the Council's Audit and Governance Committee and senior management. This high level of independence is not available in the second line. Internal Audit assurance will cover how effectively the Council assesses and manages its risks and will include assurance on the effectiveness of the first and second lines.

External Auditors, Regulators and other External Bodies

In addition to the internal governance arrangements, External Auditors, Regulators, and other External Bodies reside outside the Council's structure, but have an important role in the Council's overall governance and control structure. This is particularly the case in regulated industries, such as financial services or insurance.

Regulators sometimes set requirements intended to strengthen the controls in a council. On other occasions, they perform an independent and objective function to assess the whole or some part of the first, second, or third lines of defence with regard to those requirements.

When co-ordinated effectively, External Auditors, Regulators, and other groups outside the Council can be considered as additional lines of assurance provided to the Council's stakeholders. Given the specific scope and objectives of their missions, however, the risk information gathered is generally less extensive than the scope addressed by a Council's internal three lines of defence.

Attachment B – Risk Management Action Plan 2023/24

Area	Action	Target
Risk Management Policy Statement and Strategy (currently 2020-2023)	<p>Review the Risk Management Policy and Strategy to confirm it is up to date, fit for purpose and to evidence that the statements made within it are being applied and undertaken in practice by:</p> <ul style="list-style-type: none"> i. Council; ii. All Committees; iii. Audit and Governance Committee; iv. Senior Management Team; v. Respective management posts for their particular service areas; and vi. All staff 	September 2024
Risk Management Toolkit	Enact and apply the guidance as described within the Risk Management Toolkit; and to evidence that the processes described are being undertaken. This should include adopting the bow tie methodology for developing the risk register.	November 2024.
Member Actions	<p>The Council should review the following for the Committee:</p> <ul style="list-style-type: none"> i. Regular training for Members of the Committee on risk management. To include the importance of risk management, the role it plays in the Council achieving its objectives, and the Committee’s AGS approval role; ii. The reports that should be reported to each and every Committee on risks and risk management; iii. The Members to understand the Council’s objectives (must be SMART) and thereby be able to comment upon and challenge the risks that might affect the outcome of those objectives; and iv. The development of a risk assurance map to enable Members of the Committee to have a visual presentation of the Council’s assurance framework. 	March 2024.

Gloucester City Council – Risk Management Annual Report 2022/23

Attachment B

Area	Action	Target
Officer risk management survey	Conduct a survey of managers and then all staff to understand the awareness and understanding of risk management. Including the part they play in assessing risk and in achieving objectives in the most efficient and effective way.	December 2023.
Officer training	Establish ongoing risk management training for managers and staff.	March 2024.
Risk Champions	Establish Risk Champions who understand the benefits of risk management, the systems involved that manage risks (risk register) and have time allocated to support others in their departments and directorates.	March 2024.

Throughout 2023/24		
Area	Action	
Strategic Risk Register	<p>Facilitation and support of quarterly Strategic Risk Register review. To ensure alignment with strategic objectives with updates by the Senior Management Team.</p> <p>Key themes to be considered: Clarification of and golden thread to SMART objectives; Review of risk descriptions; Assessing risk appetite; Review of risk controls to distinguish between preventative and recovery controls; and use of the bow tie report tool.</p> <p>Twice-yearly reporting of the Strategic Risk Register to Audit and Governance Committee.</p>	
Strategic Risk Benchmarking	To review the Council’s Strategic Risks with other peer councils, to highlight any key and emerging risks for SMT to consider in July.	
Annual Risk Management Report	Annual Report to Audit and Governance Committee in July.	

