



Public Document Pack STROUD DISTRICT COUNCIL

Council Offices • Ebley Mill • Ebley Wharf • Stroud • GL5 4UB
Telephone 01453 766321
www.stroud.gov.uk Email: democratic.services@stroud.gov.uk

14 June 2023

COMMUNITY SERVICES AND LICENSING COMMITTEE

A meeting of the Community Services and Licensing Committee will be held on **THURSDAY, 22 JUNE 2023** in the Council Chamber, Ebley Mill, Ebley Wharf, Stroud at **7.00 pm**

Kathy O'Leary
Chief Executive

Please Note: The meeting is being held in the Council Chamber at Stroud District Council and will be streamed live on the Council's [YouTube Channel](#). A recording of the meeting will be published onto the [Council's website](#). The whole of the meeting will be recorded except where there are confidential or exempt items, which may need to be considered in the absence of press and public.

If you wish to attend this meeting, please contact democratic.services@stroud.gov.uk. This is to ensure adequate seating is available in the Council Chamber.

AGENDA

1. **APOLOGIES**
To receive apologies for absence.
2. **DECLARATION OF INTERESTS**
To receive declarations of interest.
3. **MINUTES (Pages 5 - 10)**
To approve the minutes of the meeting held on 23 March 2023.
4. **PUBLIC QUESTIONS**
The Chair of the Committee will answer questions from members of the public submitted in accordance with the Council's procedures.

DEADLINE FOR RECEIPT OF QUESTIONS Noon on Friday, 16 June 2023

Questions must be submitted to the Chief Executive, Democratic Services, Ebley Mill, Ebley Wharf, Stroud and can be sent by email to Democratic.services@stroud.gov.uk

5. **MEMBER QUESTIONS**

See Agenda Item 4 for deadlines for submission.

6. **PERFORMANCE MONITORING Q4 (Pages 11 - 26)**

To receive an update on Performance Monitoring Q4.

7. **ADOPTION OF REVISED STREET TRADING POLICY (Pages 27 - 68)**

Consider a final revised street trading policy for adoption following consultation. The main proposed change is a new decision-making process for contentious applications, or cases where a consent may be revoked, to enable them to be considered by a licensing hearing panel.

8. **STROUD DISTRICT COUNCIL TAXI FARES 2023 (Pages 69 - 78)**

To consider recommendations by the Taxi Task and Finish Group to increase taxi fares for 2023 in Stroud District.

9. **STRENGTHENING LOCAL COMMUNITIES GRANT (Pages 79 - 98)**

To approve the allocation of the Strengthening Local Communities Grant from Gloucestershire Integrated Care Board.

10. **LEISURE MANAGEMENT RECOMMENDATION (Pages 99 - 228)**

The purpose of this report is to seek approval from the Council to bring Stratford Park Leisure Centre (SPLC) inhouse creating a Leisure Services Team with effect from 1st November 2024.

11. **APPOINTMENTS**

(a) Performance Monitoring Representatives

To appoint two performance monitors for the Civic Year 2023-24.

Performance monitors carry out a scrutiny role and are typically members of the opposition political group or an independent Councillor. These appointed Members will examine the work of the Council and report back to Committee on the progress made against the Council plan.

(b) Outside Bodies (Pages 229 - 230)

12. **MEMBER/OFFICER REPORT (TO NOTE)**

(a) Museum in the Park (Cowle Trust) (Pages 231 - 232)

(b) Police and Crime Panel (Pages 233 - 234)

(c) Cost of Living Information Sheet (Pages 235 - 242)

(d) Salix Project Update (Pages 243 - 246)

(e) Update on Play Review Spending Allocations Information Sheet (Pages 247 - 250)

(f) Safer Street 4 Funding Information Sheet (Pages 251 - 252)

(g) Safeguarding Information Sheet (Pages 253 - 256)

13. **WORK PROGRAMME (Pages 257 - 260)**

To consider the work programme.

Members of Community Services and Licensing Committee

Councillor Beki Aldam (Chair)

Councillor Paula Baker
Councillor Gordon Craig
Councillor Kate Crews
Councillor Jonathan Edmunds
Councillor Steve Hynd

Councillor Trevor Hall (Vice-Chair)

Councillor Julie Job
Councillor John Jones
Councillor Gill Oxley
Councillor Nigel Prenter
Councillor Ken Tucker

This page is intentionally left blank



STROUD DISTRICT COUNCIL

Council Offices • Ebley Mill • Ebley Wharf • Stroud • GL5 4UB

Tel: (01453) 754 351/754 321

www.stroud.gov.uk

Email: democratic.services@stroud.gov.uk

COMMUNITY SERVICES AND LICENSING COMMITTEE

Thursday, 23 March 2023

7.00 - 7.57 pm

Council Chamber

Minutes

Membership

Councillor Chris Brine (Chair)

* Councillor Gordon Craig
 Councillor Kate Crews
 Councillor Jonathan Edmunds
 Councillor Trevor Hall
 Councillor Julie Job
 *Absent

Councillor Beki Aldam (Vice-Chair)

Councillor John Jones
 *Councillor Gill Oxley
 Councillor Nigel Prenter
 Councillor Steve Robinson
 Councillor Ken Tucker

Officers in Attendance

Strategic Director of Communities
 Head of Community Services
 Licensing Manager

Accountant
 Democracy & Information Governance
 Officer

CSLC.042 Apologies

Apologies for absence were received from Councillors Craig and Oxley.

CSLC.043 Declaration of Interests

There were none.

CSLC.044 Minutes

RESOLVED That the Minutes of the meeting held on 26 January 2023 were approved as a correct record.

CSLC.045 Public Question Time

Public questions were submitted. They were answered by the Chair, Councillor Brine. Supplementary questions were also answered. [Refer to the recording](#) of the meeting and [Agenda Item 4](#).

CSLC.046 Member Questions

There were none.

CSLC.047 Performance Monitoring Q3

Councillor Tucker advised that the colouring and status on several of the indicators were confusing. He advised Committee whilst he understood the reason why the projects had slipped, the status on them being listed as 'not started' was incorrect and instead should be listed as 'overdue' to be transparent. The following indicator examples were provided:

- CW1.2.2 listed as on target however had a completion date of 1 December 2022.
- CW1.4 listed as on target however had a completion date at the end of December 2022.
- CW1.4.1 listed as not started however had a completion date at the end of December 2022.
- CW3.1 currently showing as overdue despite the deadline being at the end of the current month (March 2023).

The Head of Community Services advised that some of the examples were ongoing projects which required to be continually monitored after the completed date. She advised that the current performance management system did not always allow officers to change the dates listed within the system and hoped the new system would remove this issue and simplify the process.

Councillor Tucker acknowledged the completion date could not be amended but asked if the status colour were able to be changed. The Head of Community Services advised it was not possible due to the colours being automated in the system.

CSLC.048 Community Services and Licensing Budget Monitoring Report Q3 2022/23

The Accountant introduced the report and explained that the report presented the forecast outturn against the Revenue and Capital Budget as of 31 December 2022 and identified that there was a projected Net Revenue overspend. She advised that the Housing Benefit Subsidy had the biggest variance and that a briefing paper on this was sent to Committee Members last week which included the narrative detail.

Proposed by Councillor Aldam and seconded by Councillor Prenter.

On being put to the vote, the Motion was carried unanimously.

RESOLVED To note the outturn forecast for the General Fund Revenue budget and the Capital Programme for this Committee.

CSLC.049 Review of Street Trading Policy

The Licensing Manager introduced the report and reminded Committee that Street Trading consent was required for the selling, exposing, or offering of any article in the street however newspapers and periodicals were exempt in legislation. She advised Committee of the current processes and explained the purpose of the report was to review the current policy with a proposal to improve the Council's processes for determining contentious applications and processes on revoking someone's licence through the introduction of a hearing process (as outlined in appendix 1 to the report).

Where an objection on a case from the Police or Gloucestershire Highways on grounds of public safety was received or where a short term community consent had been applied it was proposed that this should be retained as an officer decision to alleviate pressure on

2022/23

hearing panels. She also advised the report made minor changes which included clarification on DBS checks, reduction on traders public liability insurance from £10M to £5M and finally to clarify market consent conditions. The Licensing Manager concluded and advised that if Committee approved the report, the draft policy would go out for public consultation until May with a final policy for decision to come back to Committee in June.

Councillor Prenter asked whether the annual licensing hearing training would be sufficient to incorporate the new hearing process in the policy or if additional training would be required. The Licensing Manager advised she envisaged that street trading would be included within the annual training.

Councillor Crews advised she would like to see a code of conduct on street traders added to the policy. The Licensing Manager advised the policy is twofold, first being the suitability of site and second the suitability of applicant. She continued and advised all traders and lone workers on stands were required to be DBS checked however she would add something into the policy ahead of consultation. The Chair, Councillor Brine suggested a statement on expectation of traders behaviour as an alternative.

Councillor John Jones asked who was liable for market consent and public liability insurance. The Licensing Manager advised that the market organiser should either have their own public liability insurance or make sure that all traders have their own insurance. Councillor John Jones advised that he expected market organisers to show the Council they hold public liability insurance. The Licensing Manager confirmed this was already a requirement of the application and of any annual renewal.

Proposed by Councillor Robinson and seconded by Councillor Hall.

Councillor Hall welcomed the report and believed that everyone should have the right to appeal disciplinary decisions.

Councillor Aldam echoed Councillor Hall's comments and explained how valuable hearings were to allow people to object and appeal.

On being put to the vote, the Motion was carried unanimously.

RESOLVED To agree a draft revised street trading policy for consultation.

CSLC.050 Vehicle Emissions Policy for Taxi and Private Hire Vehicles for adoption

The Licensing Manager introduced the report and reminded Committee that in December 2022 Committee approved the draft policy developed by the Task and Finish (T&F) Group to go out to public consultation. The T&F Group met with trade representatives and also sought the views from the Equality, Diversity and Inclusion working group who asked for reassurance that wheelchair accessible taxis available to the public would not be reduced. She continued and explained that the T&F Group concluded that due to electric vehicle (EV) costs and lack of infrastructure in the district, a mandatory EV policy was not appropriate and instead a policy based on Euro 6 compliance to reduce emissions, would be an appropriate interim measure.

Councillor Tucker asked for clarification on paragraph 2.3 of the report and asked if it was all vehicles registered after 1 September 2015 or 2025 which were Euro 6 compliant. The Licensing Manager confirmed it was 2015.

Proposed by Councillor Prenter and seconded by Councillor John Jones.

The Chair, Councillor Brine gave his thanks to the Officers and the T&F Group for their hard work.

Councillor Prenter believed the T&F Group struck a good balance between equality and environmental considerations within the Policy.

Councillor John Jones advised Committee that had there been better infrastructure for public electric charging points that the policy might have had a different Policy.

On being put to the vote, the Motion was carried unanimously.

- RESOLVED**
- a) **To adopt the taxi and private hire vehicle emission policy and commencement dates as laid out in paragraph 2.14 of this report.**
 - b) **Agree to the proposed long term targets for an ULEV or EV policy as laid out in paragraph 2.15 of this report.**

CSLC.051 Leisure Management Update

The Head of Community Services advised that she was due to present the Local Authority Trading Company (LATC) Business Case as the preferred option for the leisure management contract for Stratford Park, however due to a change in March from HMRC, it meant leisure facilities were now non-business VAT operated which had a direct impact on the financials within the Business Case for the LATC. This meant that the proposal needed to be reviewed. She advised that she was working on a new Business Case and would be bringing the preferred option back to Committee at a later date after viewing the VAT implications.

Councillor Robinson queried if there was still enough time within the timeframe for the contract renewal and having to review the options again. The Head of Community Services confirmed there was still enough time.

Councillor Prenter asked whether new preferred option would be taken back to the Task and Finish (T&F) Group before being submitted to Committee. The Head of Community Services advised an extraordinary board meeting had been arranged to discuss the next stages however they would consider taking back to the T&F group.

The Chair, Councillor Brine, informed Committee that he had hoped Committee that evening would be agreeing the Leisure Management Option for the next 25 years however with such significant financial implications due to the VAT, the correct decision was made to review the options again and to ensure the best possible option was brought to Committee regarding leisure provision in the district. He thanked the Head of Community Services and her team for their continued work.

CSLC.052 Appointment to Citizens Advice

No nominations were received and therefore the post would remain vacant until the annual appointments.

CSLC.053 Member/Officer Report (To Note)

a) Museum in the Park (Cowle Trust)

The Member report had been circulated prior to Committee. There were no questions raised.

b) Police and Crime Panel

The Member report had been circulated prior to Committee. There were no questions raised.

c) Cost of Living Information Sheet

The Member report had been circulated prior to Committee. There were no questions raised.

CSLC.054 Work Programme

Councillor Crews asked for the Lido to be added to the work programme. The Chair, Councillor Brine, advised it was on the T&F group's agenda for the next meeting.

Councillor Robinson advised the importance of receiving regular updates from the Gloucestershire Health Overview Scrutiny Committee (HOSC). Councillor John Jones also advised for the 111 service to be included within the next HOSC report.

Councillor Edmunds asked for an update from the Mental Health Champions. The Head of Community Services advised that the Mental Health Champions would be bringing their action plan to June Committee with a focus on staff and Members.

Councillor Crews advised that the Integrated Care Board had given Councils some funding for health provision. The Head of Community Services advised that £150k had been provided and her team were working on a brief for how and what the money can be spent on. Once the brief had been drafted, it could be brought back to Committee for consideration.

RESOLVED To note the above update to the Work Programme.

The Chair, Councillor Brine, gave thanks to the Committee and the Vice Chair for the work the Committee had conducted this civic year.

The meeting closed at 7.57 pm.

Chair

This page is intentionally left blank



STROUD DISTRICT COUNCIL

Ebley Mill • Ebley Wharf • Stroud • Gloucestershire • GL5 4UB
 01453 766321
 www.stroud.gov.uk

Performance Monitoring Report Q4: CS&L Committee





Date of Meeting	Performance Monitor Meeting – 17 th May 2023	
Attendees	Members: Julie Job Officers: Angela Gillingham, Emma Keating-Clark, Liz Shellam, Hannah Emery, Sarah Clark, Steve Miles Youth Council: Cate James-Hodges and Brandon Watkins	
Performance Update (See report below/attached)		
Council Plan Priorities (see performance management system)	Summary:	Progress & RAG Status
	Action Plans:	15 On Target
	See detailed report below.	1 Not started
	<i>Actions where no information has been provided will be highlighted</i>	2 Completed
		1 Overdue
Council Plan Performance Indicators or Milestones (see performance management system where applicable)	Summary:	Progress & RAG Status
	Milestones:	26 On Target
		5 Not started
		11 Completed
		0 Overdue
	Summary:	Progress & RAG Status
	Performance Indicators:	7 On Target
Reports being presented to this Committee associated with Council Plan:	Adoption of Revised Street Trading Policy Leisure management report	

Service Area 6 Indicators (not covered in Council Plan)	
Risks	Corporate Risk Register presented to Audit & Standards Committee. List any relevant Service specific risks.
Relevant finance issues	See Q3 Budget monitoring report
Any other service issues considered at the meeting (eg staffing / resources)	N/a
Follow up (any issues for consideration at the next meeting)	The plan is under review and some changes will be made to update this plan in readiness for the next round of performance management.







Any issues of significant concern to be reported to Audit and Standards	
No issues of concern to report to Audit and Standards.	
Any actions/recommendations for the Committee	
Any issues will be raised at Committee by the Performance Monitors.	
Report submitted by	Councilor Julie Job
Date of report	26th May 2023

Please complete and return to the Democratic Services ASAP for circulation to the Committee






Action Plans, Milestones & Indicators (68)

Code	Action Required / Description	Deadline	Lead Officer	Status	Last Monitored	Comments
CW1.1	Develop community led networks and community hubs across the district by helping communities to develop their own networks and hubs, connecting smaller and larger hubs and providing support and training.	31/03/2024	Angela Gillingham	On Target 		The Cost-of-Living response has proven the value of Hubs but has also shown how vulnerable they are. Partners involved in running and funding the Community Hubs are working together on the next phase of the network development. UKSPF brings some financial support to 10 Hubs which is welcome but operational support and mentoring is also required. SDC are exploring how to fund experienced organisations like Stroud Town Council, GL11 and The Keepers to provide hands-on support to less experienced Hubs in their parts of the district. To support the Hub challenges, we will be developing and implementing a community, voluntary and social enterprise sector action plan, addressing communication and advocacy, financial resilience, and community hub support.
» CW1.1.1	Develop a website for Hubs by December 2022, where Hubs can access resources and training.	31/12/2022	Emma Keating Clark	Completed 	N/A	
» CW1.1.2	Establish a Peer Network for the Hubs by December 2022	31/12/2022	Emma Keating Clark	Completed 	N/A	
» CW1.1.3	All Hubs connected and working together by the end of 2024 with quarterly reporting on progress of delivery plan	31/03/2024	Emma Keating Clark	On Target 	N/A	See CW1.1
» CDPCW1.1	10 well managed Hubs across the District serving the local community by the end of 2024	N/A	Emma Keating Clark	Target: 10 Actual: 11		







Code	Action Required / Description	Deadline	Lead Officer	Status	Last Monitored	Comments
CW1.2	Act to improve the physical and mental health and wellbeing of people in the district through delivery of a new 3 year Health and Wellbeing Plan	31/03/2024	Angela Gillingham	On Target ■		<p>CYP Eating Disorder Project The focus of the Eating Disorder project is to create positive opportunities around what interests a young person, not focus on their condition. One teenager got involved in our Creative Arts workshops and as a result began to write creatively. We used this as a jump off point to host our first Show Case event where this young woman was able to share her writing for the first time in public. For her and her family, this represents a massive step forward in their recovery journey.</p> <p>Reading Well Forum Using the evidence that reading for pleasure brings health benefits to children and young people, the Reading Well forum brings together school librarians, teachers, TAs and support workers who are encouraging the use of reading. One Family Support Worker (supports 4 primary schools) reported that teachers, Teaching Assistants and ELSAs (Emotional Literacy Support Assistants) were all using the Reading Well books, to great effect. Early intervention has been a recurrent theme, where the books are tackling an issue before it 'balloons' and needs a referral to other services.</p>
» CW1.2.1	Write a 3-year health and wellbeing plan which is linked to the Leisure and Wellbeing Strategy by March 2022	15/09/2022	Angela Gillingham	Completed ■	N/A	
<p>Performance Members Comments: We are now in the next phase of the Hub network development. We are seeking to offer more operational support and mentoring to the less experienced hubs. We have 12 active hubs in the district.</p>						
» CW1.2.2	Adopt a measure for each element of the action plan which is reported on quarterly through the performance monitoring mechanism	01/12/2022	Angela Gillingham	On Target ■	N/A	Measures are captured across the plan for areas such as health and wellbeing classes. Other performance is measured by stories of impact. See CW 1.2
<p>Performance Members Comments: The 3 year plan is in place. Examples of activities are included above such as Children and Young People Eating disorders. Early intervention has proved to be a recurrent theme. The examples of work provided are working well.</p>						
CW1.3	Ensure residents continue to receive the advice they need, by continuing our work in partnership with the Citizens Advice Bureau and developing a new Service Level Agreement.	31/03/2022	Keith Gerrard	Completed ■		

Code	Action Required / Description	Deadline	Lead Officer	Status	Last Monitored	Comments
» CW1.3.1	SLA with CAB written and signed by 1st April 2022.	31/03/2022	Keith Gerrard	Completed 	N/A	
CW1.4	Work to reduce the impacts and causes of anti-social behaviours by developing a district wide policy in partnership with the Community Safety Partnership	30/12/2024	Angela Gillingham	On Target 		ASB policy is currently in draft form and is out for consultation with Youth Council and Police. We have identified an officer to work with Solace for 12 months to reduce ASB across the district.
Performance Members Comments: This deadline has been moved due to staff departures and vacancies. ASB policy is currently in draft form and in the consultation phase with youth council and police. There is a members evening at the end of June and a report is being presented to Housing, Environment and CS&L Committees in September.						
» CW1.4.1	Reduction in anti-social behaviour instances/ reports	30/12/2022	Angela Gillingham	Not Started 	N/A	See CW1.4
Performance Members Comments:						
» CW1.4.2	In collaboration with the Stroud Community Safety Panel, develop and adopt a proactive programme of ASB preventative training and awareness raising. • Report quarterly on delivery of preventative ASB training and awareness raising	30/12/2024	Angela Gillingham	On Target 	N/A	Holistic ASB training has taken place in Stroud during April. The CSP plan is currently in draft form and will be shared with the CSP partners.
Performance Members Comments: The council are finalising the service level agreement to work with SOLACE on reducing ASB across the district. Two council officers will be trained to assist the police with medium and high-level cases.						
» CW1.4.3	Agreed work outcomes with OPCC	30/09/2022 3	Angela Gillingham	On Target 	N/A	CSP plan in draft form. New plan will be ready for September 2023 as agreed with the OPCC
» CW1.4.4	Draft a ASB policy that will be in line with the Council and the OPCC priorities.	30/09/2023	Angela Gillingham	On Target 	N/A	See CW1.4 A members evening is being arranged in June as a consultation event on the draft strategy. Report is coming to CS&L, Environment and Housing committee in September 2023.










Code	Action Required / Description	Deadline	Lead Officer	Status	Last Monitored	Comments
CW1.5	Appoint Food Justice Champions to work with partners to tackle food injustice, set up a food partnership and develop a food strategy to address the causes of food poverty, promote sustainability and food justice.	01/09/2024	Emma Keating Clark	On Target ■		In March, £35k COMF funding for food work was paid to 10 Community Hubs delivering Cost of Living crisis food support. The Cost of Living Working Group meets monthly to review issues affecting the district and local CoL data and insight is circulated monthly through a Col briefing. The Feeding Gloucestershire Board will launch their work in Stroud District on 22 nd May 2023 through an invite only workshop and lunch at Trinity Rooms Community Hub. The launch will showcase the food work of the Hubs, the Gloucestershire goal to achieve 'Sustainable Food Place' status and how national bodies like Feeding Britain and Sustain are helping Feeding Gloucestershire with funding and good practice.
» CW1.5.1	Create a Food Justice task and finish group by June 2022 which will define future performance indicators and is connected to the Health and Wellbeing action plan.	30/06/2024	Emma Keating Clark	On Target ■	N/A	At present the Cost of Living Working Group has oversight of food work in the district. As a founding member of the Feeding Gloucestershire Board, SDC is influencing how the county partnership plans to tackle Food Justice.
Performance Members Comments:						
» CW1.5.2	Establish feeding Stroud partnership by March 2022	31/03/2024	Emma Keating Clark	On Target ■	N/A	The Stroud launch of Feeding Gloucestershire in May will invite interested parties together to form a Feeding Stroud Partnership. It is important that parties from different parts of the food system work together. Due to the Cost of Living, food poverty is our immediate focus but longer term, Feeding Gloucestershire aims to improve sustainability, food waste and support the local food economy.
Performance Members Comments:						
SDC are developing and influencing with other partners Feeding Gloucestershire initiative. The aim being to improve sustainability and improve food justice.						
CW3.1	Develop a Community Engagement Strategy, which incorporates the Council's Hear by Right Commitment for young person's involvement, and ensures the voice of the community and key stakeholders is at the heart of council priorities.	31/03/2023	Sarah Clark	Overdue ■		SLT have agreed that a set of Community Engagement Principles is more appropriate than a lengthy strategy with a 3-year development time. Initial draft produced, next steps are to share internally with ALT, SLT, LMT, Youth Council and workstream team.

Code	Action Required / Description	Deadline	Lead Officer	Status	Last Monitored	Comments
» CW3.1.1	SDC measures: • Develop a Community Engagement Strategy and implementation of action plan – • Monitor achievement of action plan milestones • Youth Council are involved in decision making and consultation	31/03/2023	Sarah Clark	On Target 	N/A	Community Engagement Principles are in development. Youth Council are more involved in decision making and consultation – the ASB policy is currently with them for review and input.
CW3.2	Improve customer service for residents by procuring a Digital Platform that provides for centralised first contact ensuring an easier access to services and that provides additional support for those with complex needs.	31/03/2023	Adrian Blick	On Target 		Platform procured in December 2021 with work to expedite channel shift on-going and subject to iterative planning as new opportunities are identified
» CW3.2.1	First 2 contact services centralised by end of 2022	31/12/2022	Adrian Blick	On Target 	N/A	Currently all telephone contact relating to Waste & recycling , Council Tax and Council tax recovery is undertaken by our central customer service team. The next two service areas have been identified and a Contact Centre Plan for this phase has been produced. As indicated in the previous report this performance indicator needs to be reviewed.
Performance Members Comments: A full set of principles has been drawn up community engagement rather than a lengthy strategy as this we deemed to be more sensible and efficient. Consultation is due to take place this summer.						
» CW3.2.2	Straightforward processes identified and made available for self-service via the internet	31/12/2022	Liz Shellam	On Target 	N/A	All Waste & Recycling processes will be available to self-serve online using our new digital platform (Liberty)with go live date scheduled for 5 th June. This is an important step forward as our system will link in with Alloy the new in cab technology used by Ubico which will provide real time updates on waste & recycling collections. As indicated in the previous report this performance indicator needs to be reviewed.
Performance Members Comments: Progress is being made with Waste and Recycling due to go live on 5 th June. This will link with In-cab technology enabling real time updates on collections.						
» CW3.2.3	Repetitive processes identified and automated	31/12/2022	Liz Shellam	On Target 	N/A	This work is being complete as part of the Service Delivery workstream, A process inventory has been completed and process maps have been designed or are in development. This will inform the ongoing development of our digital platform. As indicated in the previous report this performance indicator needs to be reviewed.





Code	Action Required / Description	Deadline	Lead Officer	Status	Last Monitored	Comments
» CW3.2.4	Resource capacity increased to serve those with complex needs	31/03/2023	Liz Shellam	On Target ■	N/A	We are adequately resourced for current contact demand levels. This will be reviewed as services are centralised and new contact channels introduced.
CW3.3	Work with Town and Parish Councils to develop, agree and implement a new strategic approach for partnership working between district, towns and parishes including specific support for rural communities.	31/12/2023	Hannah Emery	On Target ■		29 Town and Parish Councils have now adopted the Charter and the Town and Parish Council Hub is being well used with frequent news items published. 2 Parishes (Cainscross and Randwick and Westrip) have decided not to adopt the Charter because it does not go beyond statutory duties. We are working with the remaining parishes to address any concerns about adopting the Charter
» CW3.3.1	Over 50% of Town and Parish councils participate in developing a new strategic framework to identify key issues and ways of working jointly with district (end 22)	31/12/2022	Hannah Emery	Completed ■	N/A	
Performance Members Comments: As you can see from the officer comments the number of parish councils have agreed to adopt the charter with only 2 declining so far.						
» CW3.3.2	Positive feedback received from more than 50% of Parish & Town Councils on partnership working with district (end 2023)	31/12/2023	Hannah Emery	On Target ■	N/A	A Town and Parish Council forum and survey will be scheduled for July where we will seek feedback on the Charter
» CW3.3.3	Market Town meetings and other town and parish meetings convened by SDC	31/12/2022	Hannah Emery	On Target ■	N/A	The Annual Schedule of Events for Town and Parish Councils is due to be published at the end of May. We have been working with Officers to schedule training events following feedback and requests from Town and Parish Councils. The next Strategic Forum is scheduled for the 28 June and the theme is Grant Funding.
Performance Members Comments: An annual schedule of events will be posted on the Town and Parish Council Hub by the end of May. Response from councils participating is positive and proving to be useful.						
» CDPCW3.3	% of Town and Parish Councils signed up to the Charter	N/A	Hannah Emery	Target: Actual:		Almost 50% of Town and Parish Councils have now signed up to the Charter and are making use of the Town and Parish Council Hub
CW4.1	Continue work to ensure that our leisure and wellbeing services are fit for the future by completing the Leisure Review options appraisal as well as supporting the recovery of the leisure centres from the pandemic.	31/12/2024	Angela Gillingham	On Target ■		Due to changes on VAT from the HMRC officers have had to revisit the options appraisal and review the inhouse operation of bringing Stratford Park Leisure Centre inhouse. A report is being presented at June CS&L committee.



Code	Action Required / Description	Deadline	Lead Officer	Status	Last Monitored	Comments
» CW4.1.1	Agree the preferred management option of leisure, health and wellbeing services by March 2022	31/03/2022	Angela Gillingham	Completed 	N/A	
» CW4.1.2	Write a 3-year rolling physical activity action plan to deliver the objectives of the Leisure and Wellbeing 20-year strategy by March 2022. KPIs will be set against each of the projects.	30/09/2022	Angela Gillingham	Completed 	N/A	
» CW4.1.3	Report quarterly on the recovery and ongoing performance of Stratford Park and The Pulse leisure centres.	31/03/2022	Angela Gillingham	Completed 	N/A	
CW4.2	Working with partners, increase the number, accessibility, and quality of playing pitches, play areas and outside spaces within the district.	31/03/2024	Angela Gillingham	On Target 		During the last ¼ progress has been made supporting Whitminster Pavilion development. The Pavilion is currently closed due to structural issues which puts both cricket and football at risk of losing their playing pitch. A meeting took place consisting of an SDC officer, Whitminster Management Group representatives, Sport England, Football Association, Gloucester Cricket and Active Glos. Looking at the potential of what can be done to support a new pavilion. We will continue to support this group.
Performance Members Comments:						
The changes by HMRC has forced the council to revisit the options appraisal and bring its recommendation of bringing Stratford park in house from October 2024.						
» CW4.2.1	Increase the number, accessibility and quality of 3G and grass pitches in the Stroud District, as identified within the playing pitch strategy (PI measure – by 2023 to have added 1 3G pitch and access to 1 additional grass pitch in Stroud. The strategy sits with Leisure Strategy and will be included within the action plan)	31/03/2024	Angela Gillingham	On Target 	N/A	See CW4.2
» CW4.2.2	Support sports clubs with funding applications to improve their playing pitches and changing facilities (dependent on the application)	31/03/2024	Angela Gillingham	On Target 	N/A	We have set up 2 meetings to look at two different projects. 1. Football development in Brimscombe 2. Athletics development in Stinchcombe

Code	Action Required / Description	Deadline	Lead Officer	Status	Last Monitored	Comments
CW4.3	Increase physical activity and sports participation through our Healthy Lifestyles Scheme and in partnership with the Gloucestershire We Can Move programme.	31/03/2024	Angela Gillingham	On Target ■		In partnership with Active Gloucestershire SDC are currently organising two funded programs. It's You Move is a supervised group-based activity programme for people with persistent pain. SDC have received funding of £2000 to deliver this pilot. This funding will enable 4 cohorts to take place of up to 15 people. The first 6 weeks are free with the goal of making these sessions sustainable by charging participants a discounted fee to benefit from this programme. Get Out Get Active aims to make activity more inclusive, support people to move more and encourage people to lead an active and healthy lifestyle. SDC have received £9000 funding to deliver the project between May-September 2023.
» CW4.3.1	Support implementation of a 'Refer All' system to improve the accurate reporting of the healthy lifestyles scheme – Refer All launch January 2022 with Active Glos.	31/12/2023	Hannah Drew	On Target ■	N/A	The data is yet to be moved to moving communities. Officers are chasing the company to gain access to this platform to link with refer all.
» CW4.3.2	The refer all system is being used by all of the exercise on referral team. The reports still need more work as they are collecting all of the data. This continues to be a work in progress.	07/01/2023	Hannah Drew	Completed ■	N/A	
» CDPCW4.3a	Increase the number of referrals to the Healthy Lifestyle Scheme received each year	N/A	Hannah Drew	Target: 100 Actual: 83		Increase of 13 from previous ¼.
Performance Members Comments:						
» CDPCW4.3b	Increase the number of participants who complete the 12 week Healthy Lifestyles programme	N/A	Hannah Drew	Target: 30 Actual: 42		Increase of 2 from previous ¼.
Performance Members Comments:						
» CDPCW4.3c	Increase participants at all of our activities including with the Healthy Lifestyles Choose to Move programme	N/A	Hannah Drew	Target: 1000 Actual: 1234		Increase of 492 participants from previous ¼.
Performance Members Comments: Numbers for the exercise on referral scheme for residents who have long term health conditions is rising.						

Code	Action Required / Description	Deadline	Lead Officer	Status	Last Monitored	Comments
CW4.4	Support refurbishment of Stratford Park Lido by submitting a bid, in partnership with Stroud Town Council and Friends of the Lido to the National Lottery Heritage Fund.	31/03/2024	Hannah Drew	Not Started 		Task and Finish meeting in the next ¼ to discuss Charitable status for the Lido and fundraising.
» CW4.4.1	Set up a task and finish group to work on the development of the Stroud Lido	31/03/2022	Angela Gillingham	Completed 	N/A	
» CW4.4.2	Write a realistic development plan for Stroud Lido based on the findings of the Leisure Strategy and 2019 Stroud Lido business case	31/03/2025	Hannah Drew	On Target 	N/A	See CW4.4
» CW4.4.3	Heritage Lottery Fund Bid for Stratford Park Lido submitted by target date – amount determined by the action plan	31/03/2024	Hannah Drew	On Target 	N/A	See CW4.4
CW4.5	Building on previous work, develop an Arts and Culture Strategy for the District.	31/03/2024	Keith Gerrard	On Target 		64 million artists are working on the strategy with officers.
» CW4.5.1	Arts and Culture Strategy developed and agreed upon by 2024 with an agreed action plan	31/03/2024	Keith Gerrard	On Target 	N/A	See CW4.5
» CW4.5.2	Strategy delivery plan reported quarterly to Community Leisure and Licensing Committee	31/03/2024	Keith Gerrard	Not Started 	N/A	
CW4.6	Implement the Museum in the Park's free-to-join Supporter Scheme to provide residents with exciting opportunities to engage with the museum and extend community reach to new audiences ensuring the museum remains at the heart of the wider community.	30/04/2022	Keith Gerrard	Completed 		
» CW4.6.1	The successful implementation as per the project plan of the museum membership scheme by end of March 2022	31/03/2022	Kevin Ward	Completed 	N/A	

Code	Action Required / Description	Deadline	Lead Officer	Status	Last Monitored	Comments
CW5.3	Lead and support action to reduce health inequalities in partnership with Public Health and local NHS trusts.	31/03/2024	Emma Keating Clark	On Target ■		SDC continue to work with the Integrated Locality Partnership to shape commissioning and services in the district in line with the ILP priorities of Young People and Older Adults, Frailty & Carers.
» CW5.3.1	Ensure leisure and wellbeing plans are informed by health equalities in our District; Continue to lead voluntary and statutory partnership to ensure District-wide prioritisation of health inequalities	31/03/2024	Emma Keating Clark	On Target ■	N/A	SDC sit on the ILP working groups for Young People and Older Adults where data and insight informs prioritization. SDC Co-Chair the Know Your Patch Network, bringing the VCS and Statutory sectors together. Note: This is ongoing work as part of Community Services Health and Wellbeing service plan.
CW5.4	Work with partners to improve the accessibility and welcome of public spaces and shops, and improve awareness of impairments both visible and invisible.	31/03/2025	Amy Beckett	On Target ■		
» CW5.4.1	Measured campaign relating to increasing awareness of invisible impairments including neurodiversity	31/03/2023	Amy Beckett	On Target ■	N/A	
» CW5.4.2	Future bids for public space improvements to include consideration of accessibility	31/03/2024	Amy Beckett	On Target ■	N/A	
» CW5.4.3	Working with business owners / community groups / community organisations (C)	31/03/2024	Amy Beckett	On Target ■	N/A	
CW5.5	Work with partners to support older people to stay in their homes for longer and continue to work to become a dementia friendly district.	31/03/2024	Angela Gillingham	On Target ■		Working with Publica and Cheltenham on a joint procurement for digitally enabled careline devices in readiness for the switch over in 2025. Dementia work is part of the wider Health and Wellbeing work connected to the ILP funding.
» CW5.5.1	Performance measure to be determined in first period and will be informed through dialogue with adult social care/Integrated Care System.	31/03/2024	Angela Gillingham	On Target ■	N/A	SDC continue to work with the Integrated Locality Partnership to shape commissioning and services in the district in line with the ILP priorities for Frailty, Older Adults and Carers. See CPDCW 4.3
Performance Members Comments:						

Code	Action Required / Description	Deadline	Lead Officer	Status	Last Monitored	Comments
» CW5.5.2	Continue strategic planning in partnership with Integrated Locality Partnership (ILP) and Integrated Care System (ICS) (C)	31/03/2024	Angela Gillingham	On Target 	N/A	SDC continue to work with the Integrated Locality Partnership to shape commissioning and services in the district in line with the ILP priorities for Frailty, Older Adults and Carers. We are developing a new plan which will tackle health inequalities and will include housing issues such as damp and mold, ASB, food poverty, and long term health conditions.
Performance Members Comments:						
» CW5.5.3	Continue to progress the agreed action plan for older people, frailty and carers with ILP working group (C)	31/03/2023	Angela Gillingham	On Target 	N/A	See CW5.5
» CW5.5.4	Work with partners to establish Stroud Dementia Action Alliance (C)	31/03/2023	Angela Gillingham	Not started 	N/A	Priority focus is developing Community Hubs to support older, vulnerable community members.
» CW5.5.5	Contribute to Gloucestershire Dementia Action Alliance (C)	31/03/2024	Angela Gillingham	On Target 	N/A	Due to the work we do with the ILP, and Hubs to support older, vulnerable community members all Dementia actions form part of this work.

Code	Action Required / Description	Deadline	Lead Officer	Status	Last Monitored	Comments
EC4.4	Review taxi and private hire licensing conditions to consider moving from an 'age' condition to an 'emissions' based condition – to encourage an increase in the percentage of low and Ultra Low Emission Vehicles (CN2030 M8)	31/03/2023	Rachel Andrew	On Target 		<p>Age and Emissions Taxi Policy adopted by CS&L on 23 March 2023 and implemented from 1 April 2023. New criteria for new vehicles to apply straightaway. Existing licensed vehicles given 2 years to fall in line with new policy.</p> <p>For new vehicle applications we have retained the 5 year or less age policy. EVs, ULEV's and WAVS (wheelchair accessible vehicles) are exempt from the age policy. However, new WAVS must be either Euro 6 compliant or a ULEV or EV</p> <p>Vehicle licences are renewed annually. The previous policy was that vehicles, apart from elite vehicles, EV's and WAVS could not remain licensed once they were over 10 years old. The new policy is that on renewal vehicles must be Euro 6 compliant or ULEV or EV to remain licensed. WAVs remain exempt due to equality concerns that not doing so could lead to a reduction in WAVs available.</p> <p>The aim of the new policy is to reduce emissions from taxis by making sure that all vehicles will be at least Euro 6 compliant for emissions and to encourage investment in EVs and ULEVs.</p> <p>The review concluded that now is not the right time to make it mandatory for all taxis to be EV or ULEV due to higher costs of the vehicles as well as limitations in availability of suitable vehicles and charging facilities. However, the policy will be reviewed again in 2028 with an ambition that from 2030 onwards we will move towards EV and ULEVs only.</p> <p>Full details of new policy are in a fact sheet on our website</p>
» CDPEC4.4	Increase the % of taxi and private vehicles that are Euro 6 standard or EV from 50% (2021) to 75% by 2023	N/A	Rachel Andrew	Target: 60 Actual: 61		<p>As of April 2023, there are 50 licensed vehicles that are below Euro 6 emission standards. Of those 6 are WAVs. The total number of vehicles licensed is 157. Over the next 2 years these higher polluting vehicles will be phased out under the new renewal policy apart from existing licensed WAVs</p> <p>Actual: as of April 2023- 68% of licensed vehicles are Euro 6 emissions standard or EV</p>
ER1.4	Work with partners across Stroud district to grow a sustainable visitor economy, including the night time economy, walking and cycling, culture and leisure attractions.	31/03/2026	Amy Beckett	On Target 		

Code	Action Required / Description	Deadline	Lead Officer	Status	Last Monitored	Comments
» CDPER1.4	% increase in expenditure by tourists in the district based on 2019/20 data Direct Visitor spend (£149,610,000)	N/A	Amy Beckett	Target: Actual:		

This page is intentionally left blank

STROUD DISTRICT COUNCIL
COMMUNITY SERVICES AND LICENSING COMMITTEE
THURSDAY, 22 JUNE 2023

Report Title	Adoption of Revised Street Trading Policy			
Purpose of Report	Consider a final revised street trading policy for adoption following consultation. The main proposed change is a new decision-making process for contentious applications, or cases where a consent may be revoked, to enable them to be considered by a licensing hearing panel.			
Decision(s)	The Committee RESOLVES to: a. adopt the revised street trading policy in Appendix A b. implement the revised street trading policy from 1 September 2023.			
Consultation and Feedback	Public consultation 3 rd April 2023 to 19 th May 2023			
Report Author	Rachel Andrew, Licensing Manager Tel: 01453 754401 Email: rachel.andrew@stroud.gov.uk			
Options	Not applicable			
Background Papers	Not applicable			
Appendices	Appendix A – Final Street Trading Policy for adoption Appendix B – Equality Impact Assessment			
Implications (further details at the end of the report)	Financial	Legal	Equality	Environmental
	No	No	No	No

1. INTRODUCTION / BACKGROUND

- 1.1 Street trading is the selling of any article in a street. A street includes a road, footway, or any other area to which the public have access without payment.
- 1.2 Stroud District Council's resolution designates that the whole district comes under Street Trading rules, but it excludes any land in the ownership and control of a public authority or a registered charity.
- 1.3 This means that any person who wishes to trade on any highway, or any private land that the public have free access to, must apply for street trading consent from Stroud District Council.
- 1.4 Stroud District Council's Street Trading Policy outlines the Council's procedures regarding street trading.
- 1.5 This policy has been reviewed with a key aim to introduce a new decision-making process for contentious applications, cases where a consent may be revoked, and cases where a party wishes to appeal against an Officer decision.
- 1.6 A draft policy was approved by Community Services and Licensing Committee on 23rd March 2023 for consultation.

2. MAIN POINTS

- 2.1 Consultation took place between 3rd April 2023 to 19th May 2023. [The details of the consultation were on the website](#) (now shows as a closed consultation) and emails sent to all consent holders, Ward Councillors, Town and Parish Councils, chambers of Commerce and relevant agencies and groups.
- 2.2 The main proposed change to the policy is a new process for decision making. In the current policy all decision making is delegated to Officers. The proposal is to introduce a hearing process whereby contentious applications, reviews, revocations, and appeals against Officer decisions, are referred to a hearing panel made up of 3 Councillors. A hearing will be held at which the applicant or consent holder, and any persons objecting, will have opportunity to put their case to the hearing panel before a decision is made. The objective is to ensure that decision making is clear, transparent, and fair. The proposed policy includes a hearing procedure which reflects the hearing processes already used by Stroud District Council for Licensing Act 2003 applications and reviews and taxi licences. Some decisions, including non-contested applications, cases where objections are from the Police or Highways on safety or obstruction issues, and all short-term consent applications, will continue to be delegated to Officers.
- 2.3 Other proposed changes include:
- Expanding the policy objectives to include prevention of crime and disorder, preventing public nuisance, preventing unnecessary obstruction, and ensuring traders are suitable persons.
 - Market consent holders to provide a management plan.
 - Clarification on the definition of an approved assistant. The new definition is that an approved assistant is a person that works on the unit, without the consent holder present, for more than 28 days a year. The current definition is for more than 14 days a year. Approved assistants must have a DBS basic criminal record check every three years in line with the requirements for consent holders.
 - Change to level of public liability insurance that consent holders must provide. The current policy is a minimum of £10 million. The proposal is to reduce this to £5 million for individual consent holders which will bring Stroud District Council's policy in line with other authorities. Market consent holders to continue to provide public liability insurance of a minimum £10 million cover.
 - Change to action taken in cases where consent holders fail to make consent fee payments. Currently consents are revoked but the proposal is that consents will be suspended until outstanding payments are made and can be referred to a hearing panel for revocation.
 - Addition of new conditions on expected behaviour of street traders and market street traders. The new conditions state that the consent holder, or persons operating stalls in a market, shall at all times, when carrying on street trading activities, behave in a professional, honest, polite and courteous manner. They shall not behave or carry on street trading activities in such a way as to cause annoyance or upset to the customer, other consent holders, the occupier or person in charge of any shop or business in the vicinity, any resident in the vicinity, or any other person using the street.
 - New separate section with conditions for market consents. These are currently not specified in the policy. The proposed market conditions reflect the current standard conditions for individual consents.

- 2.4 There were no objections to the proposal during the consultation period. There was support from several of the Town and Parish Councils. There were no responses, either in support or against the proposal, from any of the current consent holders.
- 2.5 A comment was raised by a Councillor about single use plastics and how use of them by traders could be reduced. This will be looked at separately to this policy review. Stroud District Council is currently looking overall at how single use plastics can be reduced across the district. Street trading will be part of those discussions. Licensing Officers will do some work on this subject and in the first instance we will look at what sorts of containers, plates and utensils traders are currently using. Then, if those are one use plastics, see what can be done to encourage them to use alternative packaging and utensils.
- 2.6 It is proposed that, once adopted, the new street trading policy should come into force from 1st September 2023 which will allow time for Officers to update procedures and notify consent holders and for members involved on street trading hearing panels to have any training as appropriate.

3. CONCLUSION

- 3.1 The current street trading policy has been reviewed and several changes proposed. The main proposal is a new decision-making procedure for contentious applications, revocations and appeals which will allow them to be considered by a licensing hearing panel so that decision making is fairer and more open. There were no objections raised during the consultation. It is therefore recommended that the proposed policy, which is Appendix A to this report, is adopted and that it will come into force on 1st September 2023.

4. IMPLICATIONS

4.1 Financial Implications

There are no direct financial implications within this report as it is to agree a new procedure. If this decision is approved, then any costs associated with the new Licence hearing panel will have to be met within the current budget.

Adele Rudkin, Accountant

Tel: 01453 754109 Email: adele.rudkin@stroud.gov.uk

4.2 Legal Implications

Section 3 and Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 allows licensing authorities to control street trading activities within their area. The proposed new street trading policy must be in accordance with the powers granted in Section 3 and Schedule 4 of the LGMP Act 1982.

Tel: 01684 272691 Email: legalservices@onelegal.org.uk

4.3 Equality Implications

An Equality Impact Assessment (EIA) has been carried out by Officers in relation to the proposed amendments to the Street Trading policy as recommended in this report. The likely impact will be neutral and due regard will be given to any implications identified in the EIA. The EIA is Appendix B to this report.

4.4 Environmental Implications

There are no significant implications within this category.

This page is intentionally left blank

Appendix A



Street Trading Policy

Draft for Adoption

Text in Red – Proposed Additions
Text in Green – Proposed Deletions

CONTENTS

SECTION	Page Number
1 Introduction	3
2 What is Street Trading	5
3 Types of Consents	7
4 Choosing a Trading Pitch	9
5 Other Matters to Consider Before Making an Application	10
6 How to Apply for Street Trading Consent	13
7 Fees and Charges	16
8 Responsibilities of the Consent Holder	17
9 Renewal	18
10 Transfer of Consents	19
11 Variation of Consents	19
12 Conditions attached to Consent	20
13 Refusal, Revocation	20
14 Appeals	20
15 Complaints and Enforcement	21
Annex A Standard Conditions	23
Annex B Relevant Offences when Considering Suitability of Applicant	28
Annex C Hearing Procedure	30

1.1 Introduction

Stroud District Council has adopted powers under the Local Government (Miscellaneous Provisions) Act 1982 to regulate street trading in Stroud District through a street trading consent scheme.

This policy sets out the Council's approach for managing street trading in the district and the process for applications and making decisions.

The Council's current Street Trading Resolution was adopted by the Council's Community Services and Licensing Committee on 25th June 2020 and came into effect on 1st August 2020

<https://www.stroud.gov.uk/media/1286786/street-trading-resolution-1-august-2020.pdf>

The Council's Street Trading Policy was reviewed in 2023 and it will be considered for adoption by the Council's Community Services and Licensing Committee on 22nd June 2023.

This policy will come into effect on 1st September 2023

Street trading consents are processed and issued by the Council's Licensing Section.

Licensing Section, Stroud District Council

Ebley Mill, Ebley Wharf

Stroud, GL5 4UB

Tel: 01453 754440

Email: licensing@stroud.gov.uk

Web: <https://www.stroud.gov.uk/business/licensing-permits/street-trading>

1.2 Objectives Of This Policy

1.2.1 The objectives of this policy are to:

- a. Recognise the important service that is provided by street traders and the contribution they make to the local economy.
- b. Ensure the safety of customers and other persons using the locations where street traders are located.
- c. Prevent crime and disorder and public nuisance.
- d. Prevent unnecessary obstruction.
- e. Ensure that traders are suitable persons, and that public are not at risk including children and vulnerable adults.
- f. Balance the needs of the wider community, local community and street traders against the needs of those who may be adversely affected by the street trading activities.
- g. Provide consistency and transparency in the way in which the Council deals with street trading.
- h. Provide applicants and consent holders with advice and guidance on the Council's approach to the administration and enforcement of street trading.

1.3 Review of The Policy

- 1.3.1 This policy will be kept under review and where any significant amendments are considered necessary these will be approved by the Committee that deals with licensing matters after appropriate and relevant consultations have taken place. Minor amendments that do not impact on the aims and objectives of the policy or reflect changes in legislation will be made with the approval of the Head of Environmental Health.

2 WHAT IS STREET TRADING?

2.1 Definitions and Resolution

2.1.1 The Local Government (Miscellaneous Provisions) Act 1982 defines street trading as the **selling or exposing or offering for sale any article, including a living thing, in a street.**

2.1.2 The Act states that **a street includes any road, footway, beach, or other area to which the public have access without payment.**

2.1.3 Stroud District Council made a resolution on 25th June 2020. to designate all land within Stroud district that falls within the above definition of “street”, as consent streets. The resolution includes all highways land but excludes any land in the ownership and control of a public authority or a registered charity.

2.1.4 In paragraph 2.1.3 ‘ownership and control’ means having a sufficient estate or legal interest in the area of land to enable the relevant Public Authority or registered charity to restrict and regulate the use of that area in the public interest. “Public Authority” means Gloucestershire County Council or Stroud District Council or any Parish or Town Council.

2.1.5 This resolution means that street trading consent is needed for trading on:

- Streets, laybys, pavements, or any land including verges controlled by Gloucestershire Highways unless there is payment for entry.
- Streets, laybys, pavements, or any land, including verges which are privately owned, and the public can access, unless payment is made for entry. This includes private car parks such as superstore car parks.

2.2 Exemptions from Needing Street Trading Consent

2.2.1 The following are exempted in the legislation and do not need street trading consent:

- a. A pedlar who holds a pedlar’s certificate under the Pedlars Act 1871 issued by a police authority.
- b. A market that is granted through a charter or order.
- c. A news vendor selling periodicals or newspapers.
- d. Trading at a petrol station.
- e. Trading at a shop or in a street adjoining a shop as part of the business or shop.
- f. Trading as a roundsman who has defined customers and routes. It has been established in law that mobile ice cream sales are not normally deemed to be roundsmen.

2.3 Exemption for Individual Charity Stalls With A Street Collection Permit

2.3.1 Individual charity stalls in a street can apply for a street collection permit which allows collecting money for a charitable cause (including through the sale of items). If a street collection permit is granted there is no requirement for a street trading consent. Please contact the Licensing Team for further information on applying for street collection permits.

Appendix A

2.4 Indoor Market Areas

- 2.4.1 Indoor market areas do not constitute street trading as they can be classed as shops which are exempt from street trading legislation.

2.5 Events with an Entrance Fee

- 2.5.1 Events that have an entry fee do not constitute street trading and do not need street trading consent.

2.6 Community and Charitable Events

- 2.6.1 Community and Charitable events on land owned by Gloucestershire County Council, Stroud District Council, a Town or Parish Council or a registered charity do not need street trading consent in accordance with the terms of the Council's Street Trading resolution.
- 2.6.2 Community and charitable events, open to the public, that are held on other land or on public highways (and do not have an entrance fee) will need to apply for a street trading consent. There is provision to apply for a short-term community or charitable event consent (see paragraph 3.3.3) The fee can be waived if criteria are met (see paragraph 7.1.9).

3 TYPES OF CONSENTS

The Council issues the following four types of street trading consent:

3.1 Static Unit Consent

- 3.1.1 Static Street trading consents are issued for a stall or vehicle which returns to one place every day or for regular periods of time. The unit or stall must be removed each day at the end of the trading period.
- 3.1.2 A static street trading consent may be granted for any period not exceeding 12 months.

3.2 Mobile Unit Consent

- 3.2.1 Mobile Street trading consents are issued to traders who wish to move from place to place. A mobile consent trader must not remain in one place for more than 30 minutes at a time and not return to the same site within 2 hours. A typical mobile consent would be an ice-cream van.
- 3.2.2 A mobile street trading consent only permits trading within Stroud District Council's area. If the unit goes into areas outside of Stroud District, it will also need consent from the relevant authority.
- 3.2.3 A mobile street trading consent may be granted for any period not exceeding 12 months.

3.3 Short Term Consent

- 3.3.1 Short Term Single Traders - Short term consents are issued to traders who only want to trade in a particular location for a few days. The consent will normally only be granted for a period between 1 and 7 days.
- 3.3.2 Short Term Events – Short term consents will cover a number of stalls/traders and may be granted if the following apply:
1. The trading stalls are part of an organised event with an organising group committee/individual and;
 2. The event is no more than 7 days.
- 3.3.3 Short Term Community and Charitable Events - These may be granted if the criteria in 3.3.2 apply and the primary purpose of the event is for the benefit of the community or fundraising for a charitable cause.

3.4 Market Consent

- 3.4.1 Market street trading consents are issued to markets that do not operate under a Market Charter or Order.
- 3.4.2 A market consent will cover a number of stalls.
- 3.4.3 The market must meet the criteria set below.
- It has a nominated organiser.
 - It has the approval of the local town or parish council and the chamber of trade.
 - It adds value to the town's trade through the provision of specialist products.
 - It does not operate in detriment to the local community.

Appendix A

- 3.4.4 If the application is made by an organisation, they must nominate a named individual who will be responsible for managing use of the consent.
- 3.4.5 The market consent applicant will provide a management plan as part of the application process, and it will be expected that the market will operate within the terms of the management plan. Where there are changes to the operation of the market the management plan should be updated and submitted to the Licensing Section.
- 3.4.6 The consent will be issued for a maximum of 12 months and can be renewed.
- 3.4.7 The consent holder will be responsible for ensuring compliance with times and location permitted by the consent and the conditions attached at all times whilst the consent is being used to facilitate street trading as well as any relevant bylaws.
- 3.4.8 The consent holder will be responsible for ensuring that any local residents, businesses or shops are not obstructed by the informal market and that all emergency exits to buildings are kept clear. The consent holder must ensure that stalls can be moved quickly if access is needed for emergency vehicles.
- 3.4.9 The consent holder will be required to keep records of all traders that trade under the consent including date, location, name or company name, address, vehicle registration if relevant and contact details.
- 3.4.9 As part of the application process the Council will consult all businesses in the vicinity of the informal market. If, at any point after the grant of the consent, any existing or new occupiers of businesses or residential properties make objection to stalls being located outside of their premises the consent may be reviewed which could result in it being varied or amended.
- 3.4.10 It should be noted that markets may incur other fees and charges from Stroud District Council if the land used belongs to Stroud District Council. This will be in addition to the street trading consent fees.

4 CHOOSING A TRADING LOCATION/PITCH

4.1.1 Before applying for a street trading consent, applicants must first identify a suitable trading pitch or site. It is for the applicant to identify a suitable pitch having regard to the requirements in this policy and their business needs. The Council does not hold a list of available trading pitches. However, there is a list on Stroud District Council's website of sites that have been refused: <https://www.stroud.gov.uk/business/licensing-permits/street-trading>.

4.1.2 A suitable pitch must meet the following criteria:

- Be safe for other street users including traffic and pedestrians.
- Be safe for customers using the street trading unit.
- Not cause any potential for obstruction, interference, inconvenience or nuisance to other street users including other traders, traffic and pedestrians.
- Not cause any potential for nuisance to residents and other businesses for example noise and/or smell.
- The goods being sold complement and do not conflict with the goods sold by other established retailers within vicinity.

4.1.3 In particular, account must be taken of the following:

- Access roads on industrial estates, where heavy lorries manoeuvre, are generally unsuitable places for static units.
- Locations close to residential properties are unlikely to be suitable due to the potential noise and smell nuisance to residents.
- Lay-bys on main roads must have good visibility to ensure the safety for traffic entering and leaving the trading site/lay-by.
- There should be suitable parking spaces for customer and trading vehicles.
- Units should not cause loss of parking spaces to residents or businesses.
- Units in town centres must not impede the movement of pedestrians or delivery vehicles or block the frontage of shops or access to existing premises.

Appendix A

5 OTHER MATTERS TO CONSIDER BEFORE MAKING AN APPLICATION

5.1 Suitability of The Applicant

5.1.1 Applications cannot be considered from anyone under the age of 17.

5.1.2 When determining an application for the grant or renewal of a street trading consent the council will consider all relevant information relating to the suitability of the applicant to hold such a consent including:

(a) Whether the applicant has any unspent convictions under the Rehabilitation of Offenders Act 1974.

(b) Refusal or neglect in paying fees due to the council for in relation to a street trading consent.

5.1.3 Where the DBS basic criminal record disclosure provided by the applicant shows current offences (i.e. those that are unspent under the Rehabilitation of Offenders Act 1974, the Council will consider the following:

- whether the conviction is relevant;
- the seriousness of the offence;
- the length of time since the offence occurred;
- whether there is a pattern of offending behaviour;
- whether that person's circumstances have changed since the offence occurred;
- the circumstances surrounding the offence and the explanation offered by that person.

5.1.4 Annex B is a list of the offences that the Council considers relevant to a street trading consent application.

5.2 Goods for Sale

5.2.1 **Food** - Traders wishing to sell food items must be registered as a food business with the Council in whose area the trading unit is stored when it is not at the trading site. Or, if food is pre-prepared before the unit goes to the trading site, you must be registered with Council in whose area the food preparation is undertaken.

5.2.2 **Vehicles on The Side of The Road** -This refers to vehicles placed on the highway and advertised for sale and includes any vehicle displaying signs that name an individual or business; or displays notices/signs intended to sell the vehicle. This authority may take enforcement action under street trading legislation against the person who is advertising vehicles for sale on the public highway if a street trading consent is not held. For the purposes of this part of the policy public highway includes footpaths and adjacent verges and public open land as well as the road itself. It does not include private land. Where any vehicle is offered for sale on the highway that is not taxed and insured, the Police may also refer it to the DVLA Enforcement Team. Enforcement also may be taken under the Highways Act 1980 and the Clean Neighbourhoods and Environment Act 2005.

5.2.3 **Alcohol** - If you intend to sell alcohol you will need authorisation under the Licensing Act 2003 in addition to street trading consent. Please contact the Licensing Section for further advice.

5.3 Assistants/Employees

- 5.3.1 You will be required to check the right to work of any persons you employ to assist you under your street trading consent. Any trader found to allow an illegal worker to work as part of their trading activities is likely to have their street trading consent reviewed and/or revoked.
- 5.3.2 The Council will require the name, address, date of birth, national insurance number, a DBS basic criminal record check (not more than 1 month old) and a photograph of all persons ~~who assist~~ working on the unit, without the consent holder or other approved assistant present, on a regular basis. The DBS basic criminal record check must be updated every 3 years. For the purposes of this policy, we would consider a regular basis to be more than ~~14-28~~ days a year. An approved assistant is one that has provided the information above to Stroud District Council and been approved as a suitable person to operate the unit without the consent holder present. Where the DBS basic criminal record check identifies relevant offences as listed in Annex B of this policy, consideration will be made as to whether the Council will authorise the person to be an approved assistant.

5.4 Waste

- 5.4.1 A street trading consent holder is responsible for disposal of refuse and must not use Council, highway or other public waste bins unless there is a specific arrangement in place. The consent holder has a duty of care to dispose of commercial waste lawfully.
- 5.4.2 There must be no disposal of liquid waste down the drains or onto the pavement, road or grassland. This includes waste cooking oil.

5.5 Trading Hours

- 5.5.1 An application should specify what hours the applicant wishes to trade. Evening and night time hours are likely to have more impact on local residents in terms of noise and disturbance. Applications for later times are more likely to raise objections which may lead to those times being refused or conditions imposed.
- 5.5.2 The consent holder will be permitted 30 minutes preparation time prior to the start of their trading hours to set up the trading vehicle and there will be 30 minutes to close down and pack up. Consent holders are not permitted to trade during set up and closing times. Market consent holders will be permitted 90 minutes prior and after trading times to set up and close the market.
- 5.5.3 Traders who wish to serve hot food and drink between 23:00 and 05:00 will also need a licence for late night refreshment under the Licensing Act 2003. Please contact the Licensing Team for further information.

5.6 Planning Permission

- 5.6.1 A street trading consent is given to units where the unit is removed every day at the end of the trading period. If a unit is permanently located at a site, it is unlikely to require street trading consent but will require planning permission. Please contact the Planning Section for further advice.

Appendix A

5.6.2 If a unit that holds street trading consent is not removed every day at the end of the trading period and it is considered that the unit is in fact permanently located in one position, then street trading consent may be revoked.

6 HOW TO APPLY FOR STREET TRADING CONSENT (All consent types)

6.1 Advice for New Applicants

- 6.1.1 On receipt of an application the Council will undertake a consultation exercise in order to seek the views of other agencies and, if relevant, neighbouring businesses and residents. There is a non-refundable fee to cover the cost of administering the consultation. There is no consultation fee for short term consents.
- 6.1.2 The consultation process will normally take at least 28 days and a decision will then be normally made within 14 days. Short term consents will have a shorter consultation period of 14 days and a decision will normally be made within 7 days. There is normally no consultation for short term community and charitable event consents.
- 6.1.3 Once a decision is made to grant a street trading consent there is a consent fee. This can be paid in instalments by prior arrangement. However, the first instalment must be paid before trading can commence.

6.2 Submitting an application

- 6.2.1 The following must be submitted with the initial application:-
- a. Application form.
 - b. Notice of Intention.(Not required for short term consents)
 - c. Proof of eligibility of the applicant to work in the UK (where applicable).
 - d. Plan showing the proposed trading location with position of the unit(s) shown in red. (Not required for mobile units or short-term community or charitable event consents).
 - g. Written permission from a landowner if the street trading activity is to be carried out on any land owned privately.
 - h. **In the case of an application for a market consent, a market management plan.**
 - i. Payment of a non-refundable consultation fee to cover initial administration and consultation costs (not required for short term consents).
- 6.2.2 If, following consultation the location is deemed suitable, the following must be submitted before a final decision is made:
- a. Third party public liability insurance up to ~~£10,000,000~~ £5,000,000. **(Market street trading consents third party public liability insurance up to £10,000,000)**
 - b. A DBS Basic Criminal Record check that is not more than 1 month old for the applicant and any person/s that will be working the unit without the Consent holder or other approved assistant present on a regular basis. See 5.3.2 for definitions. **In the case of a market consent a DBS Basic Criminal Record check that is not more than 1 month old for the Nominated Market Organiser.** DBS Basic Criminal Record checks can be obtained from the Disclosure and Barring Service. Information can be found online at: <https://www.gov.uk/request-copy-criminal-record> or by calling 03000 200 190. (Not applicable to short term consents).

Appendix A

- c. One passport style photograph of the applicant and any person/s that will be assisting with the trading on a regular basis. (Not applicable to market and short-term consents).

6.3 Consultation

Consultation Static Consents and Market Consents

6.3.1 On receipt of a valid static or market application the Council will consult with the following:-

- Gloucestershire Constabulary.
- Gloucestershire Highways.
- The relevant Town/Parish Council(s).
- The Stroud District Councillor(s) for the Ward(s) concerned.
- Environmental Health Officers at Stroud District Council.
- The Planning Authority.
- Where appropriate local residents and businesses within 100 metres of the proposed site.
- Neighbourhood Wardens.

6.3.2 The application will be advertised on the Council's website.

6.3.3 The Council will allow 28 days from the date that the application is received for people/relevant bodies to make comments in relation to the application.

Consultation - Mobile and Short Term Consents

6.3.4 On receipt of a valid mobile or short-term consent application the Council will consult with the following:-

- Gloucestershire Constabulary.
- The relevant Town/Parish Council.
- Relevant Ward Councillor(s).
- Environmental Health Officers at Stroud District Council.
- Neighbourhood Wardens.

6.3.5 The Council will allow 14 days from the date that the application is received for people/relevant bodies to make comments in relation to the application.

6.3.6 There is normally no consultation for short term community and charitable event consents. However, there is discretion to consult with any relevant parties if it is considered appropriate in the public interest.

6.4 Determining New and Variation Applications

6.4.1 The Licensing Manager and Senior Licensing Officer have delegated powers to issue or refuse or add conditions to an application for a short-term consent.

6.4.2 ~~The Head of Health and Wellbeing~~ The Licensing Manager and Senior Licensing Officer have delegated powers to issue ~~or refuse~~ a new, variation or renewal application for a static, mobile or market consent, following the consultation period, in cases where no valid objections have been received or all valid objections have been withdrawn .

- 6.4.3. The Licensing Manager has delegated powers to refuse an application for a static, mobile or market consent where there are objections from the Highways Authority or Police on the grounds of public safety.
- 6.4.4 The Licensing Manager may add conditions to a consent, in addition to the standard conditions laid out in this policy, if appropriate to address concerns raised in withdrawn objections or any other relevant matter.
- 6.4.5 The Licensing Manger and Senior Licensing Officer may deem an application invalid if the applicant has not met the criteria laid out in this policy.
- 6.4.6 Objections will be deemed valid if they relate to the suitability of the site and/or the applicant taking account of, but not exclusively, the criteria in this policy. The decision as to whether an objection is valid will be taken by the Licensing Manager or the Senior Licensing Officer. Where appropriate Licensing Officers will attempt mediation to try to resolve any issues and to enable parties to come to an agreement.
- 6.4.7 Where valid objections to an application are received, and the matter cannot be resolved by Officers, the matter will be referred to a Licensing Panel who will hold a Licensing Hearing to consider the application and the objections (except in cases there are objections by Highways and/or Police on the grounds of public safety in which case the decision to refuse can be made by Officers if appropriate). The panel will also consider any letters of support received during the consultation period. The hearing procedure is laid out in Annex C.
- 6.4.8 The applicant will be informed in writing or by email of the referral of the application to a Licensing Panel and will be and notified of the date when the application will be considered and invited to attend. Persons making objections will also be notified of the date of the hearing of the application and invited to attend.

6.5 Street Trading Plates

- 6.5.1 On grant of a street trading consent a street trading identification plate (except for short term consents and informal market consents) will be issued. The plate must be displayed in the relevant unit/vehicle where it can be clearly seen by the public at all times the unit/vehicle is trading. If the plate is lost or damaged the consent holder must contact the Council as soon as possible. A charge will be made for a replacement plate.

Appendix A

7 FEES AND CHARGES

- 7.1.1 A list of the current street trading consent fees and charges is available on the website or by contacting the Licensing Team.
- 7.1.2 Initial applications (apart from short term consents) must be accompanied by payment of a non-refundable administration fee to cover initial administration and consultation to determine suitability of the site. The consultation exercise will not commence until this payment is made.
- 7.1.3 Once a decision is made to grant a consent the full consent fee or an agreed first instalment of a payment plan must be paid before the consent will be issued.
- 7.1.4 Annual consents will expire on 31st March every year. Where the initial application is made part way through the year the fee for the first year will be pro-rata.
- 7.1.5 Fees for annual consents may be paid either:
- In full by 1st April each year.
 - Monthly by direct debit.
 - Quarterly.
- 7.1.6 Quarterly fees will be due on the following dates:
- 1st January.
 - 1st April.
 - 1st July.
 - 1st October.
- 7.1.7 If agreed payments are not made to the Council by the due date, the consent issued by the Council ~~may be revoked or a renewal refused~~ will be suspended and trading must cease until any outstanding payments have been made. If agreed payments continue to not be made, or there are repeated non-payments, Licensing Officers may refer the matter to a Licensing Panel who may revoke the consent or refuse a renewal application.
- 7.1.8 The fees will normally be reviewed on an annual basis and published on the Council's website.
- 7.1.9 Street trading fees may be waived in relation to community and charitable events at the discretion of the ~~Head of Health and Wellbeing~~ Licensing Manager or Senior Licensing Officer. Each event will be judged on its own merits. However, the following criteria will be considered:
- The street trading is part of an organised event with an organising group/committee/individual.
 - The primary purpose of the event is fundraising is for the benefit of the community or for a charitable cause.
 - Stalls are pre-booked.
 - Whether any consultation is considered necessary on the grounds of public interest.

7.2 Payment Methods

- Debit or credit card by telephone to the Licensing Section between normal office opening hours or card payment online for payment of an invoice www.stroud.gov.uk

- Invoice - For renewals only, you will be sent an invoice with your renewal reminder.
~~Direct debit where a payment plan has been agreed.~~

Appendix A

8 RESPONSIBILITIES OF THE CONSENT HOLDER

- 8.1.1 The consent holder must act in accordance with the conditions attached to the consent.
- 8.1.2 A street trading consent entitles the applicant to trade lawfully in the location(s) specified in the consent. Please note there are many other users of streets, and the consent does not grant exclusive rights of occupation or ownership of a specific location.
- 8.1.3 A street trading consent is not a permit to disregard other laws or usual restrictions. For example:
- Always observe parking restrictions and do not obstruct the highway or entry or exit roads to private property.
 - Other relevant legislation such as the Food Safety and Hygiene (England) Regulations 2013, the Health and Safety At Work etc Act 1974 and Part II, section 34 of the Environmental Protection Act 1990 (disposing of waste) must be complied with.
 - A consent holder must not cause a nuisance to the occupants of neighbouring properties from noise, litter, disposal of waste or any antisocial activity.

8.2 Changes to The Unit

- 8.2.1 You must contact the Licensing Section if you want to change your unit. You may need to make a new application or a variation application if the change is significant and impacts on the objectives of this policy.

8.3 Changes of Assistants

- 8.3.1 A consent holder must provide the Licensing Section with a photograph and basic criminal record disclosure that is not more than 1 month old for any new persons that **work on the unit without the consent holder or other approved assistant present** on a regular basis. See paragraph 5.3.2 for definition of assisting on a regular basis.

9 RENEWAL

9.1.1 Applications to renew an existing street trading consent must be made at least 14 days prior to the expiry of the existing consent.

9.1.2 A renewal application may be refused if there are street trading consent fees outstanding or the renewal application is made late. **A renewal application may also be refused if the applicant has not been regularly trading at the site for the previous 6 months, without reasonable cause.**

9.1.3 The following must be submitted with a renewal application:

- Renewal Application Form
- Renewal Fee
- Copy of current third party liability insurance up to £5,000,000 (£10,000,000 for market consents)

9.1.4 **Additional Requirements at Renewal Every 3 Years:**

- ~~• A Basic Criminal Disclosure for the consent holder and any persons that assist on a regular basis from the Disclosure and Barring Service that is not more than 1 month old.~~
- A DBS Basic Criminal Record check that is not more than 1 month old for the consent holder and any person/s that work on the unit without the Consent holder or other approved assistant present on a regular basis. See 5.3.2 for definitions. In the case of a market consent, a DBS Basic Criminal Record check that is not more than 1 month old for the Nominated Market Organiser. DBS Basic Criminal Record checks can be obtained from the Disclosure and Barring Service. Information can be found online at: <https://www.gov.uk/request-copy-criminal-record> or by calling 03000 200 190.
- 1 recently taken passport style photograph of the consent holder and any persons that assist on a regular basis. (Not required for market consents)
- Up to date photograph of the trading unit. (Not required for market consents)

Appendix A

10 TRANSFER OF CONSENTS

10.1.1 Street trading consents are non-transferable. If there is an agreement between a current consent holder and a proposed new consent holder to take over an existing unit and location, the original consent holder must surrender their consent and the proposed new consent holder must submit a new application. The proposed new consent holder, who has made the agreement with the existing consent holder, will be given priority in applying for the location provided that the new application is submitted within 5 working days after the current consent holder surrenders their consent. The applicant will need to follow the process for submitting a new application.

11 VARIATION OF CONSENTS

11.1 A street trading consent may be varied to change the conditions attached to the consent. This includes conditions relating to trading times and periods. This does not include a change of consent holder or a change of location. A variation application should be submitted with the following:

- a. Variation Application form.
- b. Notice of Intention.
- c. Written permission for the proposed change from the landowner if the street trading activity is carried out on any land owned privately.
- d. Photograph of the new/changed unit if applicable.
- e. Payment of the non-refundable consultation fee.

11.2 Consultation will be in accordance with the new application process. However if the variation is minor the consultation may be reduced at the discretion of the Licensing Officer.

12 CONDITIONS ATTACHED TO CONSENTS

- 12.1 When granting or renewing a street trading consent the Council may attach such conditions to it as they consider reasonably necessary.
- 12.2 Street trading consents will usually be granted subject to the standard conditions detailed in **Annex A** to this Policy.
- 12.3 Where appropriate, additional conditions may be added to a specific consent.

13 REVIEWS AND REVOCATION

- 13.1 A consent may be revoked at any time by the Council and the Council shall not in any circumstances whatsoever be liable to pay any compensation to the holder in respect of such revocation. **Where Officers feel that the revocation of a consent may be appropriate based on any matters in this policy or any other matters considered relevant, they will refer the matter to a Licensing Hearing panel for a review of the consent. The outcome of the review could be revocation of the consent. A Licensing Hearing will then be held in line with the provisions in Annex C.**
- 13.2 **Where it is considered that the matter of concern could have impact on the safety of the public, or on any matter considered appropriate, the Licensing Manager can revoke the consent with immediate effect. The Licensing Manager will issue a revocation notice to the Consent holder and give reasons for the immediate revocation. In this circumstance the Consent holder must cease trading immediately. The consent holder can request, within 21 days of receiving the immediate revocation notice, that a Licensing Panel review the immediate revocation decision. A Licensing Hearing will then be held in line with the provisions in Annex C.**

14 APPEALS

- 14.1 The Act does not provide an applicant or a consent holder with any direct right of appeal to the Courts against a decision to refuse the grant, variation or renewal of a street trading consent, the revocation of a street trading consent, or against any restrictions or conditions imposed on a street trading consent.