Throughout 2023/24	
Area	Action
Service Plans and Risk Registers	<p>Continued provision of guidance and support to service leads to ensure both items are documented for all Council service areas and are updated accordingly. Joint working with the Policy and Governance Team.</p> <p>Key themes to be considered: Clarification of and golden thread to SMART objectives; Review of risk descriptions; Assessing risk appetite; Review of risk controls to distinguish between preventative and recovery controls; and use of the bow tie report tool.</p>
Risk management support on Council's significant projects	<p>Provision of risk management advice, support and guidance. Support route to be highlighted through the communications plan and promoted through wider Action Plan items. Support to be provided on request (either from the service directly or through identification via the Internal Audit Plan route).</p>
Communications Plan	<p>A communications plan will be developed and implemented to promote the importance of continuing to embed risk management principles and practices into day to day activities and decision making processes.</p> <p>Plan to align to wider Action Plan themes and timelines. To also ensure that key points of risk management support are known and accessible.</p>
Intranet Update	<p>Maintenance and update of the information available on the intranet, which includes the Risk Management Policy Statement and Strategy and Risk Management Toolkit.</p>

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Strategic Risk Register Report as at May 2023



SRR1 Strategic Risk Register

Risk Ref	Risk	Original Impact	Original Likelihood	Original Score	Description	Current Impact	Current Likelihood	Current Score	Further Mitigating Action	Timescale	Target Impact	Target Likelihood	Target Score	Risk Owner
SRR1.1	Non achievement of the Money Plan – including the annual savings / income targets and the result of a balanced budget	4	4	16	*Budget setting process – including consultation; management/leadership input into savings targets; and Overview & Scrutiny and Council involvement. *Forecasting Money Plan for medium term. *Allocation of individual savings/income targets to an SMT sponsor, Cabinet Member and leading manager. *Rigorous monthly monitoring of the Council's financial position - monthly budget monitoring (including budget savings programme lines) at budget holder level (Finance led) and by SMT. * Financial Services staff professionally qualified in	3	2	6			3	2	6	Head of Finance and Resources

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Risk Ref	Risk	Original Impact	Original Likelihood	Original Score	Description	Current Impact	Current Likelihood	Current Score	Further Mitigating Action	Timescale	Target Impact	Target Likelihood	Target Score	Risk Owner
					accountancy-related disciplines. *Assurance reviews by Internal Audit to ensure compliance with approved policies and procedures. *Service Plans aligned with resources and subject to regular review.									
SRR1.2	Adverse public and media relations	3	3	9	*Dedicated communications and marketing resource with defined service scope – service delivery by County Council (SLA). *Regular monitoring of press coverage. *Formal route for media press contact (controlled approach). *Standardised FOI approach with FOI Champions. *Dedicated support for key consultations. *Communication Strategy on key campaigns, including performance measures. *Internal Communications Channel Plan. *Complaints policy / monitoring. *Digital communications team in place – including	3	2	6			2	2	4	Managing Director

Risk Ref	Risk	Original Impact	Original Likelihood	Original Score	Description	Current Impact	Current Likelihood	Current Score	Further Mitigating Action	Timescale	Target Impact	Target Likelihood	Target Score	Risk Owner
					objectives, policies and procedures. *Approved campaigns plan in place. *Release of new Council website.									
SRR1.3	Lack of competence, staff engagement, probity and professionalism, workforce planning, succession planning, recruitment and retention within the authority leading to diminished performance, inappropriate behaviour, and failure to comply with governance.	3	3	9	*Dedicated HR resource with defined service scope – service delivery by County Council (s101 agreement). *Adherence to best practice recruitment and selection procedures and principles. *Member and staff training. *Complaints monitoring. *Member role descriptors. *Codes of conduct for members and officers. *Defined officer roles. *Staff 1:1s and performance appraisals. *Disciplinary procedure. *Adherence to health and safety Policy and procedures. *Staff survey. *Staff engagement activities. *Governance Group bi-monthly meetings.	3	2	6			3	1	3	Head of Transformation