~~If an applicant or any relevant party wishes to make representations in respect of a decision to grant, refuse or revoke a street trading consent the applicant/consent holder/relevant party should put this in writing with the reasons to the Licensing Section within 28 days of being notified of the decision. The decision will be reviewed by the Strategic Director of Place. The review of the decision will take account of the reasons for the original decision and the representation, or any further evidence put forward by the applicant/consent holder/other party.~~

- 14.2 **An applicant can appeal to a Licensing Panel at Stroud District Council against conditions attached to a static, mobile or market consent, by an Officer, within 21 days of grant of the consent.**

Appendix A

- 14.3 An applicant can appeal to a Licensing Panel at Stroud District Council against a refusal by an Officer to issue a static, mobile or market consent on the grounds of an objection by Highways or the Police relating to public safety, within 21 days of receiving the refusal notice.
- 14.4 A consent holder can appeal to a Licensing Panel at Stroud District Council against an immediate revocation by an Officer within 21 days of receiving the immediate revocation notice. A consent holder can appeal to a Licensing Panel at Stroud District Council against an immediate revocation by an Officer within 21 days of receiving the immediate revocation notice.
- 14.5 An appeal should clearly set out the reasons for making the appeal. All appeals should be sent to: E-mail: licensing@stroud.gov.uk By post: Licensing Team, Stroud District Council, Ebley Mill, Ebley Wharf, Stroud, GL5 4UB. On receipt of a valid appeal, arrangements will be made to have the appeal heard by the Licensing Panel in line with the hearing procedure and timescales laid in Annex C.

15 COMPLAINTS AND ENFORCEMENT

15.1 General Principles

15.1.1 It is recognised that well-directed enforcement activity by the Council benefits not only the public but also responsible members of the trade.

15.1.2 All decisions and enforcement actions taken by the Licensing Authority will be in accordance with the Council's Corporate Enforcement Policy and the principles of consistency, transparency and proportionality set out in the Regulator's Compliance Code.

15.1.3 Consent Holders must allow access to Authorised Officers of the Council and Police Officers at all reasonable times.

15.2 Offences

15.2.1 The following are offences under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 relevant to the Stroud District area:-

- Engaging in street trading in a consent street without Consent.
- Breaches of a condition in relation to trading location or unit or trading period.
- Breaches of a condition attached to the granted Consent.

15.2.2 A person guilty of the above offences may be liable on conviction to a fine of up to £1000.

15.3 Complaints

15.3.1 Where complaints are received regarding the carrying on of street trading activities, these will be investigated in a prompt and professional manner.

15.3.2 If a complaint is found to be justified then the following actions may be taken:

- Verbal warning.
- Written warning.
- Simple caution.
- Prosecution.
- ~~Revoke the Consent~~ Review of consent by Licensing Hearing Panel who may take any of the actions above or may revoke the consent.
- Immediate revocation by the Licensing Manager if considered that the public are at risk with option for consent holder to appeal the immediate revocation decision to a Licensing Hearing Panel.

ANNEX A

STANDARD CONDITIONS APPLICABLE TO HOLDERS OF **STATIC, MOBILE AND SHORT-TERM** STREET TRADING CONSENTS

THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

It is important that the consent holder should understand and at all times observe these conditions. Any breach of any Condition could result in revocation of the street trading consent.

- 1 Street trading can only take place in accordance with the times and permissions of the consent.
- 2 The consent holder will be permitted 30 minutes preparation time prior to the start of their trading hours in order to set up the trading vehicle and there will be 30 minutes to close down and pack up. Consent holders are not permitted to trade during set up and closing times.
- 3 A consent may be revoked at any time by the Council and the Council shall not in any circumstances whatsoever be liable to pay any compensation the holder in respect of such revocation.
- 4 The consent holder shall return this consent to Stroud District Council immediately on revocation or surrender of the consent.
- 5 Any consent holder found to be employing persons who do not have the right to work in the UK will have their consent immediately revoked.
- 6 A consent cannot be sub-let.
- 7 Consent holders shall permanently and clearly display on the street trading unit, in a conspicuous position readily visible to the public, a valid identification plate that has been issued by the Council. (Static and Mobile Consents only).
- 8 The consent holder and any assistants shall sell/offer for sale only such goods or types of goods as may be specified in the street trading consent granted to the consent holder.
- 9 The consent holder shall at all times maintain a valid Third-Party Public Liability Insurance Policy of at least ~~£10,000,000~~ £5,000,000 to the satisfaction of the Council and shall produce a valid certificate of such insurance at any time upon request by an authorised officer of the Council.
- 10 The consent holder shall keep his trading site and immediate adjacent area in a clean and tidy condition during permitted trading hours and leave the site in a clean and tidy condition and unobstructed at the end of each period of use under the terms of this consent. For these purposes the term 'immediate adjacent area' refers to all public land within a 50 metres radius from the trading location over which the public have access.
- 11 No waste matter shall be discharged into or allowed to enter any highway drain or water course.

- 12 Every static street trading unit and any vehicles or equipment associated with it shall be removed from the site at the end of the day. The unit must not be left on site when not in use unless explicit written consent has been given by the ~~Head of Health and Wellbeing~~ **Licensing Manager**.
- 13 The consent relates only to the unit described in the application or as defined on the certificate of consent.
- 14 The use of awnings; external display stands and the positioning of tables, chairs and sunshades around the unit are also prohibited without the written permission of the Licensing Manager.
- 15 The display of advertising signs, other than on the unit itself, is prohibited without the written permission of the **Licensing Manager**. Signage may also require planning permission.
- 16 Holders of a mobile street trading consent must not trade in one place for more than 30 minutes at a time and must not return to the same location within 2 hours.
- 17 No street trading unit shall be located, and no street trading activity shall be carried on so as to cause obstruction of any street or endanger persons using the street.
- 18 The consent holder shall not trade in such a way as to cause a statutory or public nuisance to persons using the street, public place, or occupiers of premises in the vicinity. Noise from equipment (including amplified audio equipment) used in connection with the consented street trading activity shall also not give rise to a statutory or public nuisance.
- 19 The consent holder shall make adequate arrangements to ensure that all persons connected with the operation of the unit have the means and opportunity to visit suitable toilet facilities when necessary. The consent holder shall ensure that the facilities available are made use of.
- 20 The consent holder shall comply with the requirements of Part II, section 34 of the Environmental Protection Act 1990 with respect to waste resulting from his/her trading. The consent holder will make available the relevant documentation as proof of compliance at the request of an authorised officer of the Council.
- 21 If, and when required, the consent holder shall present the street trading unit to an officer of the Council for inspection.
- 22 The Council reserves the right to refuse to renew a static street trading consent if the applicant has not, without reasonable cause, traded at the site on a regular basis in the previous 6 months. In such circumstances the street trading consent may be granted to another applicant.
- 23 Street trading shall not be carried on at any time unless the appropriate fee for the street trading consent has been duly paid to the Council. The Council **will suspend a consent if the fee is not paid and** reserves the right to revoke or refuse to renew a street trading consent for non payment of fees.
- ~~24 The consent Holder shall at all times conduct business in a clean, honest, civil and business like manner without interfering with the business of other traders and consent holders.~~
- 24 **The consent holder and any persons assisting shall at all times when carrying on street trading activities behave in a professional, honest, polite and courteous manner. The**

Appendix A

consent holder and any persons assisting shall not behave or carry on street trading activities in such a way as to cause annoyance or upset to the customer, other consent holders, the occupier or person in charge of any shop or business in the vicinity, any resident in the vicinity, or any other person using the street.

- 25 Nothing contained in these conditions shall relieve the consent holder or their employees or agents from any legal duty or liability and the consent holder shall indemnify the Council in respect of all claims, actions, demands or costs arising from this consent.

STANDARD CONDITIONS APPLICABLE TO HOLDERS OF MARKET STREET TRADING CONSENTS

THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

It is important that the consent holder should understand and at all times observe these conditions. Any breach of any Condition could result in revocation of the street trading consent.

1. The market can only operate in accordance with the times and permissions of this consent.
2. The market consent holder will be permitted 90 minutes preparation time prior to the start of their trading hours in order to set up the market and there will be 90 minutes to close down and pack up. Market units are not permitted to trade during set up and closing times.
3. A market consent may be revoked at any time by the Council and the Council shall not be in any circumstances whatsoever be liable to pay any compensation to the holder in respect of such revocation.
4. The market consent holder has responsibility to ensure that all persons operating stalls under the market consent have the right to work in the UK. Failure to ensure this may lead to revocation of the consent.
5. The market consent holder shall at all times maintain a valid third-party public liability insurance policy of at least £10 million covering the market to the satisfaction of the Council and shall produce a valid certificate of such insurance at any time upon request by an authorised officer of the Council.
6. The market consent holder will have market management plan that will be kept up to date and provided to the Council on request. The market should be operated in accordance with the market management plan.
7. The market consent holder shall ensure that the market traders keep the market trading site and immediate adjacent area in a clean and tidy condition during permitted trading hours and leave the same in a clean and tidy condition and unobstructed at the end of each daily period of use under the terms of this consent. (NB: for these purposes the term 'surrounding area' refers to all public land that is open to the air, within a 50 metres radius from the trading location over which the public have access).
8. No waste matter shall be discharged into or allowed to enter any highway drain or water course.
9. The market consent holder shall not operate markets units, or cause or permit to be so operated, on any privately-owned land unless there has been obtained the owner's written permission to do so.
10. No market units shall be located, and no street trading activity shall be carried on so as to cause obstruction of any street or endanger persons using the street or cause any nuisance or annoyance by reason of the street trading activities.

Appendix A

11. Every market unit and any vehicles or equipment associated with it shall be removed from the site at the end of the day. The units must not be left on site when not in use.
12. The market consent relates only to the market units described in the application or as defined on the certificate of consent. The units may not be replaced or altered without the written permission of Stroud District Council's Licensing Manager.
13. The display of advertising signs, other than on the market units themselves, is prohibited unless the appropriate permission has been given.
14. The market units shall not trade in such a way as to cause a statutory or public nuisance to persons using the street, public place, or occupiers of premises in the vicinity. Noise from equipment (including amplified audio equipment) used in connection with the consented street trading activity shall also not give rise to a statutory or public nuisance.
15. The market consent holder shall make adequate arrangements to ensure that all persons connected with the operation of the market units have the means and opportunity to visit suitable toilet facilities when necessary. The Market Consent Holder shall ensure that the facilities available are made use of.
16. The market consent holder shall comply with the requirements of Part II, section 34 of the Environmental Protection Act 1990 with respect to waste resulting from the market trading. The Consent Holder will make available the relevant documentation as proof of compliance at the request of an authorised officer of the Council.
17. If and when required, the market consent holder shall permit an officer of the Council to inspect the market.
18. The Council reserves the right to refuse to renew a market street trading consent if the applicant has not, without reasonable cause, traded at the site on a regular basis in the previous 6 months. In such circumstances the street trading consent may be granted to another applicant.
19. Street trading shall not be carried on at any time unless the appropriate fee for market consent has been duly paid to the Council.
- ~~20. The Consent Holder shall ensure that the market traders at all times conduct business in a clean, honest, civil and business-like manner without interfering with the business of other traders and consent holders.~~
20. The market consent holder shall ensure that the operators of the market units behave in a professional, honest, polite and courteous manner. In the event of a complaint the market consent holder shall record the complaint and take appropriate action. The market consent holder shall ensure that the operators of the market units do not behave or carry on street trading activities in such a way as to cause annoyance or upset to the customer, other traders, the occupier or person in charge of any shop or business in the vicinity, any resident in the vicinity, or any other person using the street.
21. Nothing contained in these conditions shall relieve the market consent holder or his employees or agents from any legal duty or liability and the consent holder shall indemnify the Council in respect of all claims, actions, demands or costs arising from this consent.

The Council may vary or make additions to the Conditions applying for any or all street trading consents, at any time.

ANNEX B

RELEVANT OFFENCES WHEN DETERMINING SUITABILITY OF AN APPLICANT FOR A STREET TRADING CONSENT

a. Dishonesty

A street trading consent will not be granted unless 7 years have lapsed since a conviction for an offence that involves dishonesty, for example theft or fraud, or completion of any sentence imposed whichever is the later.

b. Violence

If an applicant has been convicted for an offence for violence which involves loss of life, a street trading consent will not be granted.

In other cases a street trading consent will not be granted unless 10 years have lapsed since a conviction for an offence relating to violence or completion of any sentence imposed whichever is the later.

c. Drugs

A street trading consent will not be granted unless 10 years have lapsed since a conviction relating to the supply or importation of drugs or completion of any sentence imposed whichever is the later.

A Street trading consent will not be granted unless 5 years have lapsed since a conviction for an offence relating to the possession of drugs or completion of any sentence imposed whichever is the later.

d. Sexual and Indecency Offences

A street trading consent will not be granted where there are convictions for rape, indecent assault, any sexual offence involving children and any conviction for an offence under the Sexual Offences Act 2003, or for indecent exposure.

e. Exploitation

A street trading consent will not be granted if there are convictions relation to exploitation of another individual. This will include slavery, child sexual exploitation and grooming.

f. Motoring Convictions

In most cases, motoring offences are unlikely to be relevant when considering a street trading consent application. However, there may be instances where the offences are of a very serious nature or may be relevant to the type of street trading activity. In those cases a street trading consent will not be granted unless 5 years have lapsed since any such convictions or completion of any sentence imposed whichever is the later.

g. Street Trading Legislation

The Council takes a serious view on applicants who have been convicted of street trading offences under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. In particular, a street trading consent will not be granted unless 2 years have lapsed since any offence under the 1982 Act or if there is more than one conviction unless 5 years have lapsed.

h. Formal Cautions and Fixed Penalty Notices

For the purposes of these guidelines, the Council will treat Formal Cautions issued in accordance with Home Office guidance and fixed penalty notices as though they were a conviction before the courts.

i. Existing Consent Holders Convicted Of An Offence

The Council may consider revoking the consent if the consent holder is convicted of an offence and in particular there will be concern if the offence falls into one of the categories detailed above.

ANNEX C

Licensing Hearings

1. The role of the Hearing panel is to: -
 - a) Determine applications to which objections, as defined in section 6.4 of this policy, have been made.
 - b) Hear appeals from applicants against the imposition of a condition on a Street Trading Consent by an Officer
 - c) Hear appeals from applicants against the refusal of a static, mobile or market consent by an Officer where there have been objections from the Highways or the Police on the grounds of public safety.
 - d) Review a street trading consent if recommended by an Officer with a view to possible revocation.
 - e) Hear appeals against the immediate revocation of a Street Trading Consent by an Officer.

2. Timescales

Licensing Hearings are normally held within 20 working days from:

- a. The end of the consultation period for new or variation applications with valid objections
- b. The time that an appeal is made by the applicant or consent holder.
- c. The time an Officer decides that a review of a Consent is appropriate.

The Council will aim to give applicants, consent holders and other parties at least 10 clear working days' notice prior to the date of the hearing.

3. The parties at a hearing will be:
 - a. The Panel made up of three ward councillors from the Council's Community Services and Licensing Committee who will have received specific training in licensing hearings.
 - b. A legal officer who will advise the panel on legal points.
 - c. A Licensing Officer will present a hearing report.
 - d. The applicant or consent holder.
 - e. Any other relevant party who has evidence to submit such as objectors or parties giving support.
4. All of the above parties will be provided with the hearing papers electronically, which will include the Licensing Officer's report, in advance of the date of the hearing.
5. Where there are objections to an application or any information against or in support of the application or where consent is being reviewed the applicant or consent holder will receive details of the objections and other information prior to the hearing. Objections and other information may be redacted to remove personal details if appropriate. The full unredacted objections, or other information will be provided to the Licensing Panel prior to the hearing. The objections or other information will not be circulated to any other parties unless appropriate.

Appendix A

6. Where the applicant/consent holder or other relevant party wishes to provide extra documentary evidence or other information, they should, where possible, provide this by email to licensing@stroud.gov.uk or in writing to the Licensing Section at least 1 working day before the hearing.
7. Hearings are normally held in public unless there are matters to be considered that are of a confidential nature. Hearings will normally be held in person at Stroud District Council Offices or another venue if appropriate but may be held remotely if all parties agree.
8. The applicant or consent holder or any other party can be represented by a solicitor or supported by a friend or colleague. The details of persons representing such be notified to the Council prior to the hearing by emailing the details to licensing@stroud.gov.uk or putting in writing to the Licensing Section.
9. The Licensing Panel will follow a set procedure that will be notified to all parties in advance of the meeting, along with any Officer reports that will be presented at the meeting.
10. The hearing will not normally be able to proceed if there are not 3 members of the Panel at the meeting.
11. If the applicant/consent holder or any party does not attend the hearing the Chair of the Panel has the discretion to postpone the hearing or to continue with the hearing in the absence of the applicant/consent holder or other party.
12. Further evidence produced by any party, not submitted in advance of the hearing will only be accepted at the discretion of the Chair of the Panel.
13. If during the hearing any party wishes to consult privately with their representative such as their solicitor, the Chair has the discretion to allow a short period of time for them to do so.
14. If the proceedings are, in the opinion of the Chair, being disrupted by the behaviour of any party attending the hearing, the Chair may (as an alternative to adjourning the hearing) remove that party from the hearing.
15. After the Panel has heard from all parties attending, the hearing meeting will end, and the Panel will retire to a private meeting to deliberate and make a decision. The Legal Officer will be in attendance to provide legal advice however no other parties are entitled to be present during the deliberation.
16. If during deliberation the Panel need to ask any further questions of any person, they will contact that party direct. Any further information resulting from that query will be included in the decision notice if appropriate.
17. The Panel have up to 5 working days to make a decision. The applicant/consent holder will be notified by email or in writing of the decision.

18. The Panel will issue a decision notice that will detail the decision and the reasons for coming to that particular decision.
19. The Licensing Panel will always strive to ensure when it is considering an application or consent that all persons get a proper and fair hearing through:
 - a) Considering each application/consent on its merits.
 - b) Using this policy to assess applications/consent where it is felt appropriate.
 - c) Dealing with applications, reviews and appeals in a balanced and impartial manner.
 - d) Ensuring that the rules of natural justice are applied in any hearings held.
 - e) Giving all relevant parties adequate time to present their case, ask questions of Officers and Members of the Panel and present information for consideration in support of their case, appeal or objection.

This page is intentionally left blank

Adoption of Revised Street Trading Policy

Appendix B

Equality Analysis Form

By completing this form you will provide evidence of how your service is helping to meet Stroud District Council's General Equality duty:

The Equality Act 2010 states that:

*A public authority must, in the exercise of its functions, have **due regard** to the need to:*

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act 2010;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

The protected characteristics are listed in Question 9

Stroud District Equality data can be found at: <https://www.stroud.gov.uk/council-and-democracy/corporate-plans-and-policies/equality-diversity-and-inclusion/equality-impact-assessments>

[Guidance available on the HUB](#)

1. Persons responsible for this assessment:

Name(s): Rachel Andrew	Telephone: 01453 754401
	E-Mail: rachel.andrew@stroud.gov.uk
Service: Licensing Team	Date of Assessment: 6 th June 2023

2. Name of the policy, service, strategy, procedure or function:

Street Trading Policy

Is this new or an existing one? Existing

3. Briefly describe its aims and objectives

Review of current policy with the main proposed change to introduce a new decision-making process for contentious applications, or cases where a consent may be revoked, to enable them to be considered by a licensing hearing panel. Currently all decisions including appeals against Officers decisions, are made by Council Officers. The review also proposes a few minor changes to the policy which will have little or no impact on equalities.

4. Are there external considerations? (Legislation / government directive, etc)

Yes.

Street Trading is regulated under the Local Government Miscellaneous Provisions Act 1982. There is no right of appeal to the Magistrates Courts for decisions made by the Council under street trading legislation.

Regard should also be taken of the Council Local Government Act 1972 which states that Council meetings must be held in public. There has been some challenge whether this also applies to licensing hearings and whether hearings can be held remotely. (During the Covid Pandemic there was temporary legislation allowing remote meetings, this has now ended). Recent case law has held that hearings under the Licensing Act 2003 can be held remotely. This could potentially also apply to street trading hearings.

5. Who is intended to benefit from it and in what way?

Street trading consent holders, new applicants for street trading consent and persons and agencies that are objecting to an application or consent will all benefit from the new process.

Introducing licensing hearings for contentious decision making, rather than all decisions being made by Officers, will give these parties the opportunity to put forward their case or objections in the open forum of a hearing with opportunity for questions and discussion before a decision is made. The decision will be made by a panel of three Councillors who will take account of all the facts before making an unbiased and fair decision. The panel will have the support of a Legal Officer who will advise on legal scope and matters.

Having a published procedure for hearings will make the process clear.

6. What outcomes are expected?

It is expected that contentious applications for street trading consent, where local residents or businesses have made objections; or cases where an existing consent needs to be reviewed; or where a party wants to appeal an Officer decision, will be considered by a hearing panel. For other cases, including short term street trading consents, decisions will continue to be made by Officers.

It is predicted that there is likely to be no more than 1 or 2 street trading hearings a year.

The main outcomes are that there will be greater impartiality, objectivity and fairness in the decision-making process, and a published procedure for hearings.

In terms of the EHRC, the main outcome is 'Outcome 1: No major change'.

7. What evidence has been used for this assessment?: (eg Research, previous consultations, Inform (MAIDEN); Google assessments carried out by other Authorities)

Internet search to identify good practice in other local authorities. This revealed that street trading decisions are usually made by a hearing panel of the Licensing Committee rather than by individual officers.

8. Has any consultation been carried out? See list of possible consultees

Public consultation which included all current street trading consent holders between 3rd April 2023 to 19th May 2023

9. Could a particular group be affected differently in either a negative or positive way?

*(Negative – it could disadvantage and therefore potentially not meet the General Equality duty;
Positive – it could benefit and help meet the General Equality duty;
Neutral – neither positive nor negative impact / Not sure)*

Protected Group	Type of impact, reason and any evidence (from Q7 & 8)
Age	Neutral – No specific impacts have been identified either through consultation or through equality analysis.
Disability	Neutral - Persons who have a disability may have difficulty attending a hearing at The Council Offices at Ebley Mill. If appropriate, it will be ensured that the hearing is held in a part of the building that has wheelchair access and/or hearing loop. Consideration must be made of Council protocol and legislation around Council meetings and whether they can be held remotely or must be in person. However, where all parties agree and legal advice is that a meeting can be held remotely, there can be an option whereby the hearing could be held through Zoom, if this means that parties, that wish to attend from their home or other setting, can do so. Where a party cannot attend a hearing, their representation will still be considered by the hearing panel.
Gender Re-assignment	Neutral – No specific impacts have been identified either through consultation or through equality analysis.
Pregnancy & Maternity	Neutral - Persons that are pregnant or have very young children may not be able to attend a hearing at the Council Offices at Ebley Mill. Provision for hearings to be remote can be considered taking into account the points mentioned in the Disability section. Where a party cannot attend their representation will still be considered by the hearing panel
Race	Neutral – No specific impacts have been identified either through consultation or through equality analysis.
Religion – Belief	Neutral – No specific impacts have been identified either

Appendix B	through consultation or through equality analysis.
Sex	Neutral – No specific impacts have been identified either through consultation or through equality analysis.
Sexual Orientation	Neutral – No specific impacts have been identified either through consultation or through equality analysis.
Marriage & Civil Partnerships (part (a) of duty only)	Neutral – No specific impacts have been identified either through consultation or through equality analysis.
Rural considerations: ie Access to services; transport; education; employment; broadband;	Neutral - Persons that do not have their own transport may not be able to attend a hearing at Ebley Mill, particularly if they live in a rural location with no or limited public transport. Conversely persons that do not have broadband, or are not comfortable using online meeting facilities, may not be able to attend an online hearing and would prefer an in-person hearing. Provision for hearings to be in person or online (depending on legal advice and if all parties agree) would ensure that hearings can be adapted to ensure that all parties that wish to attend a hearing to put their case forward can attend and so are not disadvantaged by the process. Where a party cannot attend their representation will still be considered by the hearing panel

10. If you have identified a negative impact in question 9, what actions have you undertaken or do you plan to undertake to lessen or negate this impact?


Please transfer any actions to your Service Action plan on Excelsis.

Action(s):	Lead officer	Resource	Timescale

Declaration

I am satisfied that an Impact Assessment has been carried out on this policy, and where a negative impact has been identified, actions have been developed to lessen or negate this impact.

We understand that the Equality Impact Assessment is required by the District Council and that we take responsibility for the completion and quality of this assessment.

Completed by: Rachel Andrew	Date: 6th June 2023
Role: Licensing Manager	
Countersigned by Head of Service/Director: 	Date: 6th June 2023

Date for Review: Please forward an electronic copy to eka.nowakowska@stroud.gov.uk

STROUD DISTRICT COUNCIL
COMMUNITY SERVICES AND LICENSING COMMITTEE
THURSDAY, 22 JUNE 2023

Report Title	Stroud District Council Taxi Fares 2023			
Purpose of Report	To consider recommendations by the Taxi Task and Finish Group to increase taxi fares for 2023 in Stroud District			
Decision(s)	<p>The Committee RESOLVES to:</p> <p>a) Approve amendments to Stroud District Council’s taxi fare table in accordance with the recommendations of the Taxi Task and Finish Group detailed in Appendix B.</p> <p>b) If (a) is resolved, or any variation on the recommendation, approve the procedure and delegation for giving public notice and implementing the fare increase as detailed in paragraph 3.2 of the report.</p>			
Consultation and Feedback	<p>The Task and Finish Group’s proposed recommendations for a fare increase have been circulated to all Stroud District Council licensed taxi and private hire drivers and to all approved meter fitters. The period for comment was 9th May 2023 and 29th May 2023.</p> <p>If Committee approves the proposed fare increase, there will be a statutory public notice period, giving 14 days for public comment, before any new fares can be implemented.</p>			
Report Author	<p>Rachel Andrew, Licensing Manager Tel: 01453 754401 Email: rachel.andrew@stroud.gov.uk</p>			
Options	<p>Alternative resolutions to the proposed decision are:</p> <p>(a) not make any changes to the current taxi fares Or (b) make alternative changes to current fares to those recommended by the Task and Finish Group in Appendix B</p>			
Background Papers	Not applicable			
Appendices	<p>Appendix A – Schedule of Comments from taxi licence holders Appendix B – Proposed variation to the Taxi Fare Table for Stroud District as recommended by the Taxi Task and Finish Group</p>			
Implications (further details at the end of the report)	Financial	Legal	Equality	Environmental
	No	No	No	No

1. INTRODUCTION / BACKGROUND

- 1.1 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 makes provision for the Council to set a table of fares which shows the rates for time, distance, and all other charges in connection with the hire of a hackney carriage. For the purposes of this report hackney carriages are referred to as taxis.
- 1.2 The table of fares are the rates to which Stroud District Council licensed taxi meters are set and it is the maximum they can charge their customer for any journey within the district. They can choose to charge a lesser fare.
- 1.3 The Council does not set the fares for private hire vehicles which must be pre-booked through an operator. The private hire fare must be agreed with the customer prior to the journey commencing.
- 1.4 Stroud District Council's current taxi fares are split into 3 rates which in summary are:
 - Rate 1 - daytimes
 - Rate 2 – evenings, Sundays and all day on bank holidays
 - Rate 3 - night times, and all day on Christmas Day and New Years Day
- 1.5 Each rate is broken down into the following elements:
 - Starting rate – the amount the meter will show when the journey starts.
 - Yardage – the distance in yards after which the meter adds an additional 30p to the fare when the vehicle is moving.
 - Waiting time – the time in seconds after which the meter adds an additional 30p to the fare if the vehicle is driving slowly or is stationary, for example at traffic lights.
- 1.6 Extras can be added to the fare for additional passengers or for bags etc.

2. MAIN POINTS

- 2.1 Stroud District Council's current taxi fare table came into force on 18th July 2022.
- 2.2 Last year this Committee agreed that every year Officers will check the CPI rate for March of that year. Where the CPI is more than 2.5% this will trigger a review of the taxi fares.
- 2.3 The [CPI for March 2023 was 8.9%](#).so meets the threshold for a review.
- 2.4 Trade representatives were invited to put forward a proposal to be considered by a Taxi Task and Finish Group
- 2.5 The Taxi Task and Finish Group was made up of Councillors Steve Robinson, John Jones and Nigel Prenter and was supported by Licensing Officers.

- 2.6 The Task and Finish Group held two meetings, one on 21st April 2023 to consider the initial proposal put forward by members of the taxi trade and one on 27th April 2023 to discuss it with representatives of the taxi trade.
- 2.7 The Task and Finish Group recognised that living costs and costs for maintaining vehicles has increased over the last 12 months and that an increase in fares is appropriate.
- 2.8 The trade requested a change in the start time of rate 1 from the current start time of 06:00 to a new start time of 07:00. The Task and Finish group did have some concerns about this as it would impact on people who must leave home early to catch a train for work or need to get to early appointments. The change would mean early customers would pay the higher rate 3 instead of rate 1. The trade representatives explained that many taxi businesses will not accept early bookings at the current rates as it is not worthwhile to get up for the early starts if it's on the lower rate 1. This means that people that want a taxi early cannot get one. It was clarified that throughout the whole journey the meter stays on the rate the journey starts on. There was consideration as to whether meters can be calibrated differently to automatically change rate mid journey. Automatic meters can be recalibrated to work like this; however, many drivers have manual meters, and it is not possible to change these meters mid journey. The Task and Finish Group and trade representatives agreed a compromise of pushing the start time of rate 1 on to 06:30.
- 2.9 The trade requested in an increase in the extra charge for soiling from £75 to £80. The Task and Finish Group felt this was acceptable.
- 2.10 The trade requested a new extra charge of £2.00 to be added to the table for carrying dogs (other than guide, hearing and assistance dogs which must be carried for no additional charge). The Task and Finish Group wanted more information on the reasoning for introducing a charge for dogs. The trade representatives explained that dogs can leave a mess in the vehicle from pet hair and dirty feet. The driver then must take the vehicle out of action to clean it. The Task and Finish Group also asked for clarification if this would be a charge per dog and it was concluded it would be a single charge no matter how many dogs were being carried. The Task and Finish Group felt that £2.00 charge was bit high, especially on a short journey, and was higher than other Gloucestershire authorities. A compromise of £1.50 for carrying dogs was agreed. It should be noted that it is optional for drivers to add extras so it is at their discretion whether to add the extra fee for dogs to the fare.
- 2.11 The trade requested an increase on starting rates on all three rates by 3% and changes to the yardage which would result in a 7% - 10% increase in total fares overall on all three rates. The Task and Finish Group had some concerns about this. There was a fare increase last year of 11% and the Task and Finish Group felt that, although inflation is still high, an increase of 5%- 6% would be more appropriate for this year, taking account that customers will also be feeling the hit from inflation and are likely to have less disposable income. An alternative proposal was put forward by the Task and Finish group that achieved this which the trade representatives agreed to.
- 2.12 The Task and Finish Group and trade representatives agreed the following proposal to be put out for consultation with all taxi licence holders:

- Change in start time of Rate 1 from 06:00 to 06:30
- Additional optional extra for carrying dogs of £1.50
- Increase in soilage charge from £75 to £80
- Increase in starting rates and fares across all three rates of approximately 6%

- 2.13 This proposal was circulated to approximately 100 taxi licence holders for their comments between 9th and 29th May 2023. A schedule of the responses is Appendix 1. There were 10 responses. Of those six supported the proposed increase in fares but three felt that fares should not be increased as it could make taxis a luxury item and decrease the number of people that use them. Four of the comments were that Rate 1 should not start until 07:00 rather than 06:30 as proposed. Two suggested that the soiling charge should be higher than the £80 proposed with a suggestion of £100. And three mentioned charges for carrying dogs and were either against it or felt that the soiling charge should be applied if the dog made a mess.
- 2.14 The Task and Finish Group have reviewed the responses and noted the comments. Overall they concluded that the number of responses was low, and there was not a majority objection to any of the proposals, they therefore decided to not make any amendments to their recommended proposed changes to the taxi fare table as shown in Appendix 2.
- 2.15 In accordance with the Local Government (Miscellaneous Provisions) Act 1976, if a Council agrees to vary taxi fares, it must first give public notice as prescribed by the Act. The notice must state a period of at least 14 days for the public to make comment. If there are no objections the new fares will come into effect as soon as the public notice period expires.

3. RECOMMENDATIONS

- 3.1 The recommendation of the Task and Finish Group is that Committee resolves to approve the proposed changes to the taxi fare table as detailed in Appendix 2.
- 3.2 If Committee agrees with the recommendation and resolves to vary Stroud District taxi fares, it is recommended that the Committee also resolves to agree to the procedure as detailed below:
- a. Public notices showing the approved revised fares are published in Stroud News and Journal and the Dursley Gazette on 28th and 29th June 2023 inviting public comment. There will also be a notice at the Council Offices. The notices will specify that objections can be made up to 16th July 2023.
 - b. If no objections are received within the notice period; or any objections are withdrawn, the revised fares to be effective from Monday 24th July 2023 or from the time any objections are withdrawn if after this date.
 - c. If any objections are received during the notice period and are not withdrawn, the Head of Environmental Health will be authorised (in consultation with the Community Services and Licensing Committee Chair and Vice Chair and the Licensing Manager) to:

- (i) determine, following consideration of the objection(s) whether to approve the fare table with or without modifications; and
- (ii) set a date no later than 2 months of the expiration of the consultation period, being the date when the determined fares shall have effect.

4. CONCLUSION

- 4.1 The rate of inflation as shown by the CPI has triggered an annual review of Stroud District Council taxi fares. Members of the Taxi trade put forward an initial proposal which has been considered by the Taxi Task and Finish Group and a compromise for consultation was agreed. This was circulated to all the taxi licence holders for their comments. The Task and Finish Group have considered the comments and are recommending that the proposals shown on fare table in Appendix 2 are approved by the Committee.
- 4.2 They also recommend that Committee approves the procedure for putting out public notice, dealing with any comments and implementing fares with a provisional implementation date of 24th July 2023.

5. IMPLICATIONS

5.1 Financial Implications

There are no direct financial implications within this report.

Adele Rudkin, Accountant

Tel: 01453 754109 Email: adele.rudkin@stroud.gov.uk

5.2 Legal Implications

Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 empowers the Council to vary the table of fares in connection with the hire of a hackney carriage. The Council is legally obliged to publicise in a local newspaper, details of any variation to the table of fares, and to consider any objections received by way of a further hearing, if they are not withdrawn.

Tel: 01684 272691 Email: legalservices@onelegal.org.uk

5.3 Equality Implications

There are not any specific changes to service delivery proposed within this decision.

5.4 Environmental Implications

There are no significant implications within this category.

This page is intentionally left blank

Appendix A – Stroud District Taxi Fares 2023

Consultation Comments from Taxi Licence Holders

Consultation Period 9th May 2023 and 29th May 2023

1	All looks fair and sensible
2	It all great apart from I feel the rate 1 should start at 7am. Any job before 7am I would class as unsociable hours, so should be rate 3.
3	Agreed on all, apart from rate 1, which I understood to start at 6am already, but should be moved back to 7am, as in days gone by. That early morning rate 3 boost was extremely helpful before, but since being changed to 6am for the start of rate 1, it has rendered it as a passable proposition. It's harder to motivate one to an early rising if the financial incentive has been nullified.
4	<p>Firstly, can I say that I personally have had no contact from any driver purporting to be a representative of the taxi trade, and indeed have no idea who that is, I wish I did 🙄.</p> <p>However, that apart can I put forward my comments.</p> <p>I cannot understand why we need to increase the rates so soon after the last increase as although most costs of living have increased that specifically relating to us (fuel) has in fact decreased from the insanely high rates of 12/18 months ago. In addition, we all want more money but all it will do is decrease the number of people who will use taxis, and generally add to the inflation circle. This I understand is a personal view but nevertheless one I consider valid.</p> <p>Finally, all other changes I have no objection to at all in fact consider the soiling charge should be even higher (£100?). I would also wonder whether any consideration has been given to the option of being able to add a small charge, say £1.00, to any payments made by card/phone/watch etc.? (Comment from Licensing Team – there is legislation that bans a charge being made on card payments)</p>
5	<p>Personally, I think Rate 3 should run until 7am, generally it's a run to the station meaning you need to be up and out a lot earlier.</p> <p>Soiling should be more around £95-£100, if your vehicle is soiled then 95% of the time you wouldn't be able to carry on working until cleaned.</p> <p>I'm not personally bothered about any rate rise, we need to keep customers using us not making it a expensive luxury.</p> <p>Forgot the dog bit , I take dogs, I insist they stay on the floor or lap and not on the seats and I don't charge. It's annoying if you have to spend 30 minutes vacuuming after but hey ho, I think it's shocking to charge, especially the elderly to take a dog, dogs are sometimes cleaner than some passengers 😬</p>

6	I agree with the proposed changes. Everything is getting more expensive, so another increase would be helpful.
7	All sounds good. Rates need to increase to keep up with the cost of living and replacement of vehicles.
8	Price I think all ok only problem sometime. Very short journey with dog 🐕 re clean car cost more than taxi fare thank you
9	I approve the proposed taxi fair increase.
10	<p>Personally, I don't think the fares need altering at this stage. I am aware I am a relative novice and some of the other drivers were chuntering about the last increasing taking too long to come around. However, it would seem that we would become a luxury item rather than a service if we keep upping our rates. Again, I understand inflation, cost of living etc, but then that becomes another reason to not overdo it and put people off from using us.</p> <p>I like the idea of Rate 1 starting later, but for me, that should be around 7am rather than 6.30am. Rate 2 should be from 7am Saturday. Dog carrying fee is a token gesture at £1.50 and if a dog makes a mess, whether it's shedding a lot of hair or loss of bodily function then maybe that should come under the soiling fee, which I think should be minimum £100.00 as a full valet is at least £60.00 then there's the loss of earnings that can accompany this, which in many cases is worth a lot more than £75.00.</p>

Taxi Fare Table 2023

Black – current fares

Orange – Proposed Changes recommended by Task and Finish Group for adoption

	Rate 1	Rate 2	Rate 3
Times	Mon - Fri 06:00 (6.30) - 18:00 Sat 07:00 - 13:00	Mon – Fri 18:00 – 00:00 Sat 13:00 – 00:00 Sun 07:00 – 00:00 Bank Holidays 07:00 – 18:00	Mon – Fri 00:00 - 06:00 (06:30) Sat, Sun 00.00 - 07.00 Bank Holidays 00:00-07:00 and 18:00-06:00 (06:30) Xmas 12.00 24th Dec - 07.00 27th Dec New Year 12.00 31st Dec - 07.00 2nd Jan
Starting Rate	£3.20 (£3.40 6%) For first 210 (200) yards or part thereof	£3.60 (£3.80 6%) For first 180 (170) yards or part thereof	£4.30 (£4.50 5%) For first 165 (155) yards or part thereof
Increments thereafter	30p For every following 210 (200) yards or part thereof	30p For every following 180 (170) yards or part thereof	30p For every following 165 (155) yards or part thereof
Waiting time	30p every 40 seconds	30p every 30 seconds	30p every 25 seconds
Approximate Fares			
First Mile	£5.41 (£5.74 6%)	£6.23 (£6.61 6%)	£7.20 (£7.61 5.5%)
Every following Mile	£2.51 (£2.64 6%)	£2.93 (£3.11 7%)	£3.20 (£3.41 6%)
Waiting one minute	45p	60p	72p
Extras			
For each passenger over one per journey 30p			

For each bicycle **£1.20**

For each parcel or package **30p**

Soiling charge **£75.00 (£80)**

Dogs, except guide, hearing or assistance dogs, (£1.50) (same charge irrespective of number of dogs carried)

Pushchairs, wheelchairs and guide, hearing or assistance dogs will be carried free of charge

Conditions of Hiring - The charges above are the maximum permitted to be charged for each journey within the District of Stroud

1. The carriage of packages or bicycles is at the driver's discretion.
2. Animals, intoxicated or troublesome persons carried at driver's discretion.
3. At driver's discretion, a deposit may be required prior to journey commencing.

STROUD DISTRICT COUNCIL

COMMUNITY SERVICES AND LICENSING COMMITTEE

THURSDAY, 22 JUNE 2023

Report Title	Strengthening Local Communities Grant			
Purpose of Report	To approve the allocation of the Strengthening Local Communities Grant from Gloucestershire Integrated Care Board.			
Decision(s)	<p>The Committee RESOLVES to:</p> <p>a) Approve the allocation of the Strengthening Local Communities Grant.</p> <p>b) Delegate Authority to Strategic Director of Communities in consultations with the Chair & Vice Chair of Community Services and Licensing on any amendments to the proposed allocation value.</p>			
Consultation and Feedback	Director of Community Services, Head of Community Services, Stroud & Berkeley Vale Integrated Locality Partnership.			
Report Author	<p>Hannah Drew, Physical Activity & Health Development Manager, Email: hannah.drew@stroud.gov.uk,</p> <p>Emma Keating Clark Community Health & Wellbeing Manager Email: emma.keatingclark@stroud.gov.uk</p>			
Options	Any amendments to this proposal would have to be approved in partnership with Stroud & Berkeley Vale Integrated Locality Partnership.			
Background Papers	None			
Appendices	<p>Appendix A – Terms of Reference: Integrated Locality Partnerships Stroud & Berkeley Vale</p> <p>Appendix B - Equality Analysis Form</p>			
Implications (further details at the end of the report)	Financial	Legal	Equality	Environmental
	Yes	Yes	Yes	No

1. INTRODUCTION

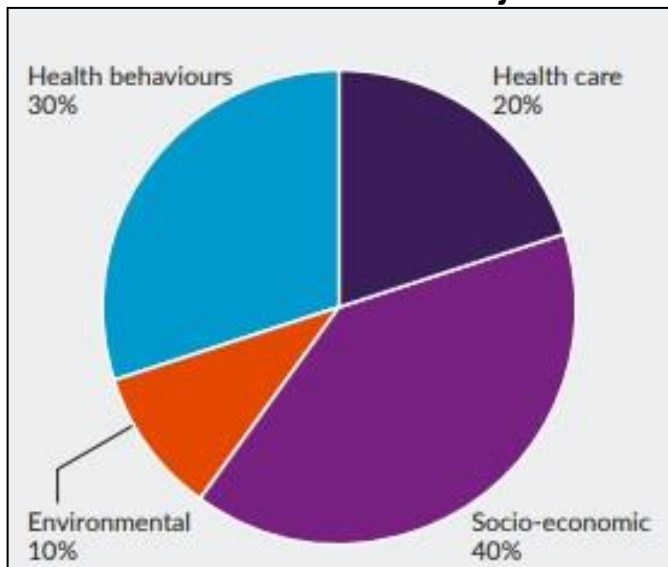
- 1.1 Gloucestershire Integrated Care Board have awarded a grant of £150,000 to each district council in the Gloucestershire to continue the development and delivery of the collaborative work to improving the health and wellbeing of Gloucestershire citizens.

- 1.2 The grants aim is to enable Stroud District Council to work in conjunction with Stroud and Berkeley Vale Integrated Locality Partnership, commissioners, VCSE organisations and communities to co-create and deliver community facing initiatives based around local priorities that positively influence wider determinant circumstances and reduce health inequalities.
- 1.3 Stroud and Berkeley Vale’s Integrated Local Partnerships is made up of officers from Gloucestershire Integrated Care Board, Gloucestershire Hospitals NHS Foundation Trust, Gloucestershire Health & Care Trust, 3 Primary Care Network Clinical Directors, Gloucestershire County Council, Stroud District Council, Community Wellbeing Service and VCSE representation.

2. BACKGROUND

- 2.1 Our health is influenced by our physiological characteristics, health behaviours and lifestyles, our social and community networks, and our physical, social and economic contexts.

Figure 1 – Relative contribution of major determinants to our health



- 2.2 Figure 1 illustrates the provision of health care services plays an important role in health outcomes and rightly requires focus and attention. However, once we understand the relative impact of the various factors influencing our health outcomes it becomes clear that in order to truly influence health on a population level, we need to focus action on the other contributory factors, which have traditionally been seen as outside the boundaries of the health and care system; namely the wider determinants and health behaviours.
- 2.3 Given the functions and enabling roles which District Councils have across the determinants of health, they play an important role in improving the health and wellbeing of their citizens and communities. For health inequalities to be addressed effectively, interventions must be built on developing community-based programmes, which enable empowerment, control, self-determination, and the freedom to lead lives that people have reason to value.

2.4 The Strengthening Local Communities Grant compliments existing county-wide, community-based initiatives whilst ensuring the resourcing and delivering of universal services at a scale and intensity are proportionate to the degree of need. This will ensure that our most intensive focus is in the areas where need is greatest, aiming to improve the health of the whole population, across the social gradient, while simultaneously improving the health of the most disadvantaged fastest, thus contributing to a reduction in health inequalities.

3. MAIN POINTS

3.1 The Strengthening Local Communities grant must be allocated in line with Stroud and Berkeley Vale’s Integrated Local Partnership key priorities, which are: -

- Children and Young People’s Mental Health
- Frailty, Dementia and Carers.

3.2 The grant will also contribute to the delivery of CW1 (Community resilience) and CW4 (Leisure and Culture Services) actions within the Council Plan. Please see below the actions which the grant has direct impact on:-

- CW1.1 - Develop community led networks and community hubs across the district by helping communities to develop their own networks and hubs, connecting smaller and larger hubs and providing support and training.
- CW1.2 Act to improve the physical and mental health and wellbeing of people in the district through delivery of a new 3 year Health and Wellbeing Plan
- CW4.3 Increase physical activity and sports participation through our Healthy Lifestyles Scheme in partnership with the Gloucestershire We Can Move programme.

3.3 The grant will also support the delivery of the 3 Year Physical Activity Action Plan and Health & Wellbeing Plan.

4. RECOMMENDATIONS FOR ALLOCATION OF GRANT

4.1 The recommendations for the allocation of the £150,000 Strengthening Local Communities Grant are as follows:-

Intervention	Proposed Funding Allocation
Stroud District Community Hub Development Programme To support the continuing development of the Stroud District Community Hub programme.	£20,000
Children and Young People Wellbeing Programme Working with Integrated Locality Partnership partners using data and insight to develop targeted interventions for children and young people.	£50,000

<p>Place based targeted Health Interventions Working with partners to develop place based interventions e.g. Chapel Street Pilot</p>	<p>£20,000</p>
<p>VCS Targeted Intervention Fund To work with VCS partners to support targeted health projects.</p>	<p>£20,000</p>
<p>Activity on Referral Development To support the development of activity on referral in the district in partnership with Active Gloucestershire and other key stakeholders.</p>	<p>£20,000</p>
<p>Social Prescribing VCS Capacity Building To support social prescribing pathways into VCS organisations. e.g. when a referral is made to a VCS organisation from a social prescribers that organisation receives funding to support that individual.</p>	<p>£20,000</p>

4.2 We will be creating working groups for each of the above interventions which would include representation from key statutory and VCSE organisations across the district.

5. IMPLICATIONS

5.1 Financial Implications

As the expenditure plan is funded by the Strengthening Local Communities grant then there are no financial implications to the Council. It is recommended that the spending plan is monitored closely so that it remains within the allocated £150,000 of funding.

Adele Rudkin Accountant

Tel: 01453 754109 Email: adele.rudkin@stroud.gov.uk

5.2 Legal Implications

Before issuing the grants, the Council should enter into grant agreements with the providers to set out the purposes for which the grant is to be used.

All financial assistance given by the Council to non-individuals has to comply with the provisions of the Subsidy Control Act 2022 (the Act). This replaced state aid when the UK left the EU.

In order for financial assistance to be a subsidy, it has to meet 4 criteria; one of which is that an economic advantage is conferred on one or more ‘enterprises’. This criteria will not be met where the benefit of the financial assistance is being passed on by the recipients to residents and the provider themselves are not gaining any benefit. Also, it is unlikely that the providers referred to in this report would be considered to be an ‘enterprise’ defined as “a person who is engaged in economic activity that entails offering goods or services on a market...”.

Officers should consult with One Legal before the grants are issued to cover off the subsidy control requirements and to prepare the grant agreements.

One Legal Email: legalservices@onelegal.org.uk

5.3 Equality Implications

An EIA has been carried out by Officers in relation to the decision made in this report and due regard will be given to any implications identified in it.

5.4 Environmental Implications

There are no significant implications within this category.

This page is intentionally left blank

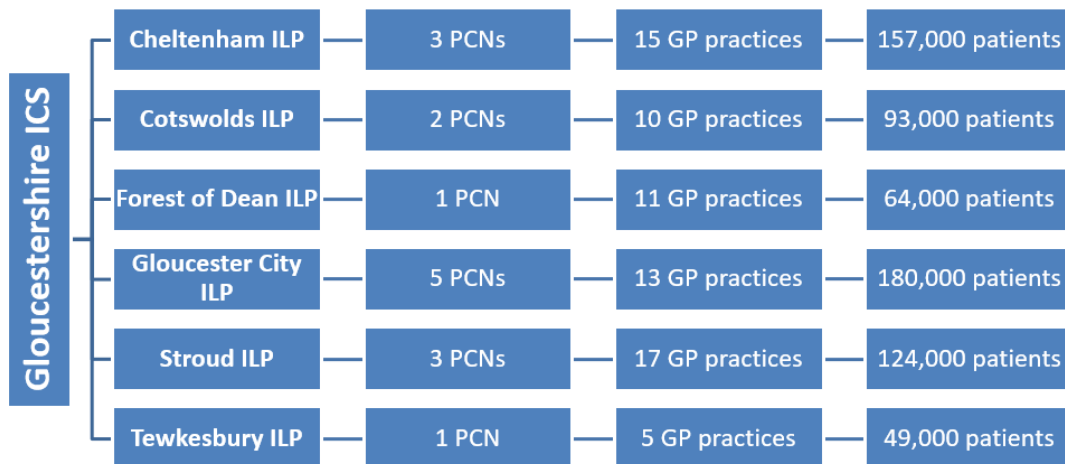
Terms of Reference: Integrated Locality Partnerships Stroud & Berkeley Vale

1. Background & Vision

We know that to have sustainable health and care services in Gloucestershire we need to work collaboratively as one integrated system to help keep people healthy, support active communities and ensure high quality, joined up care where needed. ‘One Gloucestershire’ as an Integrated Care System (ICS) takes collective responsibility for managing resources, delivering NHS standards, and improving the health and wellbeing of the population we serve, breaking down barriers to deliver better health and care.

Our ICS has a real opportunity to do more at pace and at scale in Gloucestershire than ever before. We want to continue to encourage a population based approach to improving health and care through the delivery of place based care. This includes alignment with the other public services working across Gloucestershire in order to address the wider social determinants of physical and mental health. We will use Population Health Data to drive the identification and prioritisation of the most appropriate response to the management of care at a local level.

Gloucestershire ICS is a single ‘place’ comprising six Localities which in turn comprise 15 neighbourhoods (PCNs) and 71 General Practices. This is depicted below:



As our work develops we will see multi-disciplinary teams working together to serve natural populations of around 30,000-50,000 people and making the most of the many supportive community health assets such as voluntary and community groups that work locally to support and connect people. For local people this means:

- There will be more support for people to stay healthy and independent and develop active communities that promote prevention and self-care.

Terms of Reference: Integrated Locality Partnerships Stroud & Berkeley Vale

- People with long-term conditions (physical, mental health or learning disability) should benefit from more joined-up care and support in their own homes, GP surgery, community or hospital.
- Staff should find it easier to work with colleagues from other organisations to support shared health priorities and deliver better outcomes for patients.

At Locality level our joined-up approach with education and skills, welfare and benefits, leisure, housing and community safety programmes will deliver a more appropriate mix of medical and social interventions to tackle the root cause of health inequalities and improve health and wellbeing of residents as reflected in the Department of Health and Social Care White Paper of February 2021 entitled Integration and Innovation.

As well as an ICS led response, local people and communities have a key role to play. All communities have health assets that can contribute to positive health and wellbeing.



2. Purpose

As ILP members our common or shared purpose is to proactively reduce the impact of root causes of health inequalities and improve health and wellbeing in Stroud and Berkeley Vale. We wish to work collectively to redesign care for and with people in Stroud District to enable people to live well at home.

3. Building Blocks/ principles

The way we act as individuals and how we work together is guided by the following principles:

- Focusing locally, working collaboratively, sharing ideas, experience and best practice and key learning from our organisations to increase the awareness of us all;
- To make the most efficient use of time, effort and resource thereby reducing duplication;

Terms of Reference: Integrated Locality Partnerships Stroud & Berkeley Vale

- Using a system approach to bring together the public, private, volunteer and community sector organisations to work collaboratively to address complex problems which cannot be resolved by one organisation alone;
- Prioritise and value building better relationships and trust between ILP members, communities and the people that we serve;
- Being flexible and seeking additional expertise and/or members
- We will co-produce and co create wherever we can;
- Build on what is strong rather than what is wrong;
- Using Population Health Management, data and insight to identify particular priorities and then measuring and evaluating the effectiveness of the different actions and interventions for and with our population.
- Prioritising actions that can be most influential and have the most positive impact;
- Acknowledging that actions will not necessarily make an immediate and direct impact on the problems but should make an impact on something that is clearly influencing our goals;
- Working with local people and communities to understand their strengths and aspirations and sharing the outcomes with the communities we serve;
- Working virtually when we can to reduce our carbon footprint.
- Working collaboratively to ensure the sustainability of services for local people and communities.
- Acting with humility and acknowledging that we do not have all the answers.

4. Interdependencies

ILPs need a strong link to the agenda of Enabling Active Communities and Individuals (EAC-I) whose members are working with local people and communities to support them to enjoy healthier lifestyles and create activities, facilities and services which make their communities healthy, resilient and sustainable.

5. Outcomes and Responsibilities

ILP members will develop a plan and deliver the content of the plan which will contribute to tackling the root causes of health inequalities and improve health and wellbeing in Stroud & Berkeley Vale.

We will re-shape and develop local health, wellbeing and care services, and the infrastructure which supports people to achieve health benefits.

We will make impactful change for the population focussed in particular on the most marginalised and vulnerable alongside partners but with the communities.

It is anticipated that, in the context of and recovery from Covid-19, each ILP will consider and select priorities from the following groups as pertinent to their population and use Population Health Management and local insights to do so.

Terms of Reference: Integrated Locality Partnerships Stroud & Berkeley Vale

ICS priorities	Respiratory, CVD, diabetes and frailty including dementia
Health & Wellbeing Strategy priorities	Social isolation, Adverse Childhood Experiences (ACEs), Physical Activity, Healthy lifestyles – with initial focus on health weight, Housing and health, Mental wellbeing, Early years / best start in life
PCN Service Requirements	Structured Medication Review and Medicines Optimisation, Enhanced Health in Care Homes and Early Cancer Diagnosis, followed by Anticipatory Care, Personalised Care, Tackling Neighbourhood Inequalities and Cardiovascular (CVD) Prevention and Diagnosis.

6. Partnership Members

Suggested membership is comprised of representatives from the following organisations. Members can nominate a relevant and consistent officer to attend on their behalf who is mandated to make decisions on behalf of their organisation.

Individual members are responsible for sharing decisions made at the ILP and outcomes with their own organisations and collectively members are responsible for sharing information about our work with the communities we serve.

A quorum will be 50% of members in attendance in addition to the Chair or Vice Chair, with representation from each organisation in attendance below.

The chair of each partnership will be determined by means of a nomination and if necessary an election process held locally for each ILP. The chair could be a PCN Clinical Director, or a Director level individual from a provider organisation or an officer mandated by them.

Organisation	Proposed Members
Local Government	Head of Paid Service, Chief Executive or Strategic Director as per individual council or nominated Locality or Service lead
General Practice	PCN Clinical Director(s) for constituent PCN(s) within the place
Gloucestershire Health and Care NHS Foundation Trust	Executive Director with locality Lead Senior operational locality Lead
Gloucestershire Hospitals NHS Foundation Trust	

Terms of Reference: Integrated Locality Partnerships Stroud & Berkeley Vale

Gloucestershire County Council Adult Social Care	Lead Director or nominated deputy of Adult Social Care. Public health lead
Gloucestershire Health & Care	Service Development Manager
Stroud District Council	Health & Wellbeing representatives
Local Housing Provider	Director or senior management lead
Local Voluntary Social Enterprise Sector Lead and/or member of GVCSA	As appropriate to each Locality
Lay member/s	As appropriate to each Locality

Core ILP Support team	
ILP Management Support	Director of Primary Care and Locality Development or Deputy CCG Locality Manager
Business Intelligence Lead	CCG/Provider

Any member unable to attend the meeting should send a deputy sufficiently briefed and empowered to make decisions. Additional representation may be invited to the meetings as required.

Conflicts of interest must be stated at the start of every meeting and recorded in the minutes.

7. Frequency of meeting

Monthly or bi-monthly meetings (as determined by members of each partnership) will take place at a venue within the locality and or virtually via MS Teams.

8. Governance and Reporting Arrangements

Minutes and agreed actions of ILP meetings will be taken and signed off by the Chair. As this is not a statutory board, individual governing bodies will retain governance responsibilities within this structure. Individual members are responsible for sharing decisions made at the ILP and outcomes within their own organisations

Terms of Reference: Integrated Locality Partnerships Stroud & Berkeley Vale

Monthly written updates will be provided by any Task and Finish Groups and reported to the ILP.

Reporting arrangements for ILPs will be agreed as our new ICS structure emerges.

9. Administrative Details

Meetings will be arranged and agendas organised by the ILP Administrator; with papers circulated at least seven days before the meeting. Minutes of the meeting and record of agreed actions will be taken by the ILP Administrator. These will be sent out no later than seven days following the meeting.

10. Review of Terms of Reference

These Terms of Reference will be reviewed annually by each ILP.

11. Appendix: Structure of Locality ILPs, PCNs and Practices in Gloucestershire

The ILPs are as follows:

- Cheltenham ILP- comprising 3 PCNs.
- Cotswolds ILP- comprising 2 PCNs.
- Forest of Dean ILP- comprising 1 PCN.
- Gloucester City ILP- comprising 5 PCNs.
- Stroud and Berkeley Vale ILP– comprising 3 PCNs.
- Tewkesbury ILP – comprising 1 PCN. *With communication links to practice populations in Gloucester, Forest of Dean and Cheltenham.*

Locality	PCN	Practices (contract name)
Cheltenham	Central	Berkeley Place Surgery
		Crescent Bakery Surgery
		Overton Park Surgery
		Royal Crescent Surgery
		Underwood Surgery
		Yorkeleigh Surgery
	Peripheral	Cleevelands Medical Centre
		Sixways Clinic
		Stoke Road Surgery
		Leckhampton Surgery, The
		Winchcombe Medical Centre
	St Paul's	Corinthian Surgery
Portland Surgery		

Terms of Reference: Integrated Locality Partnerships Stroud & Berkeley Vale

		Royal Well Surgery
		St Catherine's Surgery
		St George's Surgery
Cotswolds	North Cotswold	Chipping Campden Surgery
		Cotswold Medical Practice
		Mann Cottage Surgery
		Stow Surgery
	South Cotswold	White House Surgery
		Cirencester Health Group
		Hilary Cottage Surgery
		Phoenix Health Group
		Rendcomb Surgery
		Upper Thames Medical Group
Forest of Dean	Forest of Dean	Blakeney Surgery
		Coleford Family Doctors
		Dockham Road Surgery
		Drybrook Surgery
		Forest Health Care
		Mitcheldean Surgery
		Newnham Surgery
		Severnbank Surgery
		Brunston & Lydbrook Practice, The
		Lydney Practice, The
		Yorkley & Bream Practice
Gloucester City	Aspen	Aspen Medical Practice
	Inner City	Severnside Medical Practice
		Gloucester Health Access Centre
		Kingsholm Surgery
	North and South Gloucester (NSG)	Partners in Health
		Brockworth Surgery
		Churchdown Surgery
		Hucclecote Surgery
		Longlevens Surgery
	Rosebank	Rosebank Health
Hadwen & Quedgeley		Quedgeley Medical Centre
		Hadwen Health
Stroud and Berkeley Vale	Berkeley Vale	Acorn Practice
		Cam and Uley Family Practice
		Culverhay Surgery, The
		Chipping Surgery, The
	Walnut Tree Practice	
	Severn Health	Frampton Surgery

Terms of Reference: Integrated Locality Partnerships Stroud & Berkeley Vale

		High Street Medical Centre
		Locking Hill Surgery
		Prices Mill Surgery
		Regent Street Surgery
		Stonehouse Health Clinic
		Stroud Valleys Family Practice
	Stroud Cotswold	Beeches Green Surgery
		Frithwood Surgery
		Minchinhampton Surgery
		Painswick Surgery
		Rowcroft Medical Centre
TWNS	TWNS	Church Street Medical
		Mythe Medical Practice
		Newent Family Doctors
		Staunton & Corse Surgery
		West Cheltenham Medical Practice

Equality Analysis Form

By completing this form you will provide evidence of how your service is helping to meet Stroud District Council's General Equality duty:

The Equality Act 2010 states that:

*A public authority must, in the exercise of its functions, have **due regard** to the need to:*

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act 2010;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

The protected characteristics are listed in Question 9

Stroud District Equality data can be found at: <https://www.stroud.gov.uk/council-and-democracy/corporate-plans-and-policies/equality-diversity-and-inclusion/equality-impact-assessments>

Please see Appendix 1 for a good example of a completed EIA.

[Guidance available on the HUB](#)

1. Persons responsible for this assessment:

Name(s): Hannah Drew	Telephone:
	E-Mail: Hannah.drew@stroud.gov.uk
Service: Community Services	Date of Assessment: 6 th June 2023

2. Name of the policy, service, strategy, procedure or function:

Strengthening Local Communities Grant

Is this new or an existing one? New

3. Briefly describe its aims and objectives

The aim of the report is to approve the allocation of the Strengthening Local Communities Grant from Gloucestershire Integrated Care Board. The grant is to support development and delivery of the collaborative work to improving the health and wellbeing of Stroud residents.

4. Are there external considerations? (Legislation / government directive, etc)

The allocation of the grant needs to be in line with Stroud and Berkeley Vale's Integrated Local Partnership key priorities, which are: -

Appendix B

- Children and Young People's Mental Health
- Frailty, Dementia and Carers.

5. Who is intended to benefit from it and in what way?

The grant will support the delivery of targeted health interventions across the Stroud district in partnership with Gloucestershire Integrated Care Board, Stroud and Berkeley Vale's Integrated Local Partnership and local VCSE organisations. The interventions will benefit residents for whom the interventions will be aimed at.

6. What outcomes are expected?

The key outcomes are:-

1. Stroud District Community Hub Development Programme
2. Children and Young People Wellbeing Programme
3. Place based targeted health interventions
4. VCS Targeted Intervention Fund
5. Activity of Referral Development
6. Social Prescribing VCS Capacity Building

7. What evidence has been used for this assessment?: (eg Research, previous consultations, Inform (MAIDEN); Google assessments carried out by other Authorities)

Gloucestershire Joint Health and Wellbeing Strategy -

https://www.gloucestershire.gov.uk/media/2091568/gcc_2596-joint-health-and-wellbeing-strategy-summary-version_dev2.pdf

Interim Integrated Care Strategy by One Gloucestershire Health & Wellbeing Partnership

– <https://www.onegloucestershire.net/hwp/wp-content/uploads/2022/12/Interim-Integrated-Care-Strategy-v1.1.pdf>

Active Gloucestershire - We Can Move Strategy 2021-2030

<https://www.activegloucestershire.org/cms/resources/resources/we-can-move-strategy-2021-to-2030.pdf>

Strategy for Leisure and Wellbeing in Stroud District 2021-2040 -

<https://www.stroud.gov.uk/media/1822427/sdc-leisure-wellbeing-strategy-document-final-070921-003.pdf>

Stroud District Council's Health & Wellbeing Plan 2022-2025 -

<https://www.stroud.gov.uk/media/1939527/health-wellbeing-plan-2022-2025-csl.pdf>

Stroud District Council – Physical Activity Action Plan 2022-2025 -

<https://www.stroud.gov.uk/media/2168692/physical-activity-action-plan-6.pdf>

8. Has any consultation been carried out? See list of possible consultees

Officer research
 Stroud and Berkeley Vale’s Integrated Local Partnership
 Gloucestershire Hospitals NHS Foundation Trust
 Gloucestershire Health & Care Trust,
 Primary Care Network Clinical Directors
 Gloucestershire County Council
 Community Wellbeing Service
 The Door
 GL11

9. Could a particular group be affected differently in either a negative or positive way?

(Negative – it could disadvantage and therefore potentially not meet the General Equality duty;

Positive – it could benefit and help meet the General Equality duty;

Neutral – neither positive nor negative impact / Not sure)

Protected Group	Type of impact, reason and any evidence (from Q7 & 8)
Age	<p>Positive Impact The district has a population of circa 121,103 people of which children make up 25,843 and are broken down as follows:- Aged 0-4 - 5,643 - 4.7% Aged 5-19 20,200 – 16.7%</p> <p>We anticipate that the grant will have a positive impact on children and young people as the majority of the grant will be supporting this priority.</p> <p>The actual impact is pending the allocation of funding so the impact will be considered as the action plan is an ongoing piece of work.</p>
Disability	<p>Positive Impact The district has a population of circa 121,100 people (based on 2021 census) which are broken down as follows:-</p> <p>Disabled and limited a lot – 5.8% Disabled and limited a little – 10.3% Not disabled – 83.9%</p> <p>We anticipate that the grant will have a positive impact on disabled people living within the district. The actual impact on this group is currently unknown pending the allocation of funding so the impact will be considered as the action plan is developed.</p>
Gender Re-assignment	<p>Neutral Impact There may be an impact on this group but is currently pending consultation and allocation of funding so the impact will be updated as funding is allocated.</p>

<p>Appendix B</p> <p>Pregnancy & Maternity</p>	<p>Positive Impact We anticipate that the grant will have a positive impact on children and young people as the majority of the grant will be supporting this priority. The actual impact is pending the allocation of funding so the impact will be considered as the action plan is an ongoing piece of work.</p>
<p>Race</p>	<p>Neutral Impact The district has a population of circa 121,100 people (based on 2021 census) which are broken down as follows:-</p> <p>Asian, Asian British or Asian Welsh - 1.0% Black, Black British, Black Welsh, Caribbean or African - 0.4% Mixed or Multiple ethnic groups - 1.8% White - 96.4% Other ethnic groups -0.4%</p> <p>There may be an impact on this group but is currently pending consultation and allocation of funding so the impact will be updated as funding is allocated.</p>
<p>Religion – Belief</p>	<p>No Impact</p>
<p>Sex</p>	<p>Neutral Impact The district has a population of circa 121,100 people (based on 2021 census) which are broken down as follows:-</p> <p>Male - 59,200 - 48.9% Female - 61,900 - 51.1%</p> <p>There may be an impact on this group but is currently pending consultation and allocation of funding so the impact will be updated as funding is allocated.</p>
<p>Sexual Orientation</p>	<p>Neutral Impact There may be an impact on this group but is currently pending consultation and allocation of funding so the impact will be updated as funding is allocated.</p>
<p>Marriage & Civil Partnerships (part (a) of duty only)</p>	<p>No Impact</p>
<p>Rural considerations: Ie Access to services; transport; education; employment; broadband;</p>	<p>Neutral Impact The locations of where the delivery of the interventions will take place has not been decided yet. We will be assessing throughout and taking into consideration with any decisions in consultation with the working group for the various interventions.</p>

10. If you have identified a negative impact in question 9, what actions have you undertaken or do you plan to undertake to lessen or negate this impact?


Please transfer any actions to your Service Action plan on Excelsis.

Action(s):	Lead officer	Resource	Timescale

Declaration

I/We are satisfied that an Impact Assessment has been carried out on this policy, service, strategy, procedure or function * (delete those which do not apply) and where a negative impact has been identified, actions have been developed to lessen or negate this impact.

We understand that the Equality Impact Assessment is required by the District Council and that we take responsibility for the completion and quality of this assessment

Completed by: Hannah Drew	Date: 14/6/2023
Role: Physical Activity and Wellbeing Manager	
Countersigned by Head of Service/Director: 	Date: 14/6/2023

Date for Review: Please forward an electronic copy to eka.nowakowska@stroud.gov.uk

This page is intentionally left blank

STROUD DISTRICT COUNCIL
COMMUNITY SERVICES AND LICENSING COMMITTEE
THURSDAY, 22 JUNE 2023

Report Title	Leisure Management Recommendation
Purpose of Report	The purpose of this report is to seek approval from the Council to bring Stratford Park Leisure Centre (SPLC) inhouse creating a Leisure Services Team with effect from 1st November 2024.
Decision(s)	<p>The Committee is asked to RECOMMEND to:</p> <ul style="list-style-type: none"> a) a. Strategy & Resources and Full Council to bring Stratford Park Leisure Centre inhouse operating both leisure centres and creating a Leisure Service for Stroud District Council as the preferred option as identified in the management options appraisal and business case. b) Full Council to delegate authority to the Strategic Director of Communities in consultation with the chair of Community Services and Licensing to set up the service within an agreed operating framework, quality assurance programme and reporting mechanism. c) Strategy & Resources to ringfence the required element of the 2022/2023 Stroud District Council gain from the Gloucestershire Business Rates Pool for the set up costs of the inhouse provision. d) Full Council to delegate authority to the Strategic Director of Communities in consultation with the Chair of Community Services and Licensing to produce a detailed capital investment plan to support the development of the existing centres and future provision within the district. This plan would then be considered by Council for inclusion within the capital programme when required. e) Full Council delegates authority to the Monitoring Officer to update the Terms of Reference for the Audit and Standards Committee to enable them to receive relevant assurances in relation to internal control and risk management within the inhouse option.
Consultation and Feedback	In the development of the options appraisal, the research into setting up a Local Authority Trading Company (LATC) and associated with this the Leisure and Wellbeing strategy (2021) there has been comprehensive consultation and feedback from the Leisure Task and Finish (T&F), members of the community, user groups, the community and voluntary sector, public health professionals and partner organisations.

Report Author	Angela Gillingham, Head of Community Services Email: angela.gillingham@stroud.gov.uk			
Options	The CS&L Committee could determine not to accept the recommendation and to review alternative methods of delivery. See paragraph 1.4			
Background Papers	None			
Appendices	Appendix A– Management Options Appraisal Appendix B – Inhouse v LATC options appraisal Appendix C – Review of Inhouse options v’s LATC Appendix D – Vision and Values Appendix E – Risk Register Appendix F – Executive summary Leisure and wellbeing strategy Appendix G – Equality Impact Assessment			
Implications (further details at the end of the report)	Financial	Legal	Equality	Environmental
	Yes	Yes	Yes	No

1. BACKGROUND

- 1.1 Stroud District Council contracted the operation of its leisure facility at Stratford Park to Sports and Leisure Management (SLM) in 2011. The original contract was for a 10-year period to 31st October 2021. In January 2020 this was extended to 31st October 2024 to allow the council time to consider options for the future delivery of its leisure facilities.
- 1.2 In September 2021, the Community Services & Licensing Committee (CS&L) considered a report from the Project Manager for Leisure, Health and Wellbeing seeking the adoption of a Leisure and Wellbeing Strategy for the period 2012-2041. The outcome of that report was that CS&L delegated authority to the Strategic Director of Communities in consultation with the chair of CS&L to make recommendations back to the committee on the preferred option for managing the councils’ leisure and wellbeing facilities post October 2024.
- 1.3 To assist in reviewing the options the council commissioned Max Associates to develop a detailed options appraisal. A copy of their appraisals is attached at Appendix A and B. A cross-party Leisure Review Task and Finish Group (T&FG) was then established to consider all the available delivery options. A summary of the options considered are contained in paragraph 1.4 of this report.

1.4 Options

1.4.1 Re-procure an External Contractor

This model would provide a level of cost certainty due to the nature of having a fixed management fee profiled over an extended period. However, following Covid and the increase in utility costs the leisure market has become uncertain and therefore the management fee is likely to include a ‘risk’ element thereby increasing the costs when compared against the current contract.

There is the option of open book accounting whereby the cost of the management fee is related to the income of the contractor.

Whilst this option would have the benefit of removing the council from the day-to-day operational management of the facilities, the council would be unable to influence the strategic direction of business and therefore would be unable to align its own corporate objectives and priorities.

1.4.2 Create a locally established 'not for profit' organisation (NPDO)

Creating a Trust has significant advantages when it comes to applying for external funding because it can apply for funding which is not open to local authorities. As a trust model has a requirement that all profits be re-invested back into the services/facilities it ensures local investment. The Trust model also opens alternative options for the treatment of VAT and provides for a reduction in the amount of Non-Domestic Rates, therefore from a financial perspective it is an attractive option. However, due to changes in legislation this option requires the council to run a procurement process, which the Trust would be required to bid. This results in a risk to the council that the Trust may not be awarded the contract and it becomes surplus to requirements.

1.4.3 Create a 'joint venture' in conjunction with another Local Authority

The benefit of this model enables the authorities to realise economies of scale of officer time and other resources.

With neighbouring authorities implementing their own leisure/physical activity strategies, the Councils are likely to have different aims and objectives.

1.4.4 Create an Asset Transfer on a long-term lease.

This model creates a level of financial certainty for the council as it will absolve itself of any financial responsibility and will create savings against the current budget. However, it would result in the council also relinquishing control of the facilities and having no further say in their operation or management.

1.4.5 Create a Local Authority Trading Company (LATC)

Creation of an LATC enables the council, as sole shareholder to set the overall aims and objectives of the Company. With the council responsible for the strategic direction the board is responsible for the day-to-day operation. This model enables savings on Non-Domestic Rates and different options for the treatment of VAT. Whilst council control is retained the more "commercial" element of the LATC provides opportunities for development and growth. This does not mean that the model is not without risk to the council, and this should be effectively considered in determining whether to pursue this option.