Risk Ref	Risk	Original Impact	Original Likelihood	Original Score	Description	Current Impact	Current Likelihood	Current Score	Further Mitigating Action	Timescale	Target Impact	Target Likelihood	Target Score	Risk Owner
					<p>*Council Values and behaviours refreshed and adopted.</p> <p>*Development Plan and Learning & Training Plan in place.</p> <p>*OD Plan in place.</p> <p>*Talent management scheme and apprenticeship scheme in place.</p>									
SRR1.4	Failure to effectively manage contracts and SLAs with key partners / other significant bodies, including: Ubico, Civica, Aspire, Gloucestershire Airport, VCS organisations, Gloucestershire County Council shared services	3	3	9	<p>*Central list held of all contracts and SLAs with named responsible officers and Members.</p> <p>*In set up of the partnerships:</p> <ul style="list-style-type: none"> -Corporate procurement strategy and procedures; Contract Standing Orders; Constitution requirements; and Availability of advice from legal, finance & procurement. -Documentation on the Council contracts register. <p>*Partnership specific controls required (for each partner):</p> <ul style="list-style-type: none"> -Documented signed SLA. -Lead contact officers assigned to each partner. -Regular performance management meetings, 	2	3	6			2	2	4	Head of Finance and Resources

Risk Ref	Risk	Original Impact	Original Likelihood	Original Score	Description	Current Impact	Current Likelihood	Current Score	Further Mitigating Action	Timescale	Target Impact	Target Likelihood	Target Score	Risk Owner
Page 99					with reporting to SMT/Committee. -SLAs incorporate contingency business plan approach to mitigate loss of service. -Partnership risk registers – either individually or within the service risk register. -Governance arrangements identifying where decisions are taken. -Agreement of SLA KPIs, performance standards and payments (within contract). -Ongoing negotiation with partners to review current contract contents, to ensure up to date (e.g. GDPR considerations) and fit for purpose.									
	SRR1.5	Failure to support and enable business growth within the city	3	3	9	*Support local businesses both start up and new - 'Better Business For All'. *Partnership support for skills/jobs and attraction of inward investment. *Council's promotion of city through links with GFirst LEP;; and with adjacent authorities (e.g. JCS).	2	2	4		2	2	4	Head of Place

Risk Ref	Risk	Original Impact	Original Likelihood	Original Score	Description	Current Impact	Current Likelihood	Current Score	Further Mitigating Action	Timescale	Target Impact	Target Likelihood	Target Score	Risk Owner
					*Cultural Strategy – including 6 monthly review and update. *Liaison with Business Improvement District *Regeneration and Economic Development Strategy in place. *Ongoing review and bidding for regeneration funding, with continued focus on regeneration sites.									
SRR1.6	Loss of finance, resource and reputation due to fraudulent activity	4	3	12	*The following are approved policies available to officers: -Anti-fraud and corruption strategy (including Anti-bribery policy and Anti-money laundering policy). -Whistle blowing policy. -Fraud response plan. *Financial regulations (including standing orders). *Existing internal control framework. *Internal Audit inc. Audit & Governance Committee and annual risk based internal audit plan (deterrent). *External audit presence (deterrent). *Benefit case referral to the Single Fraud Investigation Service – DWP.	3	1	3			4	1	4	Head of Finance and Resources

Risk Ref	Risk	Original Impact	Original Likelihood	Original Score	Description	Current Impact	Current Likelihood	Current Score	Further Mitigating Action	Timescale	Target Impact	Target Likelihood	Target Score	Risk Owner
					<p>*Brilliant Basics modules (fraud awareness, project management and influencing skills) available to management team.</p> <p>*Council Fraud Officer works closely with ARA – Council position reviewed monthly by S151 Officer and Chief Internal Auditor.</p>									
SRR1.7	Failure to deliver key regeneration priorities (including Kings Quarter and Blackfriars)	3	3	9	<p>Regeneration Advisory Board.</p> <p>*Capital Monitoring Steering Group & existing capital programme controls.</p> <p>*Brilliant Basics modules (project management and influencing skills) available to management team.</p> <p>*Project specific controls that should be in place:</p> <ul style="list-style-type: none"> -Project plans in place for major schemes. -Project review meetings led by experienced/qualified Members and Officers with third party links/presence (e.g. developers and associated commercial agents). 	3	2	6			2	2	4	Head of Place