1.4.6 Bring Leisure Services back 'in-house'.

An in-house service provides the greatest opportunities for alignment with the councils' corporate objectives and ensures that all decisions are considered and taken in the context of delivering against the Council Plan and the impact on local communities. However, financially the model is challenging due to the additional

staffing and pension costs (under local government terms and conditions) and the liability for Non-Domestic Rates.

- 1.5 Following completion of the initial review, the in-house model was identified as being the preferred option. However, this was subsequently discounted by the T&FG due to the financial implications that existed at that time. The T&FG therefore recommended that a LATC be created as the preferred option for the Council to manage its leisure facilities from November 2024. This recommendation was presented to CS&L Committee in December 2021 who resolved to agree the recommendation from the T&FG and delegate authority to the Strategic Director of Communities in consultation with the chair of CS&L to explore a local authority trading company option and report back to this committee with a full financial analysis.
- 1.6 This report along with the detailed business case was ready to be presented to CS&L Committee in March 2023. However, on the 3rd of March 2023 HMRC published a paper regarding the treatment of VAT in the local authority sector. The paper set out that inhouse leisure services provided to the public would no longer be classed as business activity and therefore would be removed from the scope of VAT. This not only means that the council would now be in a different position in terms of reclaiming VAT but also that the previous risk of breaching our partial exemption limit has now diminished.
- 1.7 The VAT rules in place prior to the ruling meant that approximately 17% of the income for key income streams such as memberships and public swimming would be passed to HMRC as VAT.
- 1.8 The change in the treatment of VAT has a major impact on the financial modelling included within the options appraisal, therefore consultants were asked to prepare a new business case applying the new VAT rules and comparing it against the previous business case for the LATC. This is set out in Appendix C. The new business case, as set out in Appendix C, confirms that the change has resulted in going from an LATC having a VAT financial advantage, to the council (inhouse model) having a VAT advantage (as the council would be able to reclaim all, or nearly all , VAT on expenditure, whereas the LATC would not), and keep VAT on key activities.
- 1.9 Acknowledging the revised business case and the fact that setting up an LATC no longer has the financial advantage a decision was made at the Senior Leadership Team (SLT) meeting on 25th April to present the revised business case to the T&FG with an extended invite to all CS&L committee members so that officers were able to explain the rationale behind changing the recommendation from setting up an LATC to bringing SPLC inhouse from the 1st of November 2024.
- 1.10 The T&FG met on the 3rd May to review the business case and agreed to the revised recommendation of bringing leisure services back inhouse.

2. STROUD DISTRICT COUNCIL LEISURE SERVICES VISION

- 2.1 SDC already operate a successful Inhouse leisure facility “The Pulse, Dursley”. This is measured on Sport England Moving Communities Data Hub which tracks and compares leisure facilities across the country.
- 2.2 The LATC and inhouse option are very similar with both the risk and reward sitting with the council. There are three key differences of inhouse.

- Council pay full NNDR costs.
 - The management and board structure
 - The council has full control on how the service will operate.
- 2.3 Bringing SPLC inhouse affords us with an opportunity to create a service with a clear vision and strategic direction to maximise its potential to run effectively within the Leisure Centres and in the local community.
- 2.4 The vision and values created for the LATC is the same for inhouse. See Appendix D.
- 2.5 A Leisure Services Manager will be recruited at least 12 months prior to contract end to establish the service along with an officer working group, and strategic project board.
- 2.6 The inhouse operation will form part of the Community Services Team.
- 2.7 To maximise efficiency and quality of leisure provision the service will be monitored against an operational specification, annual business and longer term development plans and be subject to industry quality assurance awards.
- 2.8 The service will create its own identity and culture through rebranding, service development and realigning with council objectives.
- 2.9 The service will work closely with the NHS and other charitable organisations to support the Gloucestershire Integrated Care System (ICS) strategic objectives such as the preventative health and wellbeing programmes. See Appendix F leisure and wellbeing strategy executive summary.
- 2.10 The service will have the ability to work in all sectors of the community and will provide activities for the promotion of physical and mental health activities at no or low cost to the user, thus providing 'high value' Social Impact in its communities.
- 2.11 This Leisure Service will provide quarterly performance updates to CS&L and will be further monitored annually by audit and standards committee.
- 2.12 Further consideration will be given to how the service conducts itself through the appointment of the leisure services manager and the strategic project board.

3. HUMAN RESOURCES IMPLICATIONS

- 3.1 There is currently a total 69 contracted individuals employed by SLM who will be transferred into the council. These staff will be protected by the Transfer of Undertakings for the Protection of Employees (TUPE) Regulations 2006 and will transfer into the employment of Stroud District Council.
- 3.2 Leisure Centres also rely on many casual employees to deliver its service. There is currently a total of 30 casual individuals who will be protected under TUPE.
- 3.3 Casual employees can be seasonal and therefore the above figure is a guide and will be dependent on the time of transfer to the number employed.
- 3.4 Current staff employed at Stratford Park, under the employment of SLM, will undertake the TUPE process with support from SLM and the councils Human Resources (HR) service.
- 3.5 SLM will provide HR with a comprehensive list of staff and their official capacity.
- 3.6 Regular meetings and information notes will be delivered at regular intervals commencing in Spring 2024.
- 3.7 Staff transferring from SLM will be able to keep their current pension scheme or be offered the council's Local Government Pensions Scheme (LGPS)

4. FINANCIAL IMPLICATIONS

Set up costs

4.1 Bringing SPLC back inhouse will incur specific one-off expenditure, for example: procuring services such as Marketing and Branding, and leisure management system: redecoration of both facilities, equipment, IT infrastructure and additional HR support. A contingency has also been included to cover unknown costs. These costs are expected to be in the region of £367K, as detailed in the table below and Appendix C page 12.

4.2

Set up Costs	2023/24
IT	£95,960
Marketing/Branding	£40,000
Re-decoration	£20,000
Staffing Support	£65,076
HR Support – TUPE	£17,279
Leisure Management Systems	£50,000
Equipment	£45,000
Total	£333,315
Contingency	£33,331
Total Cost	£366,646

4.3 The Council currently receives an annual, unbudgeted, gain from the Gloucestershire Business Rates pooling arrangements. In 2022/23 this is £438k and forms part of the Council outturn position. It is therefore recommended that Community Services and Licensing Committee requests that Strategy and Resources Committee consider the rates pool, alongside other funding sources, to ensure that the set up costs of the inhouse provision are fully covered with the Councils reserves.

Operating cost

4.4 The business case sets out the estimated subsidy for Leisure Services including SPLC, the Pulse and the Lido estimated between £431K and £524K for each of the first five years as shown in the table below. A summary for each facility is included at Appendix C pages 8 to 10.

Total Income	Year 1	Year 2	Year 3	Year 4	Year 5
SPLC	2,062,847	2,101,099	2,108,233	2,108,270	2,108,287
LIDO	61,832	61,832	61,832	61,832	61,832
PULSE	1,588,199	1,609,698	1,609,721	1,609,732	1,609,737
Total	3,712,877	3,772,629	3,779,786	3,779,834	3,779,856
Total Expenditure					
SPLC	2,268,826	2,296,106	2,247,714	2,259,342	2,271,316
LIDO	161,474	162,300	163,144	164,004	164,881
PULSE	1,441,806	1,430,973	1,434,454	1,438,004	1,441,624
Central Support	368,873	368,873	368,873	368,873	368,873
TOTAL	4,237,662	4,254,996	4,210,928	4,226,965	4,243,437
Deficit/Subsidy	-524,785	-482,367	-431,143	-447,132	-463,581

- 4.5 The central support charges are the additional staff costs which make up the central support team for Leisure services. See Appendix C page 11.
- 4.6 The central support charges were taken as a comparison from the LATC model. Further savings will be made in this area as we will not require the same level of support as this will be taken up by existing central support staff from the existing Community Services team.
- 4.7 The business case for SPLC was created using 2019/2020 pre-covid accounts and an assumption of the 2023/2024 income and expenditure based upon current performance. The business plan predicts an increase in income due to the following:
- Increase in casual fitness income due to increasing the number of fitness classes by 100%
 - Increase in swimming lessons and casual swimming.
 - Improving sports provision
 - Improving the performance of catering
- 4.8 The business case for the Pulse was created using 2019/2020 pre covid accounts and the forecasted income and expenditure 2023/2024:
- The business plan shows the revised VAT position.
 - An increase in membership sales
 - Without investment, there is little room to increase income further at the Pulse. The main increase in income is reflected by the increase in income at SPLC.
- 4.9 For comparison purposes the draft budgeted cost for running Stratford Park Leisure Centre and the Pulse in 2023/24, excluding internal support charges, is £367k.

5. OTHER CONSIDERATIONS

- 5.1 Within Appendix B (page 10) the lido business plan is shown separately. If the Lido is retained, Stroud District Council must recognise that it contributes to the operating costs in excess of **£110k** per annum to keep it open to the public. The Lido has been identified as a risk to SDC as requires significant investment to maintain and modernise the facility.
- 5.2 SPLC is an aging facility and will require significant investment which will form part of the capital investment plan.
- 5.3 A conditions survey is required to identify the condition of all three facilities specifically the plant, and building structures which will inform the capital investment plan and any required remedial works.

6. PERFORMANCE MANAGEMENT AND GOVERNANCE

- 6.1 Expanding the leisure service is an additional risk for the council. To minimise this risk CS&L Committee will be the reporting committee for the service. It is also recommended that the terms of reference of the Audit and Standards Committee are amended to include provision for the committee to receive assurance that there are sound systems of internal control and risk management.
- 6.2 A leisure services officer and member working group will be set up to develop and monitor the performance of the service measuring its performance against a leisure specification to ensure financial and operational efficiency, and quality of service.

6.3 Further mitigation against the risks is expanded within section 7.

7. RISKS

7.1 A detailed risk analysis has been completed and is attached in Appendix E. In summary some of the risks associated and measures to mitigate against are included below:

7.2 An optimism bias that does not reflect the true position of performance of the inhouse model or a lack of an appropriate business case. The Pulse is currently punching above its weight and is performing within the upper quartile when measured against the performance of other leisure providers in the UK, especially with reference to the operation of swimming lessons.

- A detailed business case and quarterly reports with key performance indicators (KPI's) will form part of the monitoring process.
- A Leisure Manager will be recruited to develop the centres and work closely with the Health and Wellbeing team to deliver the councils Leisure, Health, and Wellbeing Strategy.
- A service specification will be developed to ensure the service meets financial and quality targets.
- The facilities will undergo Leisure industry quality assessments.
- The company will report back to CS&L and will be scrutinised by audit and standards committee.

7.3 A new operator opens a facility(s) within the Stroud District and therefore increases market competition.

- The service will work with a professional marketing company to market themselves effectively.
- High quality customer experience training will be a standard part of the induction plan for all new colleagues to ensure we meet the needs of all customers.
- Programme development and customer consultation will be a standard imbedded within the culture of the business.

7.4 A downturn in demand for leisure and health facilities

- The Leisure Services Manager will work closely with other industry professional bodies to keep on trend with the latest industry developments.
- Health and wellbeing activities will be delivered both in and out of the centres working with health partners to deliver within the communities of the district, bringing a diverse and varied programme.

7.5 Income targets for sustainability cannot be met.

- The service will be monitored against a set of agreed performance criteria.
- A detailed business development plan is agreed, and performance is reported to CS&L committee through quarterly performance monitoring.
- The Leisure Manger will be part of networking groups to share good practice throughout the industry.

7.6 A major failure in the structure or plant of either of the facilities resulting in closures.

- The conditions survey will mitigate against this.

- An investment development plan for the centres to be approved within the next 3-5 year to reduce the likelihood of facility closure.

7.7 Inadequate financial governance and monitoring

- This will be detailed within the performance specification document.
- The service will follow council financial procedures.
- The service will report back monthly on financial targets.
- The service will report back to CS&L and Audit and Standards Committee.
- The service will feature in the audit plan.
- The service finance and usage will continue to be monitored through Data Hub on the moving community's platform.

7.8 Poor business development vision

- The Leisure Services Manager will have relevant industry experience.
- The specification will require a detailed annual and three year development plans
- Capital investment plan will be developed to modernise the centres.

7.9 Lack of scrutiny over investment and loan decisions

- All loans and investments to develop the centres must be approved through the committee process.
- All developments are professionally sourced with a detailed consultation programme.

7.10 Poor communication on TUPE transfer process and how the service will operate

- Communications plan in place for when the transfer decision is made up until the hand over date. To include but not limited to; staff meetings, newsletter, training and social events.
- HR involved 12 months prior to handover to work through the logistics of TUPE, and induction process.
- Leisure Services Manager recruited at least 12 months prior to contract handover.

7.11 Poor induction of the new team into council employment

- Roles and responsibilities of each team member will be clearly defined in their job descriptions.
- All new team members will go through a council induction plan and a leisure specific training plan based upon the specification.
- All existing leisure team at the Pulse will go through the leisure specific training plan based upon the specification.

7.12 A major Pandemic

- Whichever operating model is chosen the risk will always sit with the council.

8. THE KNOWN UNKNOWNNS

8.1 Bringing SPLC back inhouse gives us some certainty as we already operate a leisure facility using this model. There are however areas we cannot be certain of, and we call these the known unknowns. The business case presented in this report is representative of todays performance, prices, and costs. Further work is needed as we move towards the transfer date when some of the questions will be answered.

8.2 Below are some of the identified known unknowns which will have an impact on the new leisure service.

- The direction utility prices will take over the next 5 years.
- What the conditions survey will tell us about the facilities and how much investment is needed
- What work can we undertake to the leisure centre whilst the current contractor is on site?
- How much equipment do we need to invest in prior to transfer.
- The continued impact of the cost of living crisis and the impact it will have on the revenue of the facilities.
- The skills and knowledge of the team at SPLC
- The recruitment of qualified core staff to deliver the service.
- The quality of the Leisure Services Manager
- The finalisation of the set up costs.
- The rate of inflation and the impact in borrowing for capital investment
- The recruitment of an effective marketing and branding company
- The cost of a new Leisure Management System
- Do we need to recruit further support staff e.g., HR officer beyond the TUPE arrangements?

8.3 All leisure options come with a degree of uncertainty. When the consultants and T&FG conducted the options appraisal, the decision was made to provide the citizens of the district with a high-quality service at an affordable price in the facilities and in the towns and parishes where they live.

9. CONCLUSION

9.1 The Leisure Industry continues to change. The latest development with the treatment of VAT for inhouse leisure provision is a prime example. Councils across the country are looking seriously at how their facilities are operated. Stroud is not alone in this.

9.2 The inhouse option was rated as the preferred option during both options appraisals in order to meet the priorities for the district. As we already operate the Pulse, inhouse the changes in VAT for inhouse leisure provision has enabled us to seriously look at this option.

9.3 Despite the risks identified, and the list of known unknowns it should be recognised that bringing SPLC inhouse and running both facilities under a Leisure Service remains the best option and solution to provide high quality activities to the whole spectrum of ages, abilities, and genders within the Stroud District for its communities in a 'cost effective' manner.

10. FUTURE CAPITAL INVESTMENT

- 10.1 It has been identified that, due to the age of the current leisure assets, a significant amount of capital investment will be required in the future.
- 10.2 Max Associates developed high level investment appraisal, however at this stage further work is required.
- 10.3 It is recommended that the service is allowed to stabilise prior to any significant capital works.

11. IMPLICATIONS

11.1 Financial Implications

The set up costs of an inhouse model are shown at the table in paragraph 4.2. This sum has been fully provided for in the Council's 2022/23 year end accounts and Strategy and Resources Committee are recommended to approve the use of that sum for the set up costs.

The annual running costs of an in house model are shown on Page 7 of Appendix C. These are estimated at between £431k and £525k over the next five years as the in house service gets up and running. These estimates include an annual provision of £73k for contingency costs. It is not standard Council practice to include contingency within budgeted sums but it is included here as a result of the inherent uncertainty of the major service change. This money may not be required in the budget longer term.

That cost includes central support costs of £369k per annum as shown on Page 11 of Appendix C. These costs are estimated at this stage and final structures will need to be included in the Medium-Term Financial Plan at a later date.

The amount included in the current Council budget for the operation of the Pulse and Stratford Park Leisure Centre is £367k pa. Upon the transition to an in house service it is currently estimated that an amount of between £64k and £160k per annum will need to be added to the Medium Term Financial Plan. As per previous paragraphs this includes £73k of contingency costs which may not be required.

There are no capital investment sums included in this decision. Any future investment in the centre would need to be the subject of a separate report to Council.

Andrew Cummings, Strategic Director of Resources

Tel: 01453 754115 Email: andrew.cummings@stroud.gov.uk

11.2 Legal Implications

Leisure services play a key role in the delivery of the public health agenda and contribute to broader statutory duties and national objectives to improve the local populations wellbeing.

Officers will work with One Legal to review the terms of the existing contract and lease arrangements with SLM and agree an exit plan to ensure that SDC are able to effectively manage the transfer of staff and property and ensure a smooth transition of the services.

One Legal

Email: legalservices@onelegal.org.uk

11.3 Equality Implications

An EIA has been carried out by Officers in relation to the decision made in this report and no equality implications arise.

11.4 Environmental Implications

There are no significant implications within this category.



Stroud District Council

***Strategy for Leisure and Wellbeing in Stroud District
2021 - 2040***

Appendix 16 – Management Options Appraisal

August 2021



CONTENTS

1 Introduction..... 3

2 Scope of Services 3

3 Management Options..... 4

4 Evaluation Framework..... 23

5 Conclusions 57

Appendix 16a – Options for Transfer of SDC’s Leisure and Wellbeing Services to a New Corporate Vehicle 58

Appendix 16b – Revenue Implications 61

Appendix 13c – Detailed Evaluation Scores 63

Table 1 – Advantages and disadvantages of Alternative Delivery Models 11

Table 2 - Implementation Timescales..... 17

Table 3 – LATC/NPDO Mobilisation Costs 19

Table 4 – Staffing Resource for New organisation (assumed not to be aligned to council terms and pensions etc) 20

Table 5 – In-house Operation set up costs..... 20

Table 6 – New contract procurement costs 21

Table 7 – Preferred Options 22

Table 8 - Evaluation Framework 23

Table 9 - Evaluation Framework - SD, Health & Wellbeing Services 24

Table 10 - Evaluation Scores Summary 56

Figure 1 – Scope of Services 4

Figure 2 – Management Types for Consideration..... 5

Glossary	
ADM	Alternative Delivery Models
SPLC	Stratford Park Leisure Centre
SDC	Stroud District Council

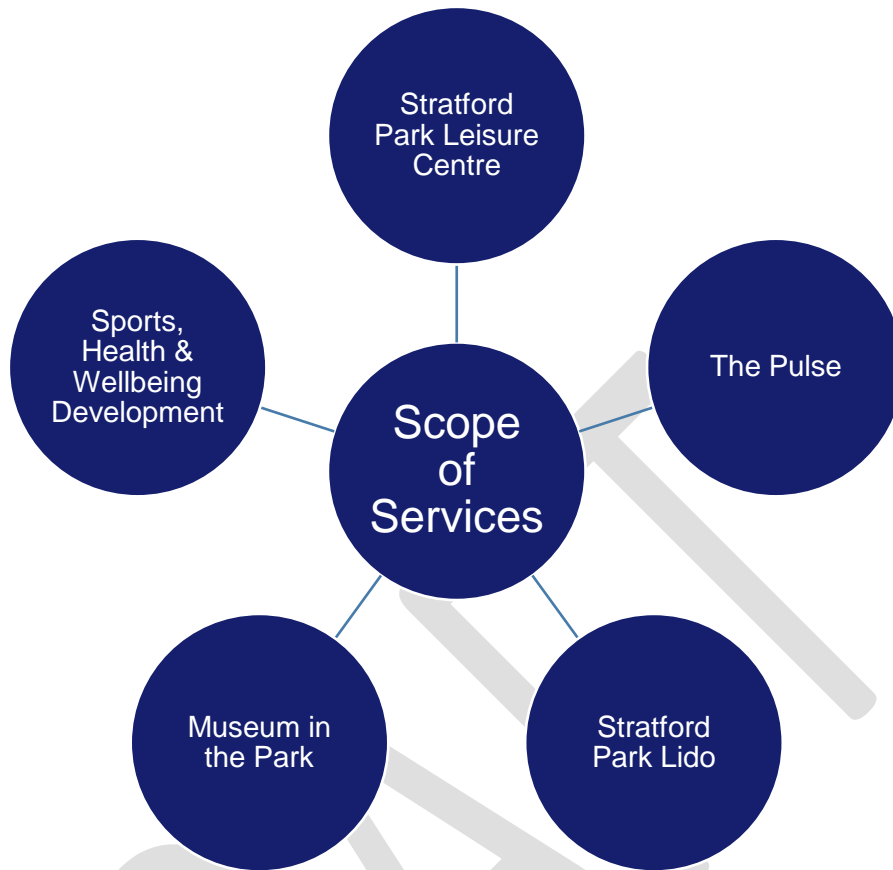
1 Introduction

- 1.1. This report considers the alternative management options to deliver the services and facilities within the Council's leisure centre portfolio.
- 1.2. The Council is undertaking a Strategy for Leisure and Wellbeing in the Stroud District for its leisure services and facilities.
- 1.3. Stage 1 and 2 (out of 4 stages), sets out the Council's wider strategic outcomes which physical activity can positively impact and the detailed analysis on which facilities and services are needed to deliver these outcomes.
- 1.4. This report considers the most suitable way of managing the services and facilities to support the effective delivery of outcomes and key performance indicators as well as considering financial and risk impacts of each model.
- 1.5. It is imperative that the model can not only deliver against the strategic outcomes for the leisure and wellbeing services but is a good fit with the Council's culture and political aspirations.

2 Scope of Services

- 2.1 The scope of services being considered within the appraisal is set out in the infographic overleaf. Currently Stratford Park Leisure Centre and the Lido are managed by Sports and Leisure Management (SLM, also referred to as Everyone Active) and The Pulse and Museum in the Park is managed in-house. Sports, health and wellbeing development is delivered directly by the Council.

Figure 1 – Scope of Services

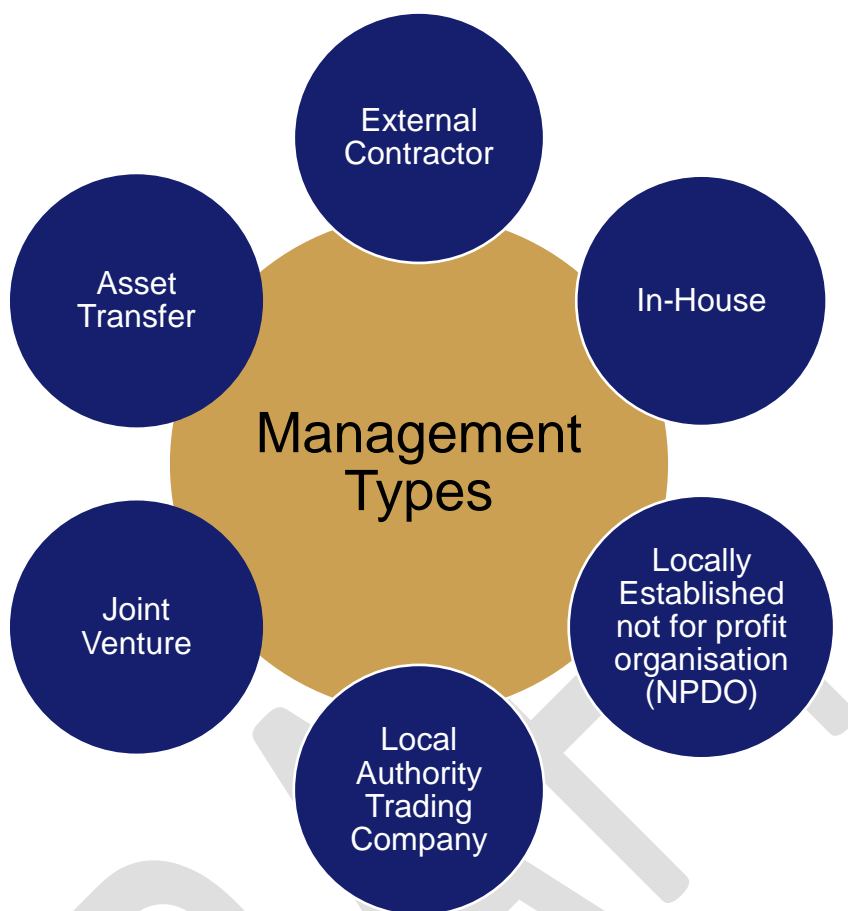


2.2 The council's contract with Sport and Leisure Management (SLM) was agreed on 1 November 2011 for the 10-year period to 31 October 2021 and included the option to extend it for a further period of 3 years to 31 October 2024, subject to further approval.

2.3 To allow time for proper consideration to be given to the future of leisure in the district, including management arrangements for its facilities, the 3-year extension option was enacted. SLM will continue running Stratford Park Leisure Centre for the specified additional period of 3 years up to 31 October 2024.

3 Management Options

3.1 Following consultation with the Council the five types of delivery model being explored for the service as set out overleaf. These different types of model may be suitable for all or some of the services.

Figure 2 – Management Types for Consideration

3.2 Delivery Model Characteristics

3.2.1 The characteristics for each model are set out below.

3.3 Re-procure a Contractor

3.3.1 The Council could re-procure services, under similar arrangements as the existing contract with SLM, for Stratford Park Leisure Centre only or for the whole scope as detailed in figure 1.

3.3.2 The council would retain strategic control of the service and outcomes via its service specification. The responsibilities of each of the parties are defined within a contract. Specifications are output based, with the contractor providing method statements which form part of the contract, detailing their approach to achieving the specification requirements.

3.3.3 The contractor takes a prescribed level of risk. The contractor is normally provided a degree of flexibility in programming, pricing and marketing and is committed to meeting Council objectives; for example, increasing participation and reducing subsidy.

3.3.4 Within the last few years, some contractors are becoming more risk adverse, or are costing in premiums where they must accept more risk than they are normally willing to take. Councils are increasingly having to accept a 'shared' risk position in, for example, utility tariffs, building structure (particularly in ageing facilities), buildings insurance,

pension contribution rates and change in law. (Please also see para 3.5 below in relation to recent impact of Covid 19 on the market).

- 3.3.5 Contractors are normally able to provide the Council with investment in facilities for either back log maintenance or facility developments which will increase usage and income.
- 3.3.6 Most external operators have governance structures that can lever in NNDR / VAT efficiencies, although the Council needs to be clear where the risk will lie if any NNDR / VAT savings are not realised or are lost during the contract period.
- 3.3.7 These organisations are commercially focused and able to optimise income generation from leisure facilities, gyms, swimming lessons and group exercise classes. This can enable cross-subsidy to resource community interventions where specified within the contract, or the savings used for direct delivery of these programmes by the Council.
- 3.3.8 Larger multi-site leisure operators tend to have significant buying power, economies of scale and standardised systems of work. This is often linked to a corporate feel / brand and look to customer facing areas in the facilities they manage.
- 3.3.9 Staff would transfer under TUPE regulations from SLM and the Council to any new external contractor. Senior management will normally be based at a head office and not locally. Their focus will be on the whole organisation rather than on local issues. Local issues will be the focus of contract / regional manager.

3.4 Impact of Covid

- 3.4.1 Consultation with the market has been on-going since the start of the Covid pandemic and subsequent lockdown. Consultation suggests that the market will be selective in any future bidding whilst the industry recovers. It will require short term open book (1-2 years) and income benchmarking part through the contract. If another lockdown occurs, the market expects open book deficit funding, however the Council may be able to secure this to exclude contract margin and operator profit.
- 3.4.2 It is likely that a market opportunity would be more attractive from autumn / winter 2021 onwards, once there is more data relating to user habits in the short term. Given the Stroud contract with SLM does not expire until 2024, it is expected that the sector will have made a good recovery from Covid by this point.
- 3.4.3 Through the procurement of the contract the Council will be able to transfer a degree of trading risk, however some will remain with the Council, such as qualifying change in law, particularly post Covid. Therefore whilst there will be benefits and economic efficiencies, the impact of Covid will lead to a greater sharing of risk between operators and local authorities.

3.5 In-House

- 3.5.1 The services will be delivered through direct management of facilities through frontline staff.
- 3.5.2 The Council will have full responsibility for all income risk and expenditure be responsible for future lifecycle investment and replacement of equipment. With this, the Council will have full control over all aspects of service delivery including pricing, programming and marketing.

3.5.3 The in-house option allows for full flexibility for delivery and decision making from elected members. Staff can work across the leisure and wellbeing service and with other Council services with ease.

3.5.4 The Council has direct delivery of what is seen as a high-profile service for the community.

3.5.5 When considering investment, the Council will be responsible for generating sufficient surplus to pay the capital repayment for prudential borrowing for any newly developed centres.

3.5.6 The main disadvantage is the increase in costs due to the following which significantly impacts the commerciality of the contract:

- the majority of income being standard rated
- full NNDR costs being payable
- staff would transfer back to Stroud District Council from SLM and therefore be eligible for LGPS and standards terms and conditions, (this would impact any future outsourcing arrangements).

3.5.7 This has led many Councils to consider LATCs as a mechanism for 'insourcing', i.e. putting services into a wholly owned company or joint venture. Unlike bringing back the service into the Council itself, this provides the opportunity to trade externally as well as delivering services on behalf of the owning authority.

3.6 Local Authority Trading Organisation (LATC)

3.6.1 The Council would establish an 'arm's length' organisation to run the facilities and services on its behalf.

3.6.2 LATCs are bodies that are free to operate as external companies but remain wholly owned and controlled by the parent council(s). As trading bodies, LATCs can provide their services to a wider market than a council department.

3.6.3 LATCs are contracted by the parent council (or councils) to provide services back to the council(s) via a service contract.

3.6.4 However, the council may decide to apply the Teckal¹ exemption, which allows the authority to establish a LATC without the requirement for a procurement exercise. It is based on case law but is codified in the Public Contracts Regulations 2015. In general, the terms of exemption require:

- the council to control the vehicle as if it were an internal department, with there being no direct private share or ownership participation in the company (this is known as the control test).
- more than 80% of the vehicle's activities to be with its 'parent' council (this is known as the function test).

¹ A "Teckal" company is the common name for a **company which benefits from contracts for works, services or supply** from its controlling Contracting Authority (or Authorities) without having to go through a competitive tender process.

3.6.5 A LATC can be set up as not-for-profit which are able to benefit from similar tax exemption benefits to an NPDO trust. However, it would not have charitable status.

3.6.6 They can be a preferred 'cultural fit', compared to procured and independent charity models. However, both risk and reward remain with the Council

3.6.7 There are many forms which a new organisation could take, including but not limited to the following, the structures are likely to benefit from efficient NNDR and VAT benefits:

- Co-operative or Community Benefit Society;
- Company Limited by Guarantee (CLG);
- Charitable Incorporated Organisation (CIO);
- Community Interest Company (CIC);

3.6.8 **Appendix 16a** sets out the key features, principal legislation, governing documents, and other considerations of each model.

3.7 **Locally established, not for profit distributing organisation (local NPDO)**

3.7.1 The council could set up a charitable organisation to manage the centres. This would be a local organisation including staff that would TUPE from the existing facilities. The governance can be determined to most suit the needs of the council.

3.7.2 The local NPDO would be eligible for mandatory/discretionary national nondomestic rates (NNDR) relief.

3.7.3 Income on most sporting activities is exempt from VAT, however VAT on corresponding expenditure is non-recoverable.

3.7.4 Services should be defined within an output-based specification and be supported by a contract / partnership agreement and relevant leases. This would define the level of responsibilities and risk each partner takes.

3.7.5 However, it should be noted that prior the 2015 Public Procurement Regulations, local authorities were able to set up a local charitable NPDO to run services without the need to undertake a competitive tendering process. However, since 2015 local authorities can still set up an NPDO, but it would have tender for the services in the open market if the services were to be run under a management contract.

3.7.6 Therefore, whilst there are many benefits from a locally established NPDO, the main disadvantage is that the Council may need to set up the NPDO and undertake a procurement process, in which the company could tender.

3.8 **Joint Venture**

3.8.1 The term joint venture can describe a range of different commercial arrangements between two or more separate entities. Each party contributes resources to the venture and a new business is created in which the parties collaborate and share the risks and benefits associated with the venture.

- 3.8.2 A party may provide land, capital, intellectual property, experienced staff, equipment, or any other form of asset. Each party generally has an expertise or need which is central to the development and success of the new business which they decide to create together. It is also vital that the parties have a 'shared vision' about the objectives for the joint venture.
- 3.8.3 In the case of leisure, a joint venture may involve the council and one or more third party establishing a new entity.
- 3.8.4 The joint venture vehicle can take several structures including companies limited by shares, companies limited by guarantee, Community Benefit Societies, Cooperatives for example.
- 3.8.5 Each party must be clear on the intended length of term of the joint venture, its goals and objectives, how the parties will achieve a return on investment and how they will protect their investment if another party wishes to exit or fails to perform their obligations. Normally, all parties share the risks and rewards in line with their ownership of the joint venture.
- 3.8.6 Ownership of the joint venture would conventionally be split across each of the parties involved. Typically, this would be determined by the appetite of the council to share ownership, and the level of investment and risk taken on by each party.
- 3.8.7 There are no specific limitations within the joint venture model, although the founding parties may wish to limit the remit of the venture in terms of the nature, scope and scale of services that can be provided. Depending on the legal form assumed, there may be limitations in terms of which services can be delivered and how.
- 3.8.8 Similar to the re-procurement option, the council would procure joint venture partners or, once established the JV would have to go through the same procurement regulations for a management operator.
- 3.8.9 JV with another local authority**
- 3.8.10 Joint ventures (JV) have become increasingly popular as a means of leveraging growth, between public sector entities. Using a JV model to partner with other local authorities or local authority trading companies could mean that public procurement is not necessary when it falls under the provisions of Regulation 12 (the Teckal exemption) – when this occurs and the fit between the two parties is right, a contract may be directly awarded.
- 3.8.11 Local authority retains less control but there is shared risk and greater opportunities
- 3.8.12 The cultural fit may better than outsourcing
- 3.8.13 JVs have typically been used for investments, waste, highways, facilities management and social care.
- 3.8.14 Partnerships and companies are treated differently for direct tax. A VAT cost sharing group could be achieved, but inappropriate planning could result in VAT costs.

3.9 Asset transfer - Long term lease (without restrictions)

- 3.9.1 The centres would be transferred via a long-term lease to external organisations. This is more likely to occur on an individual facility basis than across all centres. The leases can either contain restrictive covenants so that the use of the land is reserved for sport and physical activity purposes or come without any restrictions and allow disposal of the site for a commercial value.
- 3.9.2 The council could lease any high value leisure sites, to commercial operators in exchange for revenue which can be taken as a saving or improvement to the current position, to support the capital repayment.
- 3.9.3 The arrangements are primarily 'property-based transactions' as opposed to 'management contracts'; the land and asset arrangement being the main object of the transaction rather a contract for services which, if over threshold, would stand to be procured.
- 3.9.4 The absence of a services specification can mean that the council cannot influence the service and specify that it must provide access to all sections of the community in line with the Equalities Act (2010).
- 3.9.5 Building lease values will be negatively impacted by older buildings which have significant building liabilities.
- 3.9.6 Commercial operators may, for example, be interested in the fitness and dry facilities within centres but may not wish to continue with the swimming pool operation as is (or manage it on a commercial membership basis with limited casual and concession access), to maximise income.
- 3.9.7 If there was market interest for a commercial lease arrangement for one or more of the centres, the council may be left with the operational (and financial) responsibilities of the remaining portfolio, without the ability to benefit from economies of scale of managing a portfolio of facilities (under any management model).

3.10 Advantages & Disadvantages

- 3.11 The advantages and disadvantages of each option are outlined in the table overleaf.

Table 1 – Advantages and disadvantages of Alternative Delivery Models

Option	Financial	Quality	
External Contractor	Advantages	Advantages	Risks
	<ul style="list-style-type: none"> • Undertake a competitive process to manage leisure centres • Gain the benefits of organisation already set up to maximise VAT and NNDR efficiencies. • More commercial with health and fitness membership sales swimming lesson income, catering and retail. • Economies of scale in purchasing utilities, R&M contracts, fitness equipment etc. • Profit share mechanism in place. (Although if contract doesn't perform to projections, no benefit to the Council.) • The Council has an agreed management fee profile, which gives budget certainty and ability to plan for the long term. • Can deliver, large scale development projects and will provide the Council with cost certainty for a project or scheme. (Funding would be from the Council.) 	<ul style="list-style-type: none"> • An output-based contract can be developed linked current Council priorities, as set out in the Leisure and Wellbeing Strategy, so the Council does not need to be involved in day-to-day operations. • Links with NGBs, suppliers and other physical activity providers in implement new programmes / activities across their portfolios. • Head office specialists enable operations to be the 'latest' in the market. Enables best practice from several contracts to be disseminated across facilities. • Likely to be better placed to successfully operate in a competitive commercial fitness market. • Branding and marketing strong. • Generally, have well-structured Quality Management systems covering general operations, H&S, all product areas etc. 	<ul style="list-style-type: none"> • A contract and specification that ensures roles and responsibilities are clearly defined between the parties. • Income risk and most expenditure risk. • Larger operators are able to 'spread' the risk of the contract across their company. • Contractors, and in particular those with 'hybrid trust' structures, may propose that risk on loss of NNDR and VAT relief, even where their structures are eligible for such relief, remains with the Council. • Partners are becoming increasingly unlikely to accept risk on utilities tariffs, LGPS pension contributions; NJA salary rises above inflation and building structure of older buildings. • Contracts will include pandemic related clauses, with risk remaining with the Council. • Response may be limited from the market due to recovery from Covid impact on business. • Financial risk premiums built into the tender price.

Option	Financial	Quality	
	<p>Disadvantages</p> <ul style="list-style-type: none"> Market likely to include higher risk premiums following Covid Will want a contract / risk profile to protect against impact of Covid or similar circumstances in the future. Changes to the specification / contract require a variation that can affect the management fee and can incur legal costs. The Council is obliged to fulfil its responsibilities or be subject to a claim from the operator. 	<p>Disadvantages</p> <ul style="list-style-type: none"> Operations can be 'corporate' as opposed to locally led. Operator from larger organisations likely to wish to use own branding and corporate procedures for core income generating activities; fitness and swimming lessons. It can be harder to work with other partners effectively; other council departments, education, CSP's 	<p>Other Considerations</p> <ul style="list-style-type: none"> The council will have to undertake a compliant (OJEU) procurement procedure to select a new operator. Cost of procurement; officer and external support. Timescales – 18 months including mobilisation (see below)
<p>Option LATC</p>	<p>Financial</p>	<p>Quality</p>	
	<p>Advantages</p> <ul style="list-style-type: none"> The Council can support the LATC in respect of investment opportunities in relation to prudential borrowing etc. New investment opportunities can be negotiated at any time during the contract period. Can maximise VAT and NNDR efficiencies Operate commercially support services – can purchase from the industry (e.g., marketing) or Council (payroll) 	<p>Advantages</p> <ul style="list-style-type: none"> Closer links with the community through local organisation Single focus on service delivery Staff feel more involved in the service delivery as not part of a large organisation. Set up and deliver community led co-produced programmes to have real impact on residents Perceived there is a better 'partnership' approach. Providing the authority with more direct strategic control over the service than a third party would Being politically more appealing as the authority is the shareholder High level of control retained. 	<p>Risks</p> <ul style="list-style-type: none"> A contract and specification that ensures roles and responsibilities are clearly defined between the parties, but ultimately risk remains with the Council. Often set up with less well defined contract, so that responsibilities are not clearly defined, or it is believed that contract terms are more easily varied (for example to meet council budget requirements). In many cases, funding agreements for LATCs are only agreed for the short term: 3-4 years, so the company operates on a short-term basis, which can be detrimental to the service. Reputational impact if organisation not successful.

Leisure and Wellbeing Strategy for the Stroud District 2021 - 2040
Appendix 16 - Management Options Appraisal

Option	Financial	Quality	
	Disadvantages	Disadvantages	Other Considerations
	<ul style="list-style-type: none"> Less able to withstand significant changes in leisure trends. No other contract/sites to absorb poor financial performance. Few economies of scale realised. Likely higher central costs than the current model. High central costs may reduce levels of potential surplus. 	<ul style="list-style-type: none"> A board of trustees / directors need to be recruited. All operational procedures would have to be developed by the new organisation. No expertise from a 'head office'. Expertise re. market led product development may need to be bought in or learned as products mature in the industry. Leisure Centre marketing and branding expertise will need to be developed. Can have a more relaxed approach to monitoring (for example with no deduction mechanism) in place, which can lead to service delivery issues. 	<ul style="list-style-type: none"> Can be set up in a timely manner There will be significant set-up costs One off cost for branding for centres. A new organisation will require a large working capital budget to start the company, the Council may need to provide a contingency/cashflow fund for the new organisation. There will need to be suitable lease / contract / funding agreement / services specification set up between the new organisation and the council. Timescales – 12-15 months (see below)
Option	Financial	Quality	
NPDO – the advantages and disadvantages are similar to a LATC, with these differences.	Advantages	Advantages	Risks
	<ul style="list-style-type: none"> "Trust" status makes it easier to apply for external funding All profits are re-invested back into the services / facilities, ensuring local investment. 		
	Disadvantages	Disadvantages	Other Considerations
		<ul style="list-style-type: none"> The Council has less influence as it is led by a Board of Trustees. Board of Trustees obliged to put the interests of the Trust first. 	<ul style="list-style-type: none"> The Council cannot directly appoint a contract to a newly established NPDO without undertaking a competitive procurement.

Option	Financial	Quality	
In-house	<p>Advantages</p> <ul style="list-style-type: none"> • Council does not pay for any risk premiums, can easily change service inputs to meet budgetary requirements. • Share support costs with other departments. • Economies of scale normally achieved in utilities purchasing. • Effective purchase ledger and accompanying budget monitoring systems in place. • Low costs in providing capital if the Council has access to it. • A staffing structure can be put in place to serve both leisure centres. • Due to the success of the current in-house provision knowledge and experience would be shared across the service. 	<p>Advantages</p> <ul style="list-style-type: none"> • Increases Council control over leisure services • More effective cross department working; public health, education, open spaces and community development. • Officers have autonomy to make local decisions • Members / officers feel that they 'own / have control' of the services • Changes in priorities can be implemented quickly. • Joined up service provision for residents 	<p>Risks</p> <ul style="list-style-type: none"> • All risk sits with the Council
	<p>Disadvantages</p> <ul style="list-style-type: none"> • There will be initial costs to bring Stratford Park Leisure Centre back in-house. • Higher staffing costs due to Council terms and conditions, although it is noted that SLM is currently required to pay Real Living Wage. • Increased costs due to staff being able to access the LGPS. • The Council will not have the benefit of NNDR and VAT relief (unless Ealing Ruling is applied) • Additional resource may be required within the Council to support the contract e.g. HR and finance. 	<p>Disadvantages</p> <ul style="list-style-type: none"> • Limited access to the benefits of developing new opportunities and from economies of scale and also to the wider knowledge gained by experienced operators for innovation and development. • Can be slower to react to introduce income generating schemes. • Without a defined specification, service delivery is often based upon short term priorities. • Often behind in industry innovation and new market led products, (for example, ICT initiatives). 	<p>Other Considerations</p>

Leisure and Wellbeing Strategy for the Stroud District 2021 - 2040
Appendix 16 - Management Options Appraisal

Option	Financial	Quality	
	<ul style="list-style-type: none"> Budget set year on year and may be subject to reductions with changing priorities of council or central government. Central/support costs of the Council can be arbitrarily included in leisure budgets and disproportionate to overall service. Any savings made within the service will go to the general fund and may lead to a reduced budget in the following year, not re-invested into the service / facilities. No 'sinking' fund in place for future lifecycle building works and equipment replacement 	<ul style="list-style-type: none"> Officers must use council procedures / contracts in areas that are not as effective / suitable for the services, for example ICT / marketing and branding. The Council can be slow to react to implement change and is less able to react quickly to a highly competitive fitness market. Reporting is predominantly about financial and usage performance as opposed to outputs and impacts of the service. 	
Option	Financial	Quality	
Joint Venture – the advantages and disadvantages are similar to in-house with these differences.	Advantages	Advantages	Risks
	<ul style="list-style-type: none"> Work in parallel to achieve similar outcomes, Economies of scale of officer time and resource. With a larger portfolio, gain economies of scale. 	<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> Issues of risk sharing across two council areas.
	Disadvantages	Disadvantages	Other Considerations
	<ul style="list-style-type: none"> May end up with one contract 'cross subsidising the other' Will not benefit from significant economies of scale. 	<ul style="list-style-type: none"> Requires political agreement of joint working. With neighbouring authorities implementing their own leisure/physical activity strategies, the Councils are likely to have different aims and objectives 	
Option	Financial	Quality	
Asset Transfer	Advantages	Advantages	Risks
	<ul style="list-style-type: none"> The Council will have no financial responsibilities, resulting in savings against the current budget. 	<ul style="list-style-type: none"> Transferring some or all of the facilities will create additional resource 	<ul style="list-style-type: none"> All risk is removed from the Council

Leisure and Wellbeing Strategy for the Stroud District 2021 - 2040
 Appendix 16 - Management Options Appraisal

Option	Financial	Quality	
		within the Council to concentrate on other areas/priorities.	
	Disadvantages	Disadvantages	Other Considerations
	<ul style="list-style-type: none"> If the facility performs well the Council will not share in the benefit. 	<ul style="list-style-type: none"> The Council will have no control or input into the quality of services delivered If the centres/facilities are not operated to a high standard it could have negative impact on the Councils reputation. 	

DRAFT

3.12 Set Up Costs and Timetable

3.12.1 Each alternative delivery model will have a different lead in time to set up. Re-procuring a new contract will require a new contract, leases and services specification being developed.

3.12.2 A LATC will require similar documentation and the recruitment and appointment of directors.

3.12.3 Any new company will require formal registration / company documents, and the recruitment of the senior management team (Chief Executive/Finance Director etc).

3.12.4 The advisor fees are estimates and will be dependent upon whether the council uses its own legal, financial and property services to procure the contract and leases for the new arrangements or it uses external advisors.

3.12.5 The table below sets out indicative timescales and costs for each option.

Table 2 - Implementation Timescales

External Contractor - Procurement	
Action	Timescale
Commission internal and external procurement of legal / procurement / project management support	2 months
Pre-procurement work – (objectives, draft specification / contract, leases and evaluation methods in parallel with agreeing hand-back arrangements from SLM)	3 months
Selective questionnaire stage and evaluation / de-selection	2 months
Tender stage (assuming competitive dialogue / competitive procedure with negotiation procurement route)	7/8 months
Award and council sign off	1/2 month
Mobilisation of new operator	3 months
Total	18 months

Bring the service in house (SPLC & Lido only) / Set up LATC	
Action	Timescale
Governance set up (if new company)	1 month
Technical set up – IT / phones / websites etc	3 months
TUPE and staff consultation / considerations – alignment of staff designations to council structure (or new structures) and recruitment of new staff (board of trustees for local trust)	6 months
Purchasing of uniform, supplies and equipment	2 months
Setting up on-going suppliers (fitness / IT / buildings etc)	3 months
Business planning / financial assessment – services and impact on council as a whole (e.g. VAT)	3 months
Marketing and branding development and implementation	6 months
Quality and H&S systems – development and implementation	3 months
Total (some works streams can be completed in parallel)	12

Set up NPDO	
Action	Timescale
Governance set up (if new company)	1 month
Technical set up – IT / phones / websites etc	3 months
TUPE and staff consultation / considerations – alignment of staff designations to council structure (or new structures) and recruitment of new staff (board of trustees for local trust)	6 months
Purchasing of uniform, supplies and equipment	2 months
Setting up on-going suppliers (fitness / IT / buildings etc)	3 months
Business planning / financial assessment – services and impact on council as a whole (e.g. VAT)	3 months
Marketing and branding development and implementation	6 months
Quality and H&S systems – development and implementation	3 months
Commission internal and external procurement of legal / procurement / project management support	2 months
Pre-procurement work – (objectives, draft specification / contract, leases and evaluation methods in parallel with agreeing hand-back arrangements from SLM)	3 months
Selective questionnaire stage and evaluation / de-selection	2 months
Tender stage (assuming competitive dialogue / competitive procedure with negotiation procurement route)	7/8 months
Award and council sign off	1/2 month
Mobilisation of new operator	3 months
Total (some works streams can be completed in parallel)	24 months

3.12.6 Outlined below are the indicative set up and ongoing operational cost if a new LATC or NPDO were established.

3.12.7 The new LATC/NPDO will be required to establish operational procedures and risk assessments and ensure all staff are trained in these prior to taking on management of the centres. All branding and marketing will also need to be replaced, a website and online booking facilities set up.

3.12.8 During the mobilisation process the council and management team of the new LATC will also need to support the TUPE consultation process as the service transfers from SLM and the Council.

Table 3 – LATC/NPDO Mobilisation Costs

Set Up Costs	Estimated Costs	Comments
Consultancy Support/Project Management	£30,000	Additional consultancy/project management support to ensure the process is delivered within timescales and enable officers to concentrate on continued service delivery under the existing contract
Re-branding, Marketing & Signage	£90,000	Replace all of the signage and branding that shows SLM's logos/brands etc. The new organisation will need to develop its own name and brand and produce marketing material for all sites.
Website & Social Media Set Up	£25,000	A new website will be required to be set up, with online booking etc.
ICT Systems and Equipment	£50,000	Front of House booking systems, ICT equipment for all centres and network support services required.
Legal Costs	£60,000	Governance documents for new organisation. Board / director / requirement and training. Charity Commission application if appropriate. Contract documents and leases, including funding agreement between council and new organisation
Operations Manual Set Up	£5,000	New Operational Procedures will need to be drafted with copies provided to each centre – additional expertise may be required to ensure they meet industry standards.
Staffing*	£182,250	See table below for workings
Risk & Contingency	£50,000	To provide a level of working capital for the organisation.
TOTAL COST	£507,250	

*To deliver the set up and mobilisation requirements the new organisation will need to provide sufficient staff resource. The detailed staffing resource required is outlined further in the table below.

Table 4 – Staffing Resource for New organisation (assumed not to be aligned to council terms and pensions etc)

Staffing	Salary	Salary plus on-costs (20%)	Estimated Cost
6 months prior to commencement:			
Chief Executive	60,000	72,000	36,000
Operations Director	50,000	60,000	30,000
Head of finance	50,000	60,000	30,000
Branding / Marketing	45,000	54,000	27,000
ICT manager	45,000	54,000	27,000
3 months prior to commencement:			
HR Mger - TUPE consultation etc.	45,000	54,000	13,500
Admin	32,500	39,000	9,750
1 month prior to commencement:			
Admin team x 3 (finance / HR etc)	90,000	108,000	9,000
TOTAL			182,250

3.12.9 Indicative costs of managing the service in-house

3.12.10 Set up costs for the in-house operation will only apply to SPLC and the Lido, with an existing in-house team the set up costs will be lower than establishing a LATC.

Table 5 – In-house Operation set up costs

Set up costs	£
Re-branding, Marketing & Signage	£65,000
ICT Systems and Equipment	£15,000
Website & Social media Set Up	£5,000
Legal/Audit Costs	£20,000
Launch Costs	£10,000
Risk & Contingency	£20,000
TOTAL COST	£135,000

3.12.11 Indicative costs of procurement

3.12.12 The typical costs of procuring a new contract are set out overleaf and are likely to be in the region of £110k. This would apply to both the external contractor and NPDO option, where the contract can only be awarded following an open procurement process.

Table 6 – New contract procurement costs

Action	Cost £
Legal / leases and contract completion	100,000
Leisure procurement and project management	50,000
Due diligence (for example any additional building surveys required)	20,000
Total	£170,000

DRAFT

3.13 Options to Assess

3.13.1 Considering the scope of services, characteristics, advantages and disadvantages of the alternative management options, the table below sets out the agreed options for each service area that will be evaluated.

Table 7 – Preferred Options

	Stratford Park Leisure Centre	The Pulse	Stratford Park Lido	Museum in the Park	Sports, Health & Wellbeing Development	Rationale
External operator	✓	✓	✓	✓	✓	Suitable for all facilities in scope
In house	✓	✓	✓	✓	✓	Suitable for all facilities in scope
LATC	✓	✓	✓	✓	✓	Suitable for all facilities in scope
NPDO	✓	✓	✓	✓	✓	Suitable for all facilities in scope
JV	X	X	X	X	X	Excluded due to the different strategic outcomes and priorities in neighbouring authorities.
Asset Transfer	X	X	X	X	X	Excluded due to the lack of influence and control from the Council

4 Evaluation Framework

4.1 The following evaluation framework has been agreed with the project team to assess each option.

Table 8 - Evaluation Framework

	Criteria	Measures	Overall weighting
1	Council Objectives/ Strategic outcomes	Able to understand the community within which the organisation is working to deliver the strategic outcomes of the Council and of the Leisure & Wellbeing Strategy. Ability to increase targeted participation and Social Value	25%
3	Revenue implications	Ability to maximise revenue, through performance and / or governance structure. Ability to effectively manage expenditure and costs.	15%
4	Capital resources	Ability to support the design, build and mobilisation of new / re-developed leisure centres	10%
5	Risk/sustainability	Ability to manage financial risk and the organisation is sustainable in the long term.	10%
6	Risk / operations	Ability to manage day to day operational risk of complex leisure centres/services.	10%
7	Council influence and control	Degree of Council control over the services on day to day basis.	10%
8	Customer experience and satisfaction	How well will services be planned, developed and delivered to improve/maintain quality services, Ability to create high levels of customer satisfaction throughout all areas of service delivery.	15%
9	Staffing	Degree of impact on local employment, impact upon staff terms and conditions, future opportunities for staff development.	5%
			100%

4.2 As capital investment is not relevant to Sports Development, Health & Wellbeing Services this criteria is excluded from the evaluation. Therefore, in the evaluation of this service a slightly higher weighting has been placed on ‘Customer Experience and Satisfaction’ and ‘staffing’, recognising that this is a ‘people’ based service. The criteria is outlined below.

Table 9 - Evaluation Framework - SD, Health & Wellbeing Services

	Criteria	Measures	Overall weighting
1	Council Objectives/Strategic outcomes	Able to understand the community within which the organisation is working to deliver the strategic outcomes of the Council and of the Leisure & Wellbeing Strategy. Ability to increase targeted participation and Social Value.	25%
3	Revenue implications	Ability to maximise revenue, through performance and / or governance structure. Ability to effectively manage expenditure and costs.	15%
5	Risk/sustainability	Ability to manage financial risk and the organisation is sustainable in the long term.	10%
6	Risk / operations	Ability to manage day to day operational risk of complex leisure centres/services	10%
7	Council influence and control	Degree of Council control over the services on day to day basis.	10%
8	Customer experience and satisfaction	How well will services be planned, developed and delivered to improve/maintain quality services. Ability to create high levels of customer satisfaction throughout all areas of service delivery.	20%
9	Staffing	Degree of impact on local employment, impact upon staff terms and conditions, future opportunities for staff development.	10%
			100%

4.3 Management Options Evaluation

4.3.1 Given the strategic service and financial outcomes of the services, how well the services are currently performing, and a review of the potential options available the following management options have been evaluated.

- In-house;
- External contractor;
- Local Authority Trading Company; and
- Locally established NPDO.

4.3.2 The following tables set out the evaluation criteria, with each facility/service evaluated separately and scored out of a maximum of 5.

Council Objectives/ Strategic Outcomes - Able to understand the community within which the organisation is working to deliver the strategic outcomes of the Council and of the Leisure & Wellbeing Strategy. Ability to increase targeted participation and Social Value.						
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services	
In-House	<p>Operating the centre(s) in-house means that joined up work to achieve the Council's wider strategic objectives would be more achievable than an external contractor arrangement. The management team will be able to work more easily with the other Council departments to ensure all wider strategic working is delivered.</p> <p>Delivering services in-house means that changing priorities can be quickly implemented.</p> <p>The performance of the in-house team at The Pulse suggests that income objectives could be achieved at SPLC under in-house management.</p> <p>The in-house management team are involved with wider Council strategies and the Covid Recovery Strategy giving them extensive knowledge and experience of working towards Council outcomes.</p>			<p>Continuing to operate in-house means that joined up work to achieve the Council's wider strategic objectives continues to be achievable. The Museum can work with the other Council departments to ensure all wider strategic working is delivered.</p> <p>Delivering services in-house means that changing priorities can be quickly implemented.</p> <p>The management team are involved with wider Council strategies and the Covid Recovery Strategy giving them extensive knowledge and experience of working towards Council outcomes.</p> <p>The museum is already delivering initiatives that link well to the five ways of wellbeing – a key outcome of the Leisure & Wellbeing Strategy.</p> <p>Excellent track record of involving the voluntary sector in the day to day operations.</p> <p>Usage figures have remained consistent under in-house management.</p>		<p>Continuing to operate this service in-house means that joined up work to achieve the Council's wider strategic objectives continues to be achievable. The service can work with the other Council departments to ensure all wider strategic working is delivered.</p> <p>Delivering services in-house means that changing priorities can be quickly implemented.</p> <p>Excellent and successful initiatives that contribute towards key strategic outcomes are already being delivered in-house.</p>
	Score - 5	Score - 5	Score - 5	Score - 5	Score - 5	
External Contractor	<p>The centre(s) would be managed with a specification in place. Ensuring the organisation is clear what the Council requires both on an annual and longer time frame. The Council can set out targets (outputs) in relation to participation (new users and existing), target groups,</p>			<p>Only a limited number of external contractors have experience of managing museums.</p> <p>As with a leisure centre the Museum could be managed under a service specification clearly detailing the service requirements, outcomes</p>	<p>There is a risk that external partners (e.g. existing leisure operators) will focus solely on the operations of facilities and programmes without working in partnership with all stakeholders, so a strong specification and annual planning would</p>	

Council Objectives/ Strategic Outcomes - Able to understand the community within which the organisation is working to deliver the strategic outcomes of the Council and of the Leisure & Wellbeing Strategy. Ability to increase targeted participation and Social Value.

	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
	<p>programming and arts / sports & health development and outcomes.</p> <p>The Council can implement a performance management system to ensure that the partner records, reports and delivers the required outcomes.</p> <p>There will be a concern that services being managed by external organisation to the Council will not consider local stakeholders. However, the specification can be clear in the outputs required and many partnerships have local 'Stakeholder Boards' developed to formalise and ensure local input into the production and delivery of services.</p> <p>External organisations have extensive stakeholder and customer engagement strategies, including via their website and social media, on-line surveys, customer and club forums, all of which can be specified within the specifications.</p> <p>Any change to service priorities can be managed through the annual service planning process and contract change procedures. However, this can have explicit financial implications if the changes are business critical.</p> <p>Currently, SPLC is struggling to reach people classed as NS-SEC 6&7 – some of the most disadvantaged and hard to reach people in society (2017 NBS report). To improve performance of reaching this target group the Council would need to set out clear targets and objectives within the specification. The centre does well against national benchmarks at attracting people from ethnic minorities, people aged under 65 with disabilities and female users.</p>			<p>and performance measures. However, KPI's and performance measures for a museum can only be done against historical performance as there are no national benchmarks like those that exist for leisure centres.</p> <p>There will be a concern that services being managed by external organisation to the Council will not consider local stakeholders. However, the specification can be clear in the outputs required and many partnerships have local 'Stakeholder Boards' developed to formalise and ensure local input into the production and delivery of services.</p> <p>External organisations have extensive stakeholder and customer engagement strategies, including via their website and social media, on-line surveys, customer and club forums, all of which can be specified within the specifications.</p> <p>Any change to service priorities can be managed through the annual service planning process and contract change procedures. However, this can have explicit financial implications if the changes are business critical.</p> <p>The Museum in the Park could be 'tested' as part of outsourced option to ascertain whether there would be added value and if it could be operated at an improved financial position whilst meeting outcomes.</p>	<p>required to ensure they meet the Council's wider needs for sport, health and wellbeing development.</p> <p>External contractors tend to take a more corporate approach with less focus on local dynamics and nuances.</p>

Council Objectives/ Strategic Outcomes - Able to understand the community within which the organisation is working to deliver the strategic outcomes of the Council and of the Leisure & Wellbeing Strategy. Ability to increase targeted participation and Social Value.						
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services	
	Typically, external contractors are not as strong at delivering bespoke local initiatives as in-house management or local trusts.					
	Score - 3	Score - 3	Score - 3	Score - 3	Score - 3	
Local Authority Trading Company	<p>As with the external contractor option, a specification and performance management system would be in place.</p> <p>Therefore, whilst the LATC is independent of the Council, if there is a clearly defined specification, and longer-term financial stability (known management fee / funding agreement) it can be easier for the Council's strategic outcomes to be met.</p> <p>Staff from the existing facility would transfer under TUPE therefore retaining the local experience and knowledge to deliver against outcomes.</p> <p>Has the ability to attract additional funding streams compared to in-house option, which can be used to deliver facility and services interventions.</p> <p>More likely to have a locally focussed approach compared to an external contractor.</p> <p>Company profits can be repatriated to council, invested in the company or a mix of both.</p>			<p>As with the external contractor option, a specification and performance management system would be in place, although as with external contractors national benchmarks are not available.</p> <p>Therefore, whilst the LATC is independent of the Council, if there is a clearly defined specification, and longer-term financial stability (known management fee / funding agreement) it can be easier for the Council's strategic outcomes to be met.</p> <p>Staff from the existing facility would transfer under TUPE therefore retaining the local experience and knowledge to deliver against outcomes.</p> <p>Has the ability to attract additional funding streams compared to in-house option, which can be used to deliver facility and services interventions.</p> <p>More likely to have a locally focussed approach compared to an external contractor.</p>		<p>There will be a more bespoke local approach, comparable to that of the in-house operation, although there may be additional focus on commerciality.</p> <p>A specification can be put in place to monitor and measure performance.</p> <p>Has the ability to attract additional funding streams compared to in-house option, which can be used to deliver facility and services interventions.</p>
	Score - 4	Score - 4	Score - 4	Score - 4	Score - 4	
Locally established NPDO	<p>As with the external contractor option, a specification and performance management system would be in place.</p> <p>Therefore, whilst the NPDO is independent of the Council, if there is a clearly defined specification, and longer-term</p>			<p>As with the external contractor option, a specification and performance management system would be in place, although as with external contractors national benchmarks are not available.</p>	<p>There will be a more bespoke local approach, comparable to that of the in-house operation.</p>	

Council Objectives/ Strategic Outcomes - Able to understand the community within which the organisation is working to deliver the strategic outcomes of the Council and of the Leisure & Wellbeing Strategy. Ability to increase targeted participation and Social Value.					
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
	<p>financial stability (known management fee / funding agreement) it can be easier for the Council's strategic outcomes to be met.</p> <p>Staff from the existing facility would transfer under TUPE therefore retaining the local experience and knowledge to deliver against outcomes.</p> <p>Has the ability to attract additional funding streams compared to in-house option, which can be used to deliver facility and services interventions.</p> <p>More likely to have a locally focussed approach compared to an external contractor.</p>			<p>Therefore, whilst the NPDO is independent of the Council, if there is a clearly defined specification, and longer-term financial stability (known management fee / funding agreement) it can be easier for the Council's strategic outcomes to be met.</p> <p>Staff from the existing facility would transfer under TUPE therefore retaining the local experience and knowledge to deliver against outcomes.</p> <p>Has the ability to attract additional funding streams compared to in-house option, which can be used to deliver facility and services interventions.</p> <p>More likely to have a locally focussed approach compared to an external contractor.</p>	<p>A specification can be put in place to monitor and measure performance.</p> <p>Has the ability to attract additional funding streams compared to in-house option, which can be used to deliver facility and services interventions.</p>
	Score - 4	Score - 4	Score - 4	Score - 4	Score - 4

Revenue Implications - Ability to maximise revenue, through performance and / or governance structure. Ability to effectively manage expenditure and costs.					
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
In-House	<p>The in-house operation is unable to gain NNDR relief. The Council currently receives VAT relief on swimming lessons, fitness classes and courses income, which is comparable to external operators, such as SLM.</p> <p>The Council is able to apply for external funding available only to statutory bodies.</p> <p>Due to the performance of The Pulse it is anticipated that under in-house management SPLC and the Lido would fare better financially than the current provider.</p> <p>The Pulse currently performs very well from an income perspective under in-house management against SPLC. However, due to the lack of control over maintenance costs, as they are managed centrally, expenditure is higher than other management options. Utility costs are also higher.</p> <p>Central support costs are typically higher than external contractors and at The Pulse central support costs are higher than average.</p> <p>The in-house team has successfully implemented voluntary programmes at other facilities that could be transferred to the Lido, working with Friends of Stratford Park Lido to minimise expenditure on this site.</p> <p>Revenue risk of underachieving against budget sits with Council.</p> <p>Business Plans for the two leisure centres have been completed for each management model. In a mature year the in-house option achieves the lowest overall surplus of £260k across both centres.</p> <p>The detailed summary is contained in appendix 16b. The business plan is based on the proposed new facilities recommended in stage 3 of the Leisure and Wellbeing Strategy – highlighting the potential improvement following the works under each management option. A mature year (year 5) has been used in the analysis.</p>		<p>The in-house operation is unable to gain NNDR relief.</p> <p>The Council is able to apply for external funding available only to statutory bodies.</p> <p>It is expected that cost of the service will remain consistent against current budget if it remains in-house.</p> <p>Central support costs are typically higher than external contractors.</p> <p>Revenue risk of underachieving against budget sits with Council.</p>	<p>The Council is able to apply for external funding available only to statutory bodies.</p> <p>It is expected that cost of the service will remain consistent against current budget.</p> <p>Central support costs are typically higher than external contractors.</p> <p>Revenue risk of underachieving against budget sits with Council.</p>	

Revenue Implications - Ability to maximise revenue, through performance and / or governance structure. Ability to effectively manage expenditure and costs.					
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
	<p>Where the Pulse is managed in-house income/expenditure projections take into account current performance, for example central costs reflect the actual central costs.</p> <p>It is assumed that all management options will achieve comparable income levels, due to the current income generated at the centres. Typically in-house management would be expected to achieve lower income however as the Council claims VAT relief on some key income streams and is exceeding both in-house and external contractor benchmarks at The Pulse, income generation is not anticipated to vary significantly across management models.</p> <p>Differences in expenditure are anticipated in:</p> <ul style="list-style-type: none"> • NNDR – In-house the Council will pay 100% of costs • Salaries – whilst all management models will be expected to pay Real Living Wage rates, external contractors, LATC and NPDO's can implement different terms and conditions and pension rates, therefore in-house staff costs are anticipated to be slightly higher than the other options. • Utilities – At the Pulse in-house utility costs are high against benchmarks therefore utility costs at both centres are expected to be higher under the in-house option • Repairs and Maintenance – In-house these are managed by a different department and therefore limited control by the management team results in higher than average costs. This would not be the case under alternative management models. Although the Council could discuss ways in which this could be managed more efficiently in-house. • Central costs – in-house management typically has higher levels of central costs, the central costs for The Pulse are higher than average. A lower rate has been assumed in the SPLC in-house business plan (in line with in-house national benchmarks) so as not to duplicate costs factored into The Pulse. 				
	Score - 3	Score - 3	Score - 3	Score - 4	Score - 4
External Contractor	A competitive tender process often 'sharpens' projections.			A competitive tender process often 'sharpens' projections. However, as	External Contractors often include additional risk/contingency for these

Revenue Implications - Ability to maximise revenue, through performance and / or governance structure. Ability to effectively manage expenditure and costs.					
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
	<p>External contractors tend to set more ambitious targets against fitness and swimming lessons.</p> <p>An external contractor would operate with reduced central costs; however they would also include an element of profit in their business plans. Typically, they would bid with a margin of 10%-12% of turnover.</p> <p>The ability for the Council to achieve savings in their central costs as a result of transferring management of all centres to an external contractor will be key to achieving financial savings under this model.</p> <p>The Council requires external contractors to implement the real Living Wage therefore staff savings usually expected from external contractors will not be realised.</p> <p>They are likely to receive VAT and NNDR relief.</p> <p>Any profits made in the contract may not be re-invested back into the facilities or wider Stroud District.</p> <p>A one-off cost of circa £100k-£120k should be included to cover the external advisors' (legal and leisure procurement) costs of procurement and other costs, for example condition surveys etc.</p> <p>Revenue risk sits with the operator not the Council</p> <p>Economies of scale achieved from larger operators.</p> <p>Business Plans for the two leisure centres have been completed under each management model. In a mature year the external contractor option achieves the highest overall surplus of £601k across both centres.</p> <p>The detailed summary is contained in appendix 16b. The business plan is based on the proposed new facilities recommended in stage 3 of the Leisure and Wellbeing Strategy – highlighting the potential improvement</p>			<p>operators tend to have less experience of museum management an element of risk/contingency may be built into projections.</p> <p>An external contractor would operate with reduced central costs; however they would also include an element of profit in their business plans. Typically, they would bid with a margin of 10%-12% of turnover.</p> <p>The Council requires external contractors to implement the real Living Wage therefore staff savings usually expected from external contractors will not be realised.</p> <p>They are likely to receive NNDR relief.</p> <p>Any profits made in the contract may not be re-invested back into the Museum or wider Stroud District.</p> <p>A one-off cost of circa £100k-£120k should be included to cover the external advisors' (legal and leisure procurement) costs of procurement and other costs, for example condition surveys etc. If the Museum was combined with the leisure centres in one contract then this cost would not be duplicated.</p> <p>Revenue risk sits with the operator not the Council</p>	<p>types of services due to the nature of service delivery and uncertainty of securing long term funding for programmes and initiatives.</p> <p>Bidders are likely to reflect existing costs and be less innovative in their approach.</p> <p>Revenue risk sits with the operator not the Council</p>

Revenue Implications - Ability to maximise revenue, through performance and / or governance structure. Ability to effectively manage expenditure and costs.				
SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
<p>following the works under each management option. A mature year (year 5) has been used in the analysis.</p> <p>The SPLC projections take into account the existing performance of the external contractor but also reflect the proposed investment and larger building size. The projections also assume that a new contract would be procured and therefore gone through a competitive procurement process, which is likely to improve on the current contract with SLM.</p> <p>It is assumed that all management options will achieve comparable income levels, due to the current income generated at the centres and benchmarked performance. The majority of external contractors are able to achieve VAT relief on income, however the activities that they are able to claim VAT relief against does vary depending on their governance structure. Consequently as the Council already receives a level of VAT relief and income benchmarks are very high at both centres the same income has been assumed across all management options. It may be possible that external contractors could achieve additional VAT relief in some areas, however, it would be high risk at this stage to make this assumption. It would also result in increased irrecoverable VAT costs in the expenditure.</p> <p>The main variances against the in-house model are:</p> <ul style="list-style-type: none"> • NNDR – It is assumed that external contractors will achieve 80% NNDR relief • Salaries – whilst all management models will be expected to pay Real Living Wage rates, external contractors can implement different terms and conditions and pension rates, therefore there could be some savings in staff costs against the in-house option they will also have the support of a central team that could reduce onsite staffing requirements. • Utilities – Generally external contractors achieve lower utility costs per m2, due to the economies of scale they can achieve across the company. Therefore the cost per m2 included in the business plan is lower than the in-house option. 			<p>Economies of scale achieved from larger operators.</p>	

Revenue Implications - Ability to maximise revenue, through performance and / or governance structure. Ability to effectively manage expenditure and costs.					
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
	<ul style="list-style-type: none"> Repairs and Maintenance – Typically external contractors have lower maintenance costs due to economies of scale they can achieve. Therefore the cost per m2 included in the business plan is lower than the in-house option. Central costs – On average central costs are included by external contractors at c.7% expenditure. Profit – unlike in-house operations external contractors will require a level of profit to be built into their business plans which is typically around 5% of income. 				
	Score - 5	Score - 5	Score - 5	Score - 4	Score - 3
Local Authority Trading Company	<p>The new company will need to have a suitable reserves policy and therefore the Council may have to provide a level of subsidy over and above any management fee in the early years of operation (or accept the cash flow risk).</p> <p>Likely to have higher central costs as it will require its own senior management team (Chief Executive, Finance Director etc.)</p> <p>The LATC would be required to implement the real Living Wage therefore staff costs comparable to in-house model.</p> <p>They can be set up under an appropriate structure to receive VAT and NNDR relief.</p> <p>Likely to be able to apply for more funding than the local authority.</p> <p>There will be one-off set up costs for the LATC.</p> <p>Any profit could be re-invested back into the facilities.</p> <p>Revenue risk will ultimately be underwritten by the Council</p> <p>Business Plans for the two leisure centres have been completed under each management model. In a mature year the LATC option achieves a surplus of £352k across both centres, which is between the in-house and external contractor position.</p>			<p>The new company will need to have a suitable reserves policy and therefore the Council may have to provide a level of subsidy over and above the management fee in the early years of operation (or accept the cash flow risk).</p> <p>Likely to have higher central costs as it will require its own senior management team (Chief Executive, Finance Director etc.)</p> <p>The LATC would be required to implement the real Living Wage therefore staff costs comparable to in-house model.</p> <p>They can be set up under an appropriate structure to receive NNDR relief.</p> <p>Likely to be able to apply for more funding than the local authority.</p> <p>There will be one-off set up costs for the LATC.</p>	<p>The new company will need to have a suitable reserves policy and therefore the Council may have to provide a level of subsidy over and above the management fee in the early years of operation (or accept the cash flow risk).</p> <p>Likely to have higher central costs as it will require its own senior management team (Chief Executive, Finance Director etc.)</p> <p>The LATC would be required to implement the real Living Wage therefore staff costs comparable to in-house model.</p> <p>Likely to be able to apply for more funding than the local authority.</p> <p>There will be one-off set up costs for the LATC.</p> <p>Revenue risk will ultimately be underwritten by the Council</p>