Risk Ref	Risk	Original Impact	Original Likelihood	Original Score	Description	Current Impact	Current Likelihood	Current Score	Further Mitigating Action	Timescale	Target Impact	Target Likelihood	Target Score	Risk Owner
					-Project update reporting to Cabinet and Council (in line with project plan milestones). - Re-assessment of projects at appropriate points to review objectives and deliverables. - Maintenance and review of project risk registers for each regeneration project. -Ongoing internal review and financial scrutiny of projects.									
RR1.8	Failure to manage information in accordance with legislation	4	4	16	*IT Security ­ The Civica ITO extension continues to provide key IT security controls. ­ The rebuild opportunity following the cyber incident, the council, working with the NCSC and NCC has invested in additional security products and services: ­ Enrolment in the NCSC Active Cyber Defence services ­ Introduced a Security information and event management (SIEM)	3	2	6	Insourcing ITO arrangements to enhance the key IT security controls	31-Oct-2022	4	1	4	Head of Transformation

Risk Ref	Risk	Original Impact	Original Likelihood	Original Score	Description	Current Impact	Current Likelihood	Current Score	Further Mitigating Action	Timescale	Target Impact	Target Likelihood	Target Score	Risk Owner
					­ Endpoint protection (VMware and Microsoft) ­ E-mail content scanning (incl. Microsoft). ­ Physical security and protection of IT suite (access list only – physical in now with Indectron). ­ Procedures for login lockdown when IT staff leaving organisation. ­ Data cleansing of IT equipment prior to disposal. ­ Client monitoring (inhouse intelligent client function) team in place. ­ IT risk register monthly review and update by the IT Operations Board. *Use of information: ­ FOI procedures; standardised approach; & FOI Champions. ­ Information management rules within the Constitution. ­ Data Protection guide and GDPR implementation/training action plan. ­ Staff training and induction to confirm appropriate									

Risk Ref	Risk	Original Impact	Original Likelihood	Original Score	Description	Current Impact	Current Likelihood	Current Score	Further Mitigating Action	Timescale	Target Impact	Target Likelihood	Target Score	Risk Owner
Page 104					management of information. *Info stored / accessed ­ Building access controls. ­ SIRO role allocated. ­ Information Governance Board and ICT Strategy Board in Place. ­ Suite of information policies in place and available on NETconsent policy management system. ­ User cyber awareness training and workshops Quarterly cyber update presented to SMT									
	SRR1.9	Ability to respond effectively to unexpected social and environmental events in support of our communities (e.g. weather/terror attack/phone system failure/BREXIT/ Covid/cost of living crisis/other)	4	3	12	*Up-to-date Emergency Response Plan, Flood Plan, Vulnerable People Plan, Pandemic Plan etc. drafted in conjunction with agencies, government departments and other local authorities. *Regular review and updating of Emergency Response Plan and other plans. *Allocated Emergency Team Leaders within the Council e.g. District Emergency Controller and Gold Officer roles.	3	2	6			3	2	6

Risk Ref	Risk	Original Impact	Original Likelihood	Original Score	Description	Current Impact	Current Likelihood	Current Score	Further Mitigating Action	Timescale	Target Impact	Target Likelihood	Target Score	Risk Owner
					*Business continuity plans in place for each Service. *Bad weather policy and communications. *Climate change strategy supported by Local Resilience Forums. *Emergency Contacts list updated every quarter. *Defined Mutual Aid Agreement including all Gloucestershire local authorities. *Continued testing of Emergency Plan arrangements; bi annual exercises & live events (e.g. Christmas call out exercise); and use of Mutual Aid agreement. With ongoing shared learning. *Review of issues affecting 'Community cohesion' at Gloucester's Community Safety Partnership. *Engagement in Community resilience forum. *Regular attendance at ILP and Health Inequalities Groups *Social issues such as fuel poverty and									