Revenue Implications - Ability to maximise revenue, through performance and / or governance structure. Ability to effectively manage expenditure and costs.				
SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
<p>The detailed summary is contained in appendix 16b. The business plan is based on the proposed new facilities recommended in stage 3 of the Leisure and Wellbeing Strategy – highlighting the potential improvement following the works under each management option. A mature year (year 5) has been used in the analysis.</p> <p>It is assumed that all management options will achieve comparable income levels, due to the current income generated at the centres and benchmarked performance. An LATC will be able to achieve VAT relief on income, however the activities that they are able to claim VAT relief against does vary depending on their governance structure. Consequently, as the Council already receives a level of VAT relief the same has been assumed across all management options. It may be possible that it could achieve additional VAT relief in some activity areas, however, it would be high risk at this stage to make this assumption, this would also result in increased irrecoverable VAT costs in the expenditure.</p> <p>The main variances against the in-house model are:</p> <ul style="list-style-type: none"> • NNDR – It is assumed that a LATC will achieve 80% NNDR relief • Salaries – whilst all management models will be expected to pay Real Living Wage rates, a LATC could implement different terms and conditions and pension rates, therefore there could be some savings in staff costs. • Utilities and Maintenance costs would be expected to be comparable to in-house management. • Central costs – LATC's have higher central costs due the need for a senior management team for the contract such as Chief Executive and finance manager. These costs cannot be spread over multiple contracts. The business plans assume 14%, which is in line with national benchmarks • Profit – it is likely that an LATC will need to build up a level of reserves and therefore may include this within their business plan. Consequently, 2% of income has been included in the projections. 			<p>Any profit could be re-invested back into the Museum.</p> <p>Revenue risk will ultimately be underwritten by the Council</p>	
Score - 4	Score - 4	Score - 4	Score - 4	Score - 4

Revenue Implications - Ability to maximise revenue, through performance and / or governance structure. Ability to effectively manage expenditure and costs.					
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
Locally established NPDO	<p>The new company will need to have a suitable reserves policy and therefore the Council may have to provide a level of subsidy over and above any management fee in the early years of operation (or accept the cash flow risk).</p> <p>Likely to have higher central costs as it will require its own senior management team (Chief Executive, Finance Director etc.)</p> <p>The NPDO would be required to implement the real Living Wage.</p> <p>It can be set up under an appropriate structure to receive VAT and NNDR relief.</p> <p>Likely to be able to apply for more funding than the local authority.</p> <p>There will be one-off set up costs for the NPDO.</p> <p>Any profit could be re-invested back into the facilities.</p> <p>Revenue risk will ultimately be underwritten by the Council.</p> <p>Business Plans for the two leisure centres have been completed under each management model. It is assumed that the LATC and NPDO options would achieve a comparable revenue position.</p> <p>The detailed summary is contained in appendix 16b. The business plan is based on the proposed new facilities recommended in stage 3 of the Leisure and Wellbeing Strategy – highlighting the potential improvement following the works under each management option. A mature year (year 5) has been used in the analysis.</p> <p>It is assumed that all management options will achieve comparable income levels, due to the current income generated at the centres and benchmarked performance. A NPDO will be able to achieve VAT relief on income, however the activities that they are able to claim VAT relief against can vary depending on their governance structure. Consequently, as the Council already receives a level of VAT relief the</p>		<p>The new company will need to have a suitable reserves policy and therefore the Council may have to provide a level of subsidy over and above the management fee in the early years of operation (or accept the cash flow risk).</p> <p>Likely to have higher central costs as it will require its own senior management team (Chief Executive, Finance Director etc.)</p> <p>The LATC would be required to implement the real Living Wage therefore staff costs comparable to in-house model.</p> <p>They can be set up under an appropriate structure to receive NNDR relief.</p> <p>Likely to be able to apply for more funding than the local authority.</p> <p>There will be one-off set up costs for the LATC.</p> <p>Any profit could be re-invested back into the Museum.</p> <p>Revenue risk will ultimately be underwritten by the Council</p>		<p>The new company will need to have a suitable reserves policy and therefore the Council may have to provide a level of subsidy over and above the management fee in the early years of operation (or accept the cash flow risk).</p> <p>Likely to have higher central costs as it will require its own senior management team (Chief Executive, Finance Director etc.)</p> <p>The LATC would be required to implement the real Living Wage therefore staff costs comparable to in-house model.</p> <p>Likely to be able to apply for more funding than the local authority.</p> <p>There will be one-off set up costs for the LATC.</p> <p>Revenue risk will ultimately be underwritten by the Council</p>

Revenue Implications - Ability to maximise revenue, through performance and / or governance structure. Ability to effectively manage expenditure and costs.				
SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
<p>same has been assumed across all management options. It may be possible that it could achieve higher rates of VAT relief, however, it would be high risk at this stage to make this assumption, this would also result in increased irrecoverable VAT costs in the expenditure</p> <p>The main variances against the in-house model are:</p> <ul style="list-style-type: none"> • NNDR – It is assumed that a NPDO will achieve 80% NNDR relief • Salaries – whilst all management models will be expected to pay Real Living Wage rates, a NPDO could implement different terms and conditions and pension rates, therefore there could be some savings in staff costs against the in-house option. • Utilities and Maintenance costs would be expected to be comparable to in-house management. • Central costs – NPDO’s have higher central costs due the need for a senior management team for the contract such as Chief Executive and finance manager. These costs cannot be spread over multiple contracts. The business plans assume 14%, which is in line with national benchmarks • Profit – it is likely that a NPDO will need to build up a level of reserves and therefore may include this within their business plan. Consequently, 2% of income has been included in the projections. 				
Score - 4	Score - 4	Score - 4	Score - 4	Score - 4

Capital Resource - Ability to support the design, build and mobilisation of new / re-developed facilities					
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
In-House	<p>The Council would need to explore opportunities for investment, i.e. through prudential borrowing, funding streams i.e. SE and potential of grants.</p> <p>If future funding is not available, SDC is dependent on either grant funding / NGB funding linked to programme development etc. or it can gain funding through leasing type arrangements. These generally enable fitness / ancillary and other income generating projects to be undertaken at the centres, although the Council must guarantee the investment.</p> <p>The Council will project manage the investments and takes the risk in any resulting projected income generation.</p> <p>The Council has previously project managed and delivered investment projects successfully.</p> <p>SDC has access and is willing to use prudential borrowing to fund capital schemes, the decision making process for using this funding involves assessing the cost of borrowing against any income generated by the investment.</p> <p>SDC has some capital reserves available but are unlikely to fund major investments.</p>			<p>The Council would need to explore opportunities for investment, i.e. through prudential borrowing, funding streams i.e. potential of grants, heritage funding etc.</p> <p>If future funding is not available, SDC is dependent on grant funding.</p> <p>The Council would project manage the investments and takes the risk in any resulting projected income generation.</p> <p>The Council has previously project managed and delivered investment projects successfully, including obtaining external funding to deliver the walled garden project.</p> <p>SDC has access and is willing to use prudential borrowing to fund capital schemes, the decision making process for using this funding involves assessing the cost of borrowing against any income generated by the investment.</p> <p>SDC has some capital reserves available but are unlikely to fund major investments.</p>	
	Score - 5	Score - 5	Score - 5	Score - 5	
External Contractor	<p>National operators are more likely to be able to fund equipment / ICT fit out and lifecycle works. They have good supplier links and achieve economies of scale.</p> <p>Pre-Covid, organisations could access funding for smaller investments, but the preference was very much for the Council to fund larger scale works projects. The borrowing rates were more cost effective and as operators do not 'own' the buildings, loans are based on future revenue</p>			<p>Pre-Covid, organisations could access funding for smaller investments (e.g. I.T equipment), but the preference was very much for the Council to fund larger scale works projects. The borrowing rates were more cost effective and as operators do not 'own' the buildings, loans are based on future revenue improvements as opposed to using assets / long leases as collateral. With Covid-19 impacting reserves,</p>	

Capital Resource - Ability to support the design, build and mobilisation of new / re-developed facilities					
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
	<p>improvements as opposed to using assets / long leases as collateral. With Covid-19 impacting reserves, operators are likely to have less access to capital resources for even the smaller investment projects.</p> <p>The Council is more able to transfer the full risk of any investments to partners in terms of project delivery and business plan projections.</p> <p>Many organisations have delivered capital projects and have established supply chains with specific leisure experience.</p> <p>Some partners can offer VAT efficient build schemes, where the Council is the principal for the capital development schemes and the operator is the principal for the revenue.</p> <p>Whilst it is still the Council that can access capital investment more cheaply, the benefit is that external contractors typically have experience of being innovative and investing into customer critical areas and there are many examples where the operators have significantly reduced the revenue position with investment into facilities but importantly taken the delivery risk.</p> <p>All capital improvements are based on a 'pay back' period or return on investment, based on the contract length.</p>			<p>operators are likely to have less access to capital resources for even the smaller investment projects.</p> <p>The Council is more able to transfer the full risk of any investments to partners in terms of project delivery and business plan projections.</p> <p>Some partners can offer VAT efficient build schemes, where the Council is the principal for the capital development schemes and the operator is the principal for the revenue.</p>	
	Score - 4	Score - 4	Score - 4	Score - 4	
Local Authority Trading Company	<p>LATC will not have direct access to capital resources, the responsibility will remain with the Council.</p> <p>However, where the Council funds capital investment, the LATC will use the revenue improvements to repay the capital costs.</p>			<p>LATC will not have direct access to capital resources, the responsibility will remain with the Council.</p> <p>However, where the Council funds capital investment, the LATC will use the revenue improvements to repay the capital costs.</p>	

Leisure and Wellbeing Strategy for the Stroud District 2021 - 2040
Appendix 16 - Management Options Appraisal

Capital Resource - Ability to support the design, build and mobilisation of new / re-developed facilities					
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
	Ultimately though with LATC having a limited trading history, any risk of these payments being made falls back to the Council.		Ultimately though with LATC having a limited trading history, any risk of these payments being made falls back to the Council.		
	Score - 3	Score - 3	Score - 3	Score - 3	
Locally established NPDO	The NPDO will not have direct access to capital resources, the responsibility will remain with the Council. However, where the Council funds capital investment, the NPDO will use the revenue improvements to repay the capital costs. Ultimately though with the NPDO having a limited trading history, any risk of these payments being made falls back to the Council.		The NPDO will not have direct access to capital resources, the responsibility will remain with the Council. However, where the Council funds capital investment, the LATC will use the revenue improvements to repay the capital costs. Ultimately though with the NPDO having a limited trading history, any risk of these payments being made falls back to the Council.		
	Score - 3	Score - 3	Score - 3	Score - 3	

Risk/Sustainability - Ability to manage financial risk and the organisation is sustainable in the long term.					
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
<p>Current management models are; either external operators or local organisations. Where councils had contractual agreements in place with external operators, which defined who was responsible for 'impact' of Covid, due to the scale of the impact, whichever organisation carried the risk, neither has been able to meet its contractual obligations to recompense the other. In the majority of cases; the Council and operator has agreed which centres and facilities within centres have re-opened to minimise the cost to the Council and operator whilst trying to preserve the opportunities for residents to access facilities and programmes within the centres. This criterion therefore is considered in 'normal' operating circumstances.</p>					
In-House	<p>All risk remains with the Council managing price sensitivity and programming requirements for users, marketing and branding and price changes for expenditure (e.g. utilities).</p> <p>The Council absorb and manage any under-performance.</p> <p>The Council as a large organisation is able to manage short term trading performance.</p> <p>The Council has successfully managed the financial risk presented throughout the Covid-19 crisis.</p>			<p>All risk remains with the Council, including programming, branding, marketing, all areas of expenditure and securing grant funding.</p> <p>The Council absorb and manage any under-performance.</p> <p>The Council as a large organisation is able to manage short term trading performance.</p> <p>The Council has successfully managed the financial risk presented throughout the Covid-19 crisis.</p>	<p>All risk remains with the Council.</p> <p>The Council absorb and manage any under-performance/additional costs.</p> <p>The Council as a large organisation is able to manage short term trading performance.</p> <p>Council is responsible for securing grant funding for programmes and initiatives, which it has done successfully to date.</p>
	Score - 4	Score - 4	Score - 4	Score - 4	Score - 4
External Contractor	<p>Where the Council is contracting with external organisations, they will complete a 'selection questionnaire' to assess organisation' economic standing and technical capacity etc. to check the suitability and sustainability of the organisation and to ensure there are mitigations to protect the Council if the contract fails.</p> <p>Established contractors have head office support to ensure that they are developing their products and services and assessing the trends in each market so that they can mitigate the changes in the leisure market.</p> <p>They can achieve economies of scale in purchasing especially larger items, ICT, Fitness equipment, etc.</p>			<p>Where the Council is contracting with external organisations, they will complete a 'selection questionnaire' to assess organisation' economic standing and technical capacity etc. to check the suitability and sustainability of the organisation and to ensure there are mitigations to protect the Council if the contract fails.</p> <p>They can achieve economies of scale in purchasing especially larger items, e.g. I.T equipment.</p>	<p>Where the Council is contracting with external organisations, they will complete a 'selection questionnaire' to assess organisation' economic standing and technical capacity etc. to check the suitability and sustainability of the organisation and to ensure there are mitigations to protect the Council if the contract fails.</p> <p>They are in a stronger position to meet demand risk and therefore be sustainable.</p> <p>Where they manage several contracts, they can spread risk across contracts.</p>

Risk/Sustainability - Ability to manage financial risk and the organisation is sustainable in the long term.						
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services	
	<p>They are in a stronger position to meet demand risk and therefore be sustainable.</p> <p>Where they manage several contracts, they can spread risk across contracts.</p> <p>There is a risk that they submit an un-deliverable financial business plan within the procurement process that they then struggle to deliver, so service levels do not meet the required performance standard. However, these can be benchmarked and tested during the procurement process.</p> <p>With an external operator under contract with the Council, there will be a known risk share and level of certainty in relation to the management fee for the length of the contract term. It is likely that the Council will be able to transfer the following risks to the external organisation;</p> <ul style="list-style-type: none"> ▪ Income ▪ Staffing costs ▪ R&M costs ▪ Implementation of any invest to save programmes and the income risk attached ▪ Utility consumption ▪ Equipment replacement ▪ Customer satisfaction and usage <p>Those areas of risk that are likely to be shared or remain with the Council include;</p> <ul style="list-style-type: none"> ▪ Pensions (risk will depend on the actuary report of current deficit or transferring employees) ▪ Structural building risk (given the age of the buildings) ▪ Full utility tariffs ▪ Reputational risk if the external organisation isn't successful 			<p>Where they manage several contracts, they can spread risk across contracts.</p> <p>There is a risk that they submit an un-deliverable financial business plan within the procurement process that they then struggle to deliver, so service levels do not meet the required performance standard. However, these can be benchmarked and tested during the procurement process.</p> <p>With an external operator under contract with the Council, there will be a known risk share and level of certainty in relation to the management fee for the length of the contract term. It is likely that the Council will be able to transfer the following risks to the external organisation;</p> <ul style="list-style-type: none"> ▪ Income ▪ Staffing costs ▪ R&M costs ▪ Implementation of any invest to save programmes and the income risk attached ▪ Utility consumption ▪ Equipment replacement ▪ Customer satisfaction and usage <p>Those areas of risk that are likely to be shared or remain with the Council include;</p> <ul style="list-style-type: none"> ▪ Pensions (risk will depend on the actuary report of current deficit or transferring employees) 		<p>There is a risk that they submit an un-deliverable financial business plan within the procurement process that they then struggle to deliver, so service levels do not meet the required performance standard. However, these can be benchmarked and tested during the procurement process.</p> <p>The Council will sign up to a contractual arrangement; it may have responsibilities that may incur costs.</p> <p>If the contract becomes financially unsustainable an external contractor may move focus to more commercial areas of the business to offset losses, which could impact their deliverability against the agreed specification.</p>

Risk/Sustainability - Ability to manage financial risk and the organisation is sustainable in the long term.					
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
	In any agreements, there will be contractual obligations between the parties in respect to ongoing maintenance, equipment replacement etc. to ensure that service delivery meets set performance standards. The Council will sign up to a contractual arrangement; it will have responsibilities that may incur costs. For example, if the Council retains repairs and maintenance responsibility for the building structure, the Council must fulfil these obligations, or the new operator may be able to bring a 'loss of income' claim against the Council if non-delivery of their obligations impacts their income generating areas.			<ul style="list-style-type: none"> ▪ Structural building risk (given the age of the buildings) ▪ Full utility tariffs ▪ Reputational risk if the external organisation isn't successful <p>The Council will sign up to a contractual arrangement; it will have responsibilities that may incur costs.</p>	
	Score - 4	Score - 4	Score - 4	Score - 4	Score - 3
Local Authority Trading Company	<p>The key risk for a LATC is that it has a smaller base to share risk if any local factors impact its income generating opportunities. They do not have a larger organisational mix of facilities and contracts.</p> <p>The LATC is also dependent on a small team of experts within its senior management team to deliver the strategic direction of the organisation, as well as operational requirements.</p> <p>Any new organisation will require a period of support i.e. up to 3 years to ensure long term stability. The LATC will require flexibility and support so that it can build up a contingency of between 10% and 15% of overall annual turnover. Ultimately, if the LATC fails, the Council will have no option but to assume operational responsibility.</p> <p>If a LATC fails, the Council can provide the additional funding required or allow the trust to fail and find alternative delivery models. Both can be both costly, resource heavy for officers and negative in terms of public relations.</p> <p>The local authority should be able to transfer the risk of carrying out works using local authority funding.</p>			<p>The key risk for a LATC is that it has a smaller base to share risk if any local factors impact its income generating opportunities. They do not have a larger organisational mix of facilities and contracts.</p> <p>The LATC is also dependent on a small team of experts within its senior management team to deliver the strategic direction of the organisation, as well as operational requirements.</p> <p>Any new organisation will require a period of support i.e. up to 3 years to ensure long term stability. The LATC will require flexibility and support so that it can build up a contingency of between 10% and 15% of overall annual turnover. Ultimately, if the LATC fails, the Council will have no option but to assume operational responsibility.</p> <p>If a LATC fails, the Council can provide the additional funding required or allow the trust to fail and find alternative delivery models. Both can be both costly, resource heavy for</p>	<p>The key risk for a LATC is that it has a smaller base to share risk if any local factors impact its income generating opportunities. They do not have a larger organisational mix of facilities and contracts.</p> <p>The LATC is also dependent on a small team of experts within its senior management team to deliver the strategic direction of the organisation, as well as operational requirements.</p> <p>Any new organisation will require a period of support i.e. up to 3 years to ensure long term stability. The LATC will require flexibility and support so that it can build up a contingency of between 10% and 15% of overall annual turnover. Ultimately, if the LATC fails, the Council will have no option but to assume operational responsibility.</p> <p>If a LATC fails, the Council can provide the additional funding required or allow the trust to fail and find alternative delivery models. Both can be both costly, resource heavy for</p>

Risk/Sustainability - Ability to manage financial risk and the organisation is sustainable in the long term.					
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
	<p>A LATC is unlikely to be able to take the risk of a full repairing lease but will be able to take the risk on day to day maintenance requirements.</p> <p>It is unlikely that a LATC will be able to carry full risk for utilities, however a share in risk should be possible with the LATC taking risk on consumption.</p> <p>Establishing the correct governance structure will be key to managing financial risk. If the Company is established in the correct way with the correct balance between Council influence and commerciality then long term financial sustainability is achievable.</p> <p>SDC has established an LATC before and therefore has experience of managing this risk.</p>			<p>officers and negative in terms of public relations.</p> <p>The local authority should be able to transfer the risk of carrying out works using local authority funding.</p> <p>A LATC is unlikely to be able to take the risk of a full repairing lease but will be able to take the risk on day to day maintenance requirements.</p> <p>It is unlikely that a LATC will be able to carry full risk for utilities, however a share in risk should be possible with the LATC taking risk on consumption.</p> <p>Establishing the correct governance structure will be key to managing financial risk. If the Company is established in the correct way with the correct balance between Council influence and commerciality then long term financial sustainability is achievable.</p> <p>SDC has established an LATC before and therefore has experience of managing this risk.</p>	<p>officers and negative in terms of public relations.</p> <p>Establishing the correct governance structure will be key to managing financial risk. If the Company is established in the correct way with the correct balance between Council influence and commerciality then long term financial sustainability is achievable.</p> <p>SDC has established an LATC before and therefore has experience of managing this risk.</p>
	Score - 4	Score - 4	Score - 4	Score - 4	Score - 4
Locally established NPDO	To secure the contract a NPDO is required under procurement regulations to tender for the contract under an open tender process. A newly established NPDO will not		To secure the contract a NPDO is required under procurement regulations to tender for the contract under an open tender process.		To secure the contract a NPDO is required under procurement regulations to tender for the contract under an open tender process. A

Risk/Sustainability - Ability to manage financial risk and the organisation is sustainable in the long term.					
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
	<p>have the historical financial data compared to existing operators that could mean it does not make it through the selection questionnaire stage. It will also not have the operational history compared to existing organisations making its ability to score higher limited. Consequently, there is a risk of establishing a NPDO for it to be unsuccessful during procurement.</p> <p>The key risk for a NPDO is that it has a smaller base to share risk if any local factors impact its income generating opportunities. They do not have a larger organisational mix of facilities and contracts.</p> <p>The NPDO is also dependent on a small team of experts within its senior management team to deliver the strategic direction of the organisation, as well as operational requirements.</p> <p>Any new organisation will require a period of support i.e. up to 3 years to ensure long term stability. The NPDO will require flexibility and support so that it can build up a contingency of between 10% and 15% of overall annual turnover. Ultimately, if the NPDO fails, the Council will have no option but to assume operational responsibility.</p> <p>If the NPDO fails, the Council can provide the additional funding required or allow the trust to fail and find alternative delivery models. Both can be both costly, resource heavy for officers and negative in terms of public relations.</p> <p>The local authority should be able to transfer the risk of carrying out works using local authority funding.</p> <p>A NPDO is unlikely to be able to take the risk of a full repairing lease but will be able to take the risk on day to day maintenance requirements.</p>			<p>A newly established NPDO will not have the historical financial data compared to existing operators that could mean it does not make it through the selection questionnaire stage. It will also not have the operational history compared to existing organisations making its ability to score higher limited. Consequently, there is a risk of establishing a NPDO for it to be unsuccessful during procurement.</p> <p>The key risk for a NPDO is that it has a smaller base to share risk if any local factors impact its income generating opportunities. They do not have a larger organisational mix of facilities and contracts.</p> <p>The NPDO is also dependent on a small team of experts within its senior management team to deliver the strategic direction of the organisation, as well as operational requirements.</p> <p>Any new organisation will require a period of support i.e. up to 3 years to ensure long term stability. The NPDO will require flexibility and support so that it can build up a contingency of between 10% and 15% of overall annual turnover. Ultimately, if the NPDO fails, the Council will have no option but to assume operational responsibility.</p> <p>If a NPDO fails, the Council can provide the additional funding required or allow the trust to fail and find alternative delivery models. Both can be both costly, resource heavy for officers and negative in terms of public relations.</p>	<p>newly established NPDO will not have the historical financial data compared to existing operators that could mean it does not make it through the selection questionnaire stage. It will also not have the operational history compared to existing organisations making its ability to score higher limited. Consequently, there is a risk of establishing a NPDO for it to be unsuccessful during procurement.</p> <p>The key risk for a NPDO is that it has a smaller base to share risk if any local factors impact its income generating opportunities. They do not have a larger organisational mix of facilities and contracts.</p> <p>The NPDO is also dependent on a small team of experts within its senior management team to deliver the strategic direction of the organisation, as well as operational requirements.</p> <p>Any new organisation will require a period of support i.e. up to 3 years to ensure long term stability. The NPDO will require flexibility and support so that it can build up a contingency of between 10% and 15% of overall annual turnover. Ultimately, if the NPDO fails, the Council will have no option but to assume operational responsibility.</p> <p>If a NPDO fails, the Council can provide the additional funding required or allow the trust to fail and find alternative delivery models. Both can be both costly, resource heavy for officers and negative in terms of public relations.</p>

Risk/Sustainability - Ability to manage financial risk and the organisation is sustainable in the long term.					
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
	<p>It is unlikely that a NPDO will be able to carry full risk for utilities, however a share in risk should be possible with the NPDO taking risk on consumption.</p> <p>Establishing the correct governance structure will be key to managing financial risk. If the Company is established in the correct way with the correct balance between Council influence and commerciality then long term financial sustainability is achievable.</p>			<p>The local authority should be able to transfer the risk of carrying out works using local authority funding.</p> <p>A NPDO is unlikely to be able to take the risk of a full repairing lease but will be able to take the risk on day to day maintenance requirements.</p> <p>It is unlikely that a NPDO will be able to carry full risk for utilities, however a share in risk should be possible with the LATC taking risk on consumption.</p> <p>Establishing the correct governance structure will be key to managing financial risk. If the Company is established in the correct way with the correct balance between Council influence and commerciality then long term financial sustainability is achievable.</p>	<p>Establishing the correct governance structure will be key to managing financial risk. If the Company is established in the correct way with the correct balance between Council influence and commerciality then long term financial sustainability is achievable.</p>
	Score - 3	Score - 3	Score - 3	Score - 3	Score - 3

Risk/Operations - Ability to manage day to day operational risk of complex leisure centres/services					
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
In-House	<p>With an established in-house leisure team there are no concerns over the ability of the in-house team managing all leisure facilities within the Councils portfolio.</p> <p>Existing staff and skills would transfer back to the Council at SPLC and the Lido.</p> <p>The repairs and maintenance would be managed through the council's central team, which at The Pulse has resulted in maintenance costs being significantly higher than average, although the centre is well maintained. In addition, redecoration and lifecycle maintenance must compete with other Council priorities.</p> <p>Typically there is less commercial experience and expertise within the in-house option, which can impact on the level of service and revenue opportunities, however the in-house team at The Pulse have demonstrated they can achieve income benchmarks comparable to SLM at SPLC.</p> <p>If the service is managed in-house there may be limited monitoring and measuring of performance compared to that of an external trust/operator. The Council would need to consider accreditations such as Quest, which it currently has at The Pulse, to verify the quality of service being delivered and that it is offering value to its customers.</p>			<p>Currently, successfully managed in-house and is able to manage the day-to-day operational risks.</p> <p>Existing staff with the knowledge and experience will remain.</p> <p>There are already Forward Plans and operational policies and procedures in place, including an annual service improvement plan.</p>	<p>Existing staff with the knowledge and experience will remain.</p> <p>The Council team understands the local needs and priorities and has connections and networks that enable the service to be delivered successfully.</p> <p>There are a number of case studies of current projects and initiatives show casing the team's ability to deliver community health and wellbeing projects successfully.</p>
	Score - 5	Score - 5	Score - 5	Score - 5	Score - 5
External Contractor	<p>Existing contractors have a wide range of experience across all leisure centre types and therefore can bring this breadth of leisure experience to the contract.</p> <p>All leisure contractors hold external validated quality accreditation i.e. Quest, Customer Service Excellence, IIP, ISO 14001, EMAS type awards.</p>			<p>External contractors, particularly leisure management companies have limited experience of museum management, however there are examples such as SLM at Cotswolds who manage the Corinium Museum.</p>	<p>Whilst staff would transfer to an external contractor, bringing their skills and experience, the local focus and priority could shift under an external contractor.</p> <p>External contractors have less experience of deliver sports, health and wellbeing development compared to facilities</p>

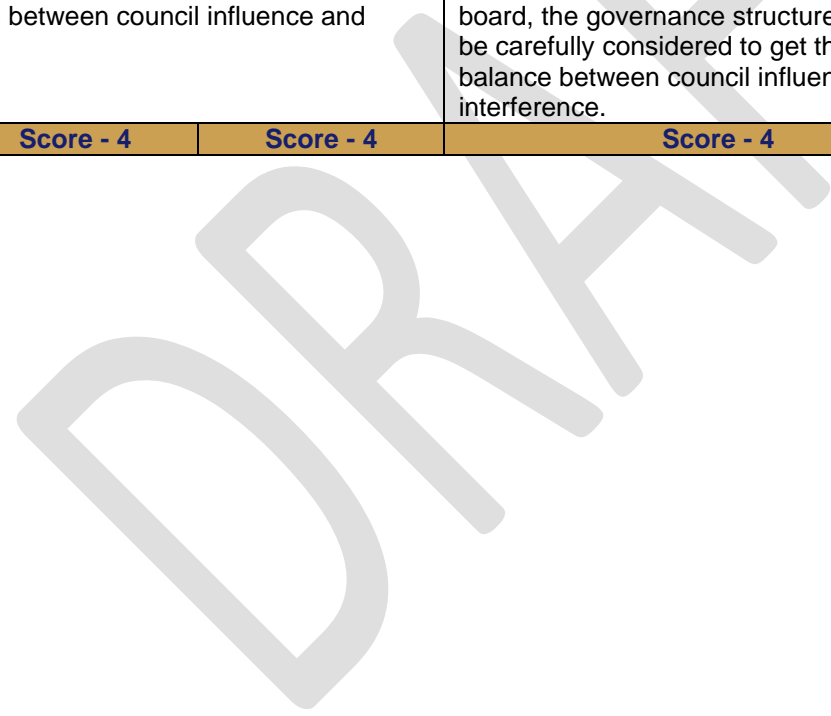
Leisure and Wellbeing Strategy for the Stroud District 2021 - 2040
Appendix 16 - Management Options Appraisal

Risk/Operations - Ability to manage day to day operational risk of complex leisure centres/services					
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
	<p>They tend to have head office resource with dedicated manager for quality, health and safety, HR, environmental management, maintenance etc.</p> <p>A performance management system will be put in place with detailed key performance indicators for operators to achieve.</p> <p>At SPLC under an external contract the latest NBS report highlighted activity available, ease of booking and range of activities available as a strength.</p>			<p>They tend to have head office resource with dedicated manager for quality, health and safety, HR, environmental management, maintenance etc.</p> <p>A performance management system can be put in place with detailed key performance indicators for operators to achieve.</p>	<p>management. Typically they tend to focus on GP referral schemes and rehabilitation/prevention classes within leisure facilities and rarely deliver outreach health and wellbeing services.</p>
	Score - 5	Score - 5	Score - 5	Score - 4	Score - 3
Local Authority Trading Company	<p>Staff will transfer to the new LATC bringing their experience and knowledge, which will help minimise operational impact.</p> <p>New organisations procedures, policies and standards in relation to central services (HR, Finance, VAT, Health and Safety, Maintenance etc.) may take time to become established and there may be risk in the mobilisation / transition period. However, there are a number of organisations that provide specialist health and safety, PR, marketing support etc. and a new LATC could buy in these skills as and when it required or it could utilise the Councils support services with a recharge arrangement.</p> <p>A LATC is unlikely to be able to take on full repair and maintenance responsibilities. However, it is likely to be able to take on day to day repair and maintenance responsibilities. The local authority needs to consider how it will monitor maintenance programmes to ensure the operational team is carrying out planned works and to the required standard. Often this can be undertaken by a in house Property Services team.</p>			<p>Staff will transfer to the new LATC bringing their experience and knowledge, which will help minimise operational impact.</p> <p>It may take time to embed policies and procedures for a new LATC and therefore potential risk during mobilisation/transition period. However, there are a number of organisations that provide specialist health and safety, PR, marketing support etc. to small leisure trusts and a new LATC could buy in these skills as and when it required or it could utilise the Councils support services with a recharge arrangement.</p>	<p>Staff will transfer to the new LATC bringing their experience and knowledge, which will help minimise operational impact. It will be reliant on these members of staff to deliver the services as it will not be able to draw on previous experience.</p>
	Score - 4	Score - 4	Score - 4	Score - 4	Score - 4

Risk/Operations - Ability to manage day to day operational risk of complex leisure centres/services					
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
Locally established NPDO	<p>Staff will transfer to the new NPDO bringing their experience and knowledge, which will help minimise operational impact.</p> <p>New organisations procedures, policies and standards in relation to central services (HR, Finance, VAT, Health and Safety, Maintenance etc.) may take time to become established and there may be risk in the mobilisation / transition period. However, there are a number of organisations that provide specialist health and safety, PR, marketing support etc. and a new LNPDO could buy in these skills as and when it required or it could utilise the Councils support services with a recharge arrangement.</p> <p>A NPDO is unlikely to be able to take on full repair and maintenance responsibilities. However, it is likely to be able to take on day to day repair and maintenance responsibilities. The local authority needs to consider how it will monitor maintenance programmes to ensure the operational team is carrying out planned works and to the required standard. Often this can be undertaken by a in house Property Services team.</p>			<p>Staff will transfer to the new NPDO bringing their experience and knowledge, which will help minimise operational impact.</p> <p>It may take time to embed policies and procedures for a new NPDO and therefore potential risk during mobilisation/transition period. However, there are a number of organisations that provide specialist health and safety, PR, marketing support etc. to small leisure trusts and a new NPDO could buy in these skills as and when it required or it could utilise the Councils support services with a recharge arrangement.</p>	<p>Staff will transfer to the new NPDO bringing their experience and knowledge, which will help minimise operational impact. It will be reliant on these members of staff to deliver the services as it will not be able to draw on previous experience.</p>
	Score - 4	Score - 4	Score - 4	Score - 4	Score - 4

Council Influence and Control - Degree of Council control over the services on day to day basis.					
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
In-House	The Council will be able to exert the most direct control over services through the in-house management option.		The Council will be able to exert the most direct control over services through the in-house management option.		The Council will be able to exert the most direct control over services through the in-house management option.
	Score - 5	Score - 5	Score - 5	Score - 5	Score - 5
External Contractor	<p>The external contractor must deliver against the Council's specification and contract. The specification will include an annual service planning element to ensure that the Council's changing requirements can be incorporated into future service delivery.</p> <p>An outsourced partner will report to its own board of trustees / directors who may have differing objectives to the Council.</p> <p>Significant changes to service delivery can be more formal; whilst flexibility in contracts can be included, there may be financial consequences to any significant changes.</p>		<p>The external contractor must deliver against the Council's specification and contract. The specification will include an annual service planning element to ensure that the Council's changing requirements can be incorporated into future service delivery.</p> <p>An outsourced partner will report to its own board of trustees / directors, who may have differing objectives to the Council.</p> <p>Significant changes to service delivery can be more formal; whilst flexibility in contracts can be included, there may be financial consequences to any significant changes.</p>		<p>The external contractor must deliver against the Council's specification and contract. The specification will include an annual service planning element to ensure that the Council's changing requirements can be incorporated into future service delivery.</p> <p>An outsourced partner will report to its own board of trustees / directors who may have differing objectives to the Council.</p> <p>Significant changes to service delivery can be more formal; whilst flexibility in contracts can be included, there may be financial consequences to any significant changes.</p>
	Score - 3	Score - 3	Score - 3	Score - 3	Score - 3
Local Authority Trading Company	<p>The specification will set out the Council's priorities in respect to pricing / programming and other elements of service delivery.</p> <p>An annual service planning element of the specification can ensure that the Council's changing requirements can be incorporated into future service delivery.</p> <p>There is Council representation on the board, the governance structure will need to be carefully considered to get the right balance between council influence and interference.</p>		<p>The specification will set out the Council's priorities in respect to programming and other elements of service delivery.</p> <p>An annual service planning element of the specification can ensure that the Council's changing requirements can be incorporated into future service delivery.</p> <p>There is Council representation on the board, the governance structure will need to be carefully considered to get the right balance between council influence and interference.</p>		<p>The specification will set out the Council's priorities in respect to key elements of service delivery.</p> <p>An annual service planning element of the specification can ensure that the Council's changing requirements can be incorporated into future service delivery.</p> <p>There is Council representation on the board, the governance structure will need to be carefully considered to get the right balance between council influence and interference.</p>

Council Influence and Control - Degree of Council control over the services on day to day basis.					
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
	Score - 4	Score - 4	Score - 4	Score - 4	Score - 4
Locally established NPDO	<p>The specification will set out the Council's priorities in respect to pricing / programming and other elements of service delivery.</p> <p>An annual service planning element of the specification can ensure that the Council's changing requirements can be incorporated into future service delivery.</p> <p>There is Council representation on the board, the governance structure will need to be carefully considered to get the right balance between council influence and interference.</p>			<p>The specification will set out the Council's priorities in respect to programming and other elements of service delivery.</p> <p>An annual service planning element of the specification can ensure that the Council's changing requirements can be incorporated into future service delivery.</p> <p>There is Council representation on the board, the governance structure will need to be carefully considered to get the right balance between council influence and interference.</p>	<p>The specification will set out the Council's priorities in respect to key elements of service delivery.</p> <p>An annual service planning element of the specification can ensure that the Council's changing requirements can be incorporated into future service delivery.</p> <p>There is Council representation on the board, the governance structure will need to be carefully considered to get the right balance between council influence and interference.</p>
	Score - 4	Score - 4	Score - 4	Score - 4	Score - 4