Risk Ref	Risk	Original Impact	Original Likelihood	Original Score	Description	Current Impact	Current Likelihood	Current Score	Further Mitigating Action	Timescale	Target Impact	Target Likelihood	Target Score	Risk Owner
					housing affordability reviewed by Gloucestershire Strategic Housing Partnership *Social value policy focused to help address current issues via TOMs									
SRR1.10	Council services loss for a significant period, due to failure and limited capacity of IT infrastructure (leading to other financial, reputational and information governance risks)	4	4	16	* The rebuild opportunity following the cyber incident has enabled the council to accelerate its cloud first strategy. * The investment budget to implement and maintain the rebuild has been agreed * PSN compliance and Cyber Essentials certification is being monitored through regular audit checkpoints with certification bodies.	2	4	8	Complete the rebuild of the council's line of business applications, over 75% of which will be hosted in the cloud on infrastructure managed by the application provider	31-Oct-2022	3	2	6	Head of Transformation
									Host all unstructured data in Office 365	31-Oct-2022				
									Provide fully managed new security infrastructure (firewall and VPN) and next generation devices	31-Oct-2022				
									Through the move to the cloud and inclusion in the scope for the service provided, shift of the council's ICT Business Continuity and IT Disaster Recovery Plans to application providers	31-Oct-2022				
									Develop ICT Strategy for each infrastructure service and line of business application to balance the need to restore along with the opportunity to move to the cloud	31-Oct-2022				
									Rebuild ICT Security and information governance with input from the NCSC and NCC	31-Oct-2022				
SRR1.11	Inability of the council to identify viable	4	4	16	*Budget setting process – including consultation;	3	2	6			3	2	6	Head of Finance and Resources

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Risk Ref	Risk	Original Impact	Original Likelihood	Original Score	Description	Current Impact	Current Likelihood	Current Score	Further Mitigating Action	Timescale	Target Impact	Target Likelihood	Target Score	Risk Owner
Page 107	plans to achieve efficiencies and/or income generation.				management/leadership input into savings targets; and Overview & Scrutiny and Council involvement. *SMT and Cabinet review and approval of Money Plan savings delivery options – including commissioning and alternative delivery opportunities for savings and income generation. *Allocation of individual savings/income targets to an SMT sponsor, Cabinet Member and leading manager. *Rigorous monthly monitoring of the Council's financial position - monthly income / budget monitoring at budget holder level (Finance led) and by SMT. *Engagement with GMT to ensure corporate ownership of financial challenges and need for active identification of efficiency & income opportunities for the Council									
	SRR1.13	Inability of the Council to deliver the	4	4	16	*Corporate Plan developed jointly by Cabinet and Senior	1	1	1			3	2	6

Risk Ref	Risk	Original Impact	Original Likelihood	Original Score	Description	Current Impact	Current Likelihood	Current Score	Further Mitigating Action	Timescale	Target Impact	Target Likelihood	Target Score	Risk Owner
Page 108	Corporate Plan to 2024				Management Team, scrutinised and endorsed by the wider Council membership. *Corporate Plan approval completed. *Budget Strategy and Money Plan designed to appropriately resource the delivery of the Corporate Plan. *Performance management framework. *Service planning processes to ensure Corporate Plan link to Service Plans. *Appraisal processes link personal objectives and development needs to the needs of the organisation, talent development and personal well being.									
	SRR1.14	Negative financial implications due to inappropriate delivery and management of the Property Investment Strategy; and a risk of political priorities diluting commercial considerations around hedging	4	4	16	*Property Investment Strategy (including risk management considerations) endorsed by Cabinet and approved by Council. *Property Investment Board set up with a defined Terms of Reference to oversee the investment of the £80m fund.	3	2	6		4	2	8	Head of Finance and Resources

Risk Ref	Risk	Original Impact	Original Likelihood	Original Score	Description	Current Impact	Current Likelihood	Current Score	Further Mitigating Action	Timescale	Target Impact	Target Likelihood	Target Score	Risk Owner
					<p>*Council approved delegation of authority to the Council Solicitor to conclude documents (in line with senior officer agreed heads of terms) to enable completion of each acquisition.</p> <p>*Property Investment Board to receive investment prospectus and officer evaluations of potential property acquisitions; to make recommendations to the s151 Officer with regards to investment; and to oversee the due diligence and acquisition process in accordance with the Property Investment Strategy.</p> <p>*Property Investment Board to monitor fund position (including cost of borrowing) and the management of the estate, with outcomes to be reported to senior officers and Members.</p> <p>*Legal implications ongoing review to ensure relevant local authority powers remain in place to support the Property Investment Strategy.</p>									

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