Customer Experience and Satisfaction - How well will services be planned, developed and delivered to improve/maintain quality services. Ability to create high levels of customer satisfaction throughout all areas of service delivery.					
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
In-House	<p>There is likely to be less monitoring of performance as there will be no management contract in place. However, the management team could incorporate customer satisfaction and quality KPI's into their management plans and monitor them regularly.</p> <p>The last customer survey at The Pulse in 2020, showed that the cleanliness across the three core activity areas is particularly good with no area scoring less than 4/5.</p> <p>The Council would need to re-brand SPLC and the Lido if it moved in-house and may need to consider District-wide branding to ensure consistency across the Councils facilities.</p> <p>The Council's in-house team achieved a Quest score of 'very good' at their latest assessment in May 2021.</p>			<p>The management team currently implement monitoring and reporting procedures to measure customer satisfaction.</p> <p>Customer surveys are undertaken and visitor books available on site.</p> <p>The Museum has held the Visit England Visitor Attraction Quality Assurance Scheme Award to a high standard since 2007.</p>	<p>There is likely to be less monitoring of performance as there will be no management contract in place. However, the management team could incorporate customer satisfaction and quality KPI's into their service delivery plans and monitor them regularly.</p>
	Score - 4	Score - 4	Score - 4	Score - 5	Score - 5
External Contractor	<p>External contractors can bring a breadth of leisure experience.</p> <p>The levels of service standards in areas that are important to the council can be tested through the procurement process.</p> <p>Through a robust contractual relationship, the Council can identify continuation improved scores / and KPI's in relation to customer satisfaction scores etc.</p> <p>Large operators tend to be weaker at delivering bespoke commissioned health and wellbeing services.</p> <p>External operators have extensive experience of achieve quality awards such as Quest.</p>			<p>The levels of service standards in areas that are important to the council can be tested through the procurement process.</p> <p>Through a robust contractual relationship, the Council can identify continuation improved scores / and KPI's in relation to customer satisfaction scores etc.</p> <p>Large operators tend to be weaker at delivering bespoke commissioned local learning and cultural services.</p>	<p>Large operators tend to be weaker at delivering bespoke commissioned health and wellbeing services.</p> <p>Through a robust contractual relationship, the Council can identify continuation improved scores / and KPI's in relation to customer satisfaction scores etc.</p>

Customer Experience and Satisfaction - How well will services be planned, developed and delivered to improve/maintain quality services. Ability to create high levels of customer satisfaction throughout all areas of service delivery.					
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
	<p>The last NBS report for Stratford Park highlighted cleanliness and quality of equipment as weaknesses of the current operator, this would need to be addressed and monitored through any procurement process. There was also relatively low satisfaction with the food and drink offer at SPLC.</p> <p>External contractors tend to take a corporate approach to customer service losing the 'personal' and bespoke approach that is common with in-house or LATC arrangements.</p>				
	Score - 4	Score - 4	Score - 4	Score - 3	Score - 3
Local Authority Trading Company	<p>Skill set of existing staff would transfer.</p> <p>Branding will need to be established.</p> <p>Customer satisfaction KPI's can be incorporated into the specification documents.</p> <p>More likely to have a local bespoke approach to customer service.</p>			<p>Skill set of existing staff would transfer.</p> <p>Branding will need to be established.</p> <p>Customer satisfaction KPI's can be incorporated into the specification documents.</p> <p>More likely to have a local bespoke approach to customer service.</p>	
	Score - 4	Score - 4	Score - 4	Score - 4	Score - 4
Locally established NPDO	<p>Skill set of existing staff would transfer.</p> <p>Branding will need to be established.</p> <p>Customer satisfaction KPI's can be incorporated into the specification documents.</p> <p>More likely to have a local bespoke approach to customer service.</p>			<p>Skill set of existing staff would transfer.</p> <p>Branding will need to be established.</p> <p>Customer satisfaction KPI's can be incorporated into the specification documents.</p> <p>More likely to have a local bespoke approach to customer service.</p>	
	Score - 4	Score - 4	Score - 4	Score - 4	Score - 4

Staffing - Degree of impact on local employment, impact upon staff terms and conditions, future opportunities for staff development.					
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
In-House	<p>All the existing staff skills and operational practice transfer back to the Council at SPLC and the Lido.</p> <p>It is likely that there could be increases in staff costs at SPLC and the Lido, where new employees would be employed on Council terms and conditions, however wages across all sites are required to meet the real Living Wage, therefore salary/wage costs are comparable across all options.</p> <p>Scope for progression for employees is limited to within the Centre/Council.</p>			<p>All the existing staff skills and operational practice remain.</p> <p>No change in staff costs.</p> <p>Some training (e.g. Safeguarding, Equalities, Fire Evacuation, Key Policies) is covered at All Staff events, which includes paid and voluntary members of the team. There is a full induction process for members of the Governing Body. The Museum also supports up to five work placements in any given year. The Museum has been awarded Council's <i>Skills of Stroud Employability Charter</i> in recognition of its employment activities.</p> <p>Scope for progression for employees is limited to within the Museum/Council.</p>	<p>All the existing staff skills and operational practice remain.</p> <p>No change in staff costs.</p> <p>Scope for progression for employees is limited to within the Council.</p>
	Score - 4	Score - 4	Score - 4	Score - 5	Score - 5
External Contractor	<p>Staff will be subject to TUPE so all current terms and conditions would be protected in accordance with legislation.</p> <p>External operators are likely to offer new joiners their own company terms and conditions, which may vary from the current terms and conditions. This could result in some staff cost savings.</p> <p>External operators will offer training and development for staff specialising in the leisure industry.</p> <p>Any externalisation may crystallise any pension deficits. It is very likely that the Council would remain responsible for this under any externalisation process.</p>			<p>Staff will be subject to TUPE so all current terms and conditions would be protected in accordance with legislation.</p> <p>External operators are likely to offer new joiners their own company terms and conditions, which may vary from the current terms and conditions. This could result in some staff cost savings.</p> <p>Any externalisation may crystallise any pension deficits. It is very likely that the Council would remain responsible for this under any externalisation process.</p>	<p>Staff will be subject to TUPE so all current terms and conditions would be protected in accordance with legislation.</p> <p>External operators are likely to offer new joiners their own company terms and conditions, which may vary from the current terms and conditions. This could result in some staff cost savings.</p> <p>Any externalisation may crystallise any pension deficits. It is very likely that the Council would remain responsible for this under any externalisation process.</p>

Staffing - Degree of impact on local employment, impact upon staff terms and conditions, future opportunities for staff development.					
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
	<p>An established external operator is normally able to offer staff wider career opportunities within the company structure that otherwise would not have be available with a single contract operator.</p> <p>Possible that some employees could be brought in from other contracts, therefore percentage of employees from the local area could be reduced. However, the Council could stipulate in the specification that a certain percentage of employees must live in the local area.</p>			<p>An established external operator is normally able to offer staff wider career opportunities within the company structure that otherwise would not have be available with a single contract operator.</p>	
	Score - 4	Score - 4	Score - 4	Score - 4	Score - 4
Local Authority Trading Company	<p>Staff would transfer to the new Trust under TUPE, with their terms and conditions protected.</p> <p>A new LATC would require central posts that are not currently in place such as a Chief Executive, Finance Director etc.; this results in higher central costs.</p> <p>As a single contract entity scope for progression is limited.</p> <p>The local authority is likely to have to underwrite the pension liability. It is not reasonable to expect the LATC to take on any pension deficits</p> <p>A LATC could offer new joiners their own company terms and conditions, which could result in some staff savings although noted that the Council will require living wage to be implemented.</p>			<p>Staff would transfer to the new Trust under TUPE, with their terms and conditions protected.</p> <p>A LATC trust would require central posts that are not currently in place such as a Chief Executive, Finance Director etc.; this results in higher central costs.</p> <p>As a single contract entity scope for progression is limited.</p> <p>The local authority is likely to have to underwrite the pension liability. It is not reasonable to expect the LATC to take on any pension deficits</p> <p>A LATC could offer new joiners their own company terms and conditions, which could result in some staff savings although noted that the Council will require living wage to be implemented.</p>	
	Score - 4	Score - 4	Score - 4	Score - 4	Score - 4

Staffing - Degree of impact on local employment, impact upon staff terms and conditions, future opportunities for staff development.					
	SPLC	Lido	The Pulse	Museum	SD, Health & Wellbeing Services
Locally established NPDO	Staff would transfer under TUPE, with their terms and conditions protected.			Staff would transfer to the new Trust under TUPE, with their terms and conditions protected.	Staff would transfer to the new Trust under TUPE, with their terms and conditions protected.
	<p>A new NPDO would require central posts that are not currently in place such as a Chief Executive, Finance Director etc.; this results in higher central costs.</p> <p>As a single contract entity scope for progression is limited.</p> <p>The local authority is likely to have to underwrite the pension liability. It is not reasonable to expect the NPDO to take on any pension deficits</p> <p>A NPDO could offer new joiners their own company terms and conditions, which could result in some staff savings although noted that the Council will require living wage to be implemented.</p>			<p>A NPDO trust would require central posts that are not currently in place such as a Chief Executive, Finance Director etc.; this results in higher central costs.</p> <p>As a single contract entity scope for progression is limited.</p> <p>The local authority is likely to have to underwrite the pension liability. It is not reasonable to expect the NPDO to take on any pension deficits</p> <p>A NPDO could offer new joiners their own company terms and conditions, which could result in some staff savings although noted that the Council will require living wage to be implemented.</p>	<p>A NPDO trust would require central posts that are not currently in place such as a Chief Executive, Finance Director etc.; this results in higher central costs.</p> <p>As a single contract entity scope for progression is limited.</p> <p>The local authority is likely to have to underwrite the pension liability. It is not reasonable to expect the NPDO to take on any pension deficits</p> <p>A NPDO could offer new joiners their own company terms and conditions, which could result in some staff savings although noted that the Council will require living wage to be implemented.</p>
	Score - 4	Score - 4	Score - 4	Score - 4	Score - 4

4.4 Evaluation Scores

4.4.1 Given the descriptive assessment of each management option being able to meet the Council’s requirements, each criterion has been scored for each management option. The summary of the overall scores is shown in the table below. The detailed scores are included at **Appendix 16c**.

4.4.2 It can be seen that the in-house option has scored the highest across all areas of the scope of the appraisal, with the LATC and external contractor option in second at the leisure centres. The LATC option scored higher for The Museum in the Park and sports development, health and wellbeing services, than the external contractor. At the leisure centres the difference between the LATC, NPDO and external contractor is marginal.

Table 10 - Evaluation Scores Summary

Centre	In-House	External Contractor	LATC	NPDO
SPLC	88%	78%	78%	76%
Lido	88%	78%	78%	76%
The Pulse	88%	78%	78%	76%
Museum in the Park	95%	70%	78%	76%
SD, Health and Wellbeing Services	95%	62%	80%	78%

4.5 Catering Services

4.5.1 Due to the unique setting of Stratford Park and the facilities within it, it is worth noting the potential for catering across the park as a whole. Currently, the catering services at the leisure centre and museum are managed by the respective management company for each venue. Whilst this is a standard approach and one that could continue in any future management arrangements, the Council as part of its future management options could consider separating the catering at SPLC, Lido and the Museum in the Park and offering it out under a concession or franchise arrangement to a specialist catering provider.

4.5.2 This is primarily due to the potential for catering across Stratford Park as a whole and providing a consistent quality of provision across both venues to drive the revenue potential.

4.5.3 There is scope to improve the quality at the leisure centre, increase secondary spend at the museum and also maximise secondary spend of Lido users and general park visitors, particularly in the summer months to create a profitable catering offer. With the potential investment across the facilities as outlined in Stage 3 of the Leisure & Wellbeing Strategy catering will be central to increasing dwell time and usage.

4.5.4 The nearest café is at Tesco, which has a Costa coffee shop, however this is not easily accessible by park users as it requires crossing the road and Tesco car park to reach.

4.5.5 It is recommended that regardless of management option, the specification and monitoring of the catering service at all venues is carefully considered and implemented. Consequently, it is recommended that the Council seeks specialist catering advice from suppliers to understand the potential for a concession or franchise arrangement, prior to finalising the future management option.

5 Conclusions

- 5.1 Based on the evaluation criteria and weighting given to each, the in-house management option is recommended as being best able to deliver against the Councils outcomes, across all facilities and services. It is, however, likely to result in increased revenue costs due to the additional NNDR and other operational costs.
- 5.2 The LATC and NPDO options would be well placed to deliver against the Councils outcomes and operate at a better financial position than the in-house model across the leisure centres, however as a new entity, there is slightly more risk involved with this option. The NPDO would also have to be successful in a procurement process.
- 5.3 The external contractor model, whilst scores the highest from a revenue perspective across the leisure centres its ability to deliver against leisure, health and wellbeing outcomes is not deemed to be as effective as the in-house or LATC/NPDO options. It also scored significantly lower than both the in-house and LATC options for the Museum in the Park and sports development, health and wellbeing services.
- 5.4 Achieving Council outcomes and revenue position are considered the most important factors in the evaluation criteria. Additional analysis shows that if the weightings between these two areas were equal, or revenue was the higher weighting of the two then the in-house option will still score highest overall due to its performance in other areas of the evaluation. Although the difference between the two models is reduced from 10% at the leisure centres to 2% if the weightings are switched.
- 5.5 Consequently, it is recommended that the Council considers either operating all of the facilities and services in-house or depending on financial pressures, establish a LATC for the management of the leisure centres. If the Council follows the LATC model, then it could consider a phased approach, bringing the leisure centres under its management initially. A NPDO would not be recommended due to the risk involved from a procurement process.
- 5.6 It is recommended that the Museum in the Park and sports development, health and wellbeing services continue to be delivered in-house. However, if a LATC is established then once matured the Council could further assess the opportunity of transferring the Museum and sports development, health and wellbeing services under its management.
- 5.7 Prior to the Council mobilising its preferred management option, it is recommended that they seek specialist catering advice to understand the potential of having one catering provider across the Park as whole.

Appendix 16a – Options for Transfer of SDC’s Leisure and Wellbeing Services to a New Corporate Vehicle²

Criteria	Company Limited by Guarantee (CLG)	Community interest company (CIC)	Charitable incorporated organisation (CIO)	Community benefit society (CBS)
Principal features	Company run by directors with a separate membership who guarantee the debts/ liabilities of the company up to a minimal amount. However directors have to run the company in the best interests of the company, not the Council.	Not a corporate vehicle in itself but rather a “wrapper” around another vehicle - additionally requirement is a social purpose behind a company’s activities. Likely to be a company limited by guarantee.	Low key organisation run by trustees, allowing a small organisation to have corporate status, to improve their ability to access grants, employ staff and enter into contracts. Has both members and trustees	Set up to run as a business but that must be run for the benefit of the community at large, rather than only its members. Any profit made by a <i>community benefit society</i> must be used for the <i>benefit</i> of the <i>community</i>
Principal Legislation	Companies Act 2006	Companies Act 2006 and Companies (Audit, Investigations and Community Enterprise) Act 2004	Charities Act 2011	Co-operative and Community Benefit Societies Act 2014
What role for council	Council can be a sole member of the CLG, usually having a shareholder’s agreement with the company to set out how it oversees what the directors do, though otherwise directors have to run the company in the best interests of the company, not the Council.	Same as CLG	Two types of CIO, foundation or association. Latter not suitable as is for wider membership. With a foundation CIO, the member(s) is/are also the trustee(s), and a trustee has to be an individual person, so the Council cannot be a member/trustee.	Cannot have a sole member, has to have at least 3 members. However a member can be a corporate body such as the Council. Often used for mutual ownership organisations, where employee-members have a stake in the running of the company, though they cannot receive a share in any profits. Directors elected by the members
Can the Council award a contract to it directly without	Yes, if meets the required tests (see note 1 below – Teckal exemption)	Yes, if meets the required tests (see note 1 below – Teckal exemption).	No, insufficient control to meet the Teckal exemption (see note 1 below)	Probably not, insufficient control to meet the Teckal

² Deborah Down 25th September 2020 © Sharpe Pritchard LLP

Leisure and Wellbeing Strategy for the Stroud District 2021 - 2040
Appendix 16 - Management Options Appraisal

Criteria	Company Limited by Guarantee (CLG)	Community interest company (CIC)	Charitable incorporated organisation (CIO)	Community benefit society (CBS)
a tender exercise?				exemption (see note 1 below)
Appropriate for contract model retaining control?	Yes	Yes	No	No
Appropriate for arms' length contract?	Yes in theory, but if not set up as Teckal company with control, then would have to tender the contract first	Yes in theory, but if not set up as Teckal company with control, then would have to tender the contract first	Yes, but WCC would have to tender that contract as CIO cannot be a Teckal company	Yes, but WCC would have to tender that contract as CBS cannot be a Teckal company
Appropriate for asset transfer	Yes (but see note 4 below)	Yes (but see note 4 below)	Probably not, as aimed at small charities just starting to expand. Not very familiar form to banks etc	Yes (but see note 4 below)
Governing document (see also below on charity registration and NNDR)	Articles of Association. Typically this does not allow profits to be passed up to its membership	Articles of Association containing required social objectives and asset lock (see note 5)	CIO model constitution published by the Charity Commission (only limited deviations permitted)	Constitution with required community benefit objectives
Regulator	Companies House	Companies House plus independent CIC Regulator	Charity Commission	Financial Conduct Authority
Can it register as a charity?	Yes, if meets Charity Commission requirements (see note 2 below)	No	Automatically a registered charity	No, but can register as charity for tax purposes with HMRC
NNDR charitable exemption available (see note 3)?	Yes, even if not a registered charity, provided the Articles of Association include the required charitable purposes – CLG has to be an organisation established for charitable purposes only	Yes, even though cannot be a registered charity, provided the Articles of Association include the required charitable purposes – CIC has to be an organisation established for charitable purposes only	Yes, because automatically a registered charity	Yes, provided that Articles of Association include the required charitable purposes – CBS has to be an organisation established for charitable purposes only
Indirect taxation benefits available especially VAT?	Specific advice required taking into account the Council's own	Specific advice required taking into account the Council's own	Yes, because by definition is a charitable organisation which	Can register as charity for tax purposes with HMRC.

Criteria	Company Limited by Guarantee (CLG)	Community interest company (CIC)	Charitable incorporated organisation (CIO)	Community benefit society (CBS)
	partial VAT exemption. There is a Sporting Services VAT exemption (VAT Notice 701/45). Specific considerations about taxing the property if a property disposal	partial VAT exemption. There is a Sporting Services VAT exemption (VAT Notice 701/45). Specific considerations about taxing the property if a property disposal	gets HMRC registration for charitable purposes and therefore VAT relief. Specific considerations about taxing the property if a property disposal	Specific considerations about taxing the property if a property disposal
Speed of incorporation (without separate charity registration)	Once directors selected and Articles of Association prepared, Companies House can register the same day if there are no issues	Once directors selected and Articles of Association prepared, submit to Companies House. There is an additional form which CH pass on to the CIC Regulator. Registration can only take place by CH once the CIC Regulator has confirmed that it is satisfied there is sufficient social benefit.	Charity Commission website indicates 40 working days if there is no deviation from the model constitution. However anecdotally the CC has a backlog and is very slow.	Slower than CLG but only one registration
Other considerations	<ol style="list-style-type: none"> 1. Incorporation is only part of the story, still need to either dispose of the assets to, or enter into a contract with, the new corporate vehicle, as well as required SDC governance approval. 2. If SDC is interested in working with another local authority, then a Teckal company can be set up controlled by two local authorities 3. Council appointed directors need to act in the best interests of the company, and consequently will have to deal with conflict of interest situations 4. Even with a contract, the contractual payment to the Council may have to be expressed as rent, as having a peppercorn rent with a separate payment to the Council may fall foul of the issue described at note 4; in addition a payment to the Council from say a CLG, and which is not described as rent, may be treated as a profit and so subject to corporation tax. 			

Appendix 16b – Revenue Implications**Stratford Park Leisure Centre – Year 5 – All Management Options**

SPLC	In-House	External Contractor	LATC/NPDO
Health & Fitness Membership	760,074	760,074	760,074
Health & Fitness Casual	39,167	39,167	39,167
Health & Fitness Group Exercise	75,761	75,761	75,761
Toning Membership	74,974	74,974	74,974
Spa & Treatment Room Hire	135,083	135,083	135,083
Swimming - Casual	87,769	87,769	87,769
Swimming - Lessons/Courses	497,230	497,230	497,230
Swimming - Hire	98,639	98,639	98,639
Sports Hall	118,695	118,695	118,695
Squash	23,269	23,269	23,269
Adventure Play Zone (Digital)	224,179	224,179	224,179
Outdoor - 3G Pitch	60,178	60,178	60,178
Outdoor - Tennis & Padel	30,301	30,301	30,301
Secondary - Catering	286,240	286,240	286,240
Secondary - Retail	54,526	54,526	54,526
Adventure Golf	238,508	238,508	238,508
TOTAL INCOME	2,804,591	2,804,591	2,804,591

EXPENDITURE			
Salaries	1,517,920	1,454,156	1,454,156
Utilities	186,395	159,767	186,395
NNDR	134,400	26,880	26,880
Insurance	28,046	28,046	28,046
Lifecycle	65,000	65,000	65,000
Repairs & Maintenance	123,000	116,850	123,000
Cleaning	13,838	13,838	13,838
Equipment	15,375	15,375	15,375
Other Supplies	28,046	28,046	28,046
Advertising & Marketing	56,092	56,092	56,092
Communications	14,023	14,023	14,023
Other Administration	15,179	14,542	14,542
Costs of Sales	170,383	170,383	170,383
Capital Costs	0	0	0
Irrecoverable VAT	28,615	27,278	28,590
OPERATIONAL EXPENDITURE	2,396,311	2,190,275	2,224,364

Central Costs	167,742	153,319	311,411
Profit	0	109,514	44,487

TOTAL EXPENDITURE	2,564,053	2,453,108	2,580,262
--------------------------	------------------	------------------	------------------

SURPLUS / DEFICIT	240,538	351,483	224,329
--------------------------	----------------	----------------	----------------

The Pulse, Dursley – Year 5 – All Management Option

The Pulse	In-House	External Contractor	LATC/NPDO
Health & Fitness Membership	539,966	539,966	539,966
Health & Fitness Casual	44,438	44,438	44,438
Health & Fitness Group Exercise	45,210	45,210	45,210
Swimming - Casual	145,420	145,420	145,420
Swimming - Lessons/Courses	414,365	414,365	414,365
Swimming Lessons - Private	62,000	62,000	62,000
Swimming - Hire	55,486	55,486	55,486
Secondary - Vending	15,413	15,413	15,413
Secondary - Retail	30,826	30,826	30,826
Other	0	0	0
TOTAL INCOME	1,353,125	1,353,125	1,353,125

EXPENDITURE			
Salaries	758,312	723,839	723,839
Utilities	96,445	52,606	96,445
NNDR	51,408	10,282	10,282
Insurance	13,531	13,531	13,531
Lifecycle	25,000	25,000	25,000
Repairs & Maintenance	48,600	24,300	48,600
Cleaning & Chemicals	29,160	29,160	29,160
Equipment	26,730	26,730	26,730
Other Supplies	9,472	9,472	9,472
Advertising & Marketing	27,062	27,062	27,062
Communications	6,766	6,766	6,766
Other Administration	3,792	3,619	3,619
Costs of Sales	23,120	23,120	23,120
Depreciation	0	0	0
Irrecoverable VAT	12,387	9,655	12,380
Other	0	0	0
OPERATIONAL EXPENDITURE	1,131,785	985,141	1,056,005

Central Costs	202,353	68,960	147,841
Profit	0	49,257	21,120

TOTAL EXPENDITURE	1,334,138	1,103,358	1,224,966
--------------------------	------------------	------------------	------------------

SURPLUS / DEFICIT	18,987	249,766	128,159
--------------------------	---------------	----------------	----------------

SPLC & The Pulse	In-House	External Contractor	LATC/NPDO
Combined Surplus	259,526	601,249	352,487

Leisure and Wellbeing Strategy for the Stroud District 2021 - 2040
Appendix X - Management Options Appraisal

Appendix 16c – Detailed Evaluation Scores

SPLC				Score				Weighted Score			
Criteria	Measures	Overall weighting	In-House	External Contractor	LATC	NPDO	In-House	External Contractor	LATC	NPDO	
1	Council Objectives/Strategic outcomes	Able to understand the community within which the organisation is working to deliver the strategic outcomes of the Council and of the Leisure & Wellbeing Strategy. Ability to increase targeted participation and Social Value.	25%	5	3	4	4	25%	15%	20%	20%
3	Revenue implications	Ability to maximise revenue, through performance and / or governance structure. Ability to effectively manage expenditure and costs.	15%	3	5	4	4	9%	15%	12%	12%
4	Capital resources	Ability to support the design, build and mobilisation of new / re-developed facilities	10%	5	4	3	3	10%	8%	6%	6%
5	Risk/sustainability	Ability to manage financial risk and the organisation is sustainable in the long term.	10%	4	4	4	3	8%	8%	8%	6%
6	Risk / operations	Ability to manage day to day operational risk of complex leisure centres/services	10%	5	5	4	4	10%	10%	8%	8%
7	Council influence and control	Degree of Council control over the services on day to day basis.	10%	5	3	4	4	10%	6%	8%	8%
8	Customer experience and satisfaction	How well will services be planned, developed and delivered to improve/maintain quality services. Ability to create high levels of customer satisfaction throughout all areas of service delivery.	15%	4	4	4	4	12%	12%	12%	12%
9	Staffing	Degree of impact on local employment, impact upon staff terms and conditions, future opportunities for staff development.	5%	4	4	4	4	4%	4%	4%	4%
			100%	35	32	31	30	88%	78%	78%	76%

Leisure and Wellbeing Strategy for the Stroud District 2021 - 2040
Appendix 16 - Management Options Appraisal

STRATFORD PARK LIDO				Score				Weighted Score			
	Criteria	Measures	Overall weighting	In-House	External Contractor	LATC	NPDO	In-House	External Contractor	LATC	NPDO
1	Council Objectives/Strategic outcomes	Able to understand the community within which the organisation is working to deliver the strategic outcomes of the Council and of the Leisure & Wellbeing Strategy. Ability to increase targeted participation and Social Value.	25%	5	3	4	4	25%	15%	20%	20%
3	Revenue implications	Ability to maximise revenue, through performance and / or governance structure. Ability to effectively manage expenditure and costs.	15%	3	5	4	4	9%	15%	12%	12%
4	Capital resources	Ability to support the design, build and mobilisation of new / re-developed facilities	10%	5	4	3	3	10%	8%	6%	6%
5	Risk/sustainability	Ability to manage financial risk and the organisation is sustainable in the long term.	10%	4	4	4	3	8%	8%	8%	6%
6	Risk / operations	Ability to manage day to day operational risk of complex leisure centres/services	10%	5	5	4	4	10%	10%	8%	8%
7	Council influence and control	Degree of Council control over the services on day to day basis.	10%	5	3	4	4	10%	6%	8%	8%
8	Customer experience and satisfaction	How well will services be planned, developed and delivered to improve/maintain quality services. Ability to create high levels of customer satisfaction throughout all areas of service delivery.	15%	4	4	4	4	12%	12%	12%	12%
9	Staffing	Degree of impact on local employment, impact upon staff terms and conditions, future opportunities for staff development.	5%	4	4	4	4	4%	4%	4%	4%
			100%	35	32	31	30	88%	78%	78%	76%

Leisure and Wellbeing Strategy for the Stroud District 2021 - 2040
Appendix 16 - Management Options Appraisal

THE PULSE, DURSLEY				Score				Weighted Score			
	Criteria	Measures	Overall weighting	In-House	External Contractor	LATC	NPDO	In-House	External Contractor	LATC	NPDO
1	Council Objectives/Strategic outcomes	Able to understand the community within which the organisation is working to deliver the strategic outcomes of the Council and of the Leisure & Wellbeing Strategy. Ability to increase targeted participation and Social Value.	25%	5	3	4	4	25%	15%	20%	20%
3	Revenue implications	Ability to maximise revenue, through performance and / or governance structure. Ability to effectively manage expenditure and costs.	15%	3	5	4	4	9%	15%	12%	12%
4	Capital resources	Ability to support the design, build and mobilisation of new / re-developed facilities	10%	5	4	3	3	10%	8%	6%	6%
5	Risk/sustainability	Ability to manage financial risk and the organisation is sustainable in the long term.	10%	4	4	4	3	8%	8%	8%	6%
6	Risk / operations	Ability to manage day to day operational risk of complex leisure centres/services	10%	5	5	4	4	10%	10%	8%	8%
7	Council influence and control	Degree of Council control over the services on day to day basis.	10%	5	3	4	4	10%	6%	8%	8%
8	Customer experience and satisfaction	How well will services be planned, developed and delivered to improve/maintain quality services. Ability to create high levels of customer satisfaction throughout all areas of service delivery.	15%	4	4	4	4	12%	12%	12%	12%
9	Staffing	Degree of impact on local employment, impact upon staff terms and conditions, future opportunities for staff development.	5%	4	4	4	4	4%	4%	4%	4%
			100%	35	32	31	30	88%	78%	78%	76%

Leisure and Wellbeing Strategy for the Stroud District 2021 - 2040
Appendix 16 - Management Options Appraisal

MUSEUM IN THE PARK				Score				Weighted Score			
	Criteria	Measures	Overall weighting	In-House	External Contractor	LATC	NPDO	In-House	External Contractor	LATC	NPDO
1	Council Objectives/Strategic outcomes	Able to understand the community within which the organisation is working to deliver the strategic outcomes of the Council and of the Leisure & Wellbeing Strategy. Ability to increase targeted participation and Social Value.	25%	5	3	4	4	25%	15%	20%	20%
3	Revenue implications	Ability to maximise revenue, through performance and / or governance structure. Ability to effectively manage expenditure and costs.	15%	4	4	4	4	12%	12%	12%	12%
4	Capital resources	Ability to support the design, build and mobilisation of new / re-developed facilities	10%	5	4	3	3	10%	8%	6%	6%
5	Risk/sustainability	Ability to manage financial risk and the organisation is sustainable in the long term.	10%	4	4	4	3	8%	8%	8%	6%
6	Risk / operations	Ability to manage day to day operational risk of complex leisure centres/services	10%	5	4	4	4	10%	8%	8%	8%
7	Council influence and control	Degree of Council control over the services on day to day basis.	10%	5	3	4	4	10%	6%	8%	8%
8	Customer experience and satisfaction	How well will services be planned, developed and delivered to improve/maintain quality services. Ability to create high levels of customer satisfaction throughout all areas of service delivery.	15%	5	3	4	4	15%	9%	12%	12%
9	Staffing	Degree of impact on local employment, impact upon staff terms and conditions, future opportunities for staff development.	5%	5	4	4	4	5%	4%	4%	4%
			100%	38	29	31	30	95%	70%	78%	76%

Leisure and Wellbeing Strategy for the Stroud District 2021 - 2040
Appendix 16 - Management Options Appraisal

SPORTS DEVELOPMENT, HEALTH & WELLBEING SERVICES				Score				Weighted Score			
	Criteria	Measures	Overall weighting	In-House	External Contractor	LATC	NPDO	In-House	External Contractor	LATC	NPDO
1	Council Objectives/Strategic outcomes	Able to understand the community within which the organisation is working to deliver the strategic outcomes of the Council and of the Leisure & Wellbeing Strategy. Ability to increase targeted participation and Social Value.	25%	5	3	4	4	25%	15%	20%	20%
3	Revenue implications	Ability to maximise revenue, through performance and / or governance structure. Ability to effectively manage expenditure and costs.	15%	4	3	4	4	12%	9%	12%	12%
5	Risk/sustainability	Ability to manage financial risk and the organisation is sustainable in the long term.	10%	4	3	4	3	8%	6%	8%	6%
6	Risk / operations	Ability to manage day to day operational risk of complex leisure centres/services	10%	5	3	4	4	10%	6%	8%	8%
7	Council influence and control	Degree of Council control over the services on day to day basis.	10%	5	3	4	4	10%	6%	8%	8%
8	Customer experience and satisfaction	How well will services be planned, developed and delivered to improve/maintain quality services. Ability to create high levels of customer satisfaction throughout all areas of service delivery.	20%	5	3	4	4	20%	12%	16%	16%
9	Staffing	Degree of impact on local employment, impact upon staff terms and conditions, future opportunities for staff development.	10%	5	4	4	4	10%	8%	8%	8%
			100%	33	22	28	27	95%	62%	80%	78%

Disclaimer

Although the information in this report has been prepared in good faith, with the best intentions, on the basis of professional research and information made available to us at the time of the study, it is not possible to guarantee the financial estimates or forecasts contained within this report.

Max Associates cannot be held liable to any party for any direct or indirect losses, financial or otherwise, associated with any information provided within this report. We have relied in a number of areas on information provided by the client and have not undertaken additional independent verification of this data.

**Stroud District Council
Management Options Appraisal – In-house vs LATC Review
November 2021**

In-House Overview

The services will be delivered through direct management of facilities through frontline staff.

The Council will have full responsibility for all income risk and expenditure be responsible for future lifecycle investment and replacement of equipment. With this, the Council will have full control over all aspects of service delivery including pricing, programming and marketing.

The in-house option allows for full flexibility for delivery and decision making from elected members. Staff can work across the leisure and wellbeing service and with other Council services with ease.

The Council has direct delivery of what is seen as a high-profile service for the community.

When considering investment, the Council will be responsible for generating sufficient surplus to pay the capital repayment for prudential borrowing for any newly developed centres.

The main disadvantage is the increase in costs due to the following which significantly impacts the commerciality of the contract:

- the majority of income being standard rated
- full NNDR costs being payable
- staff would transfer back to Stroud District Council from SLM and therefore be eligible for LGPS and standards terms and conditions, (this would impact any future outsourcing arrangements).

This has led many Councils to consider LATCs as a mechanism for 'insourcing', i.e., putting services into a wholly owned company or joint venture. Unlike bringing back the service into the Council itself, this provides the opportunity to trade externally as well as delivering services on behalf of the owning authority.

Local Authority Trading Organisation (LATC) Overview

The Council would establish an 'arm's length' organisation to run the facilities and services on its behalf.

LATCs are bodies that are free to operate as external companies but remain wholly owned and controlled by the parent council(s). As trading bodies, LATCs can provide their services to a wider market than a council department.

LATCs are contracted by the parent council (or councils) to provide services back to the council(s) via a service contract.

However, the council may decide to apply the Teckal¹ exemption, which allows the authority to establish a LATC without the requirement for a procurement exercise. It is based on case law but is codified in the Public Contracts Regulations 2015. In general, the terms of exemption require:

- the council to control the vehicle as if it were an internal department, with there being no direct private share or ownership participation in the company (this is known as the control test).
- more than 80% of the vehicle's activities to be with its 'parent' council (this is known as the function test).

A LATC can be set up as not-for-profit which are able to benefit from similar tax exemption benefits to an NPDO trust. However, it would not have charitable status.

They can be a preferred 'cultural fit', compared to procured and independent charity models. However, both risk and reward remain with the Council

There are many forms which a new organisation could take, including but not limited to the following, the structures are likely to benefit from efficient NNDR and VAT benefits:

- Co-operative or Community Benefit Society;
- Company Limited by Guarantee (CLG);
- Charitable Incorporated Organisation (CIO); and
- Community Interest Company (CIC).

¹ A "Teckal" company is the common name for a **company which benefits from contracts for works, services or supply** from its controlling Contracting Authority (or Authorities) without having to go through a competitive tender process.

Advantages & Disadvantages

Option	Financial	Quality	
LATC	Advantages	Advantages	Risks
	<ul style="list-style-type: none"> The Council can support the LATC in respect of investment opportunities in relation to prudential borrowing etc. New investment opportunities can be negotiated at any time during the contract period. Can maximise VAT and NNDR efficiencies Operate commercially support services – can purchase from the industry (e.g., marketing) or Council (payroll) Could generate a sinking fund with any profit over and above the projected business plan to re-invest back into the centres. 	<ul style="list-style-type: none"> Closer links with the community through local organisation Single focus on service delivery Staff feel more involved in the service delivery as not part of a large organisation. Set up and deliver community led co-produced programmes to have real impact on residents Perceived there is a better ‘partnership’ approach. Providing the authority with more direct strategic control over the service than a third party would Being politically more appealing as the authority is the shareholder High level of control retained. 	<ul style="list-style-type: none"> A contract and specification that ensures roles and responsibilities are clearly defined between the parties, but ultimately risk remains with the Council. Often set up with less well-defined contract, so that responsibilities are not clearly defined, or it is believed that contract terms are more easily varied (for example to meet council budget requirements). In many cases, funding agreements for LATCs are only agreed for the short term: 3-4 years, so the company operates on a short-term basis, which can be detrimental to the service. Reputational impact if organisation not successful.
	Disadvantages	Disadvantages	Other Considerations
	<ul style="list-style-type: none"> Less able to withstand significant changes in leisure trends. No other contract/sites to absorb poor financial performance. Few economies of scale realised. Likely higher central costs than the current model. High central costs may reduce levels of potential surplus. 	<ul style="list-style-type: none"> A board of trustees / directors need to be recruited. All operational procedures would have to be developed by the new organisation. No expertise from a ‘head office’. Expertise re. market led product development may need to be bought in or learned as products mature in the industry. 	<ul style="list-style-type: none"> Can be set up in a timely manner There will be significant set-up costs One off cost for branding for centres. A new organisation will require a large working capital budget to start the company, the Council may need to provide a contingency/cashflow fund for the new organisation. There will need to be suitable lease / contract / funding agreement /

Management Options Appraisal – In-house vs LATC Review

Option	Financial	Quality	
		<ul style="list-style-type: none"> Leisure Centre marketing and branding expertise will need to be developed. Can have a more relaxed approach to monitoring (for example with no deduction mechanism) in place, which can lead to service delivery issues. 	<p>services specification set up between the new organisation and the council.</p> <ul style="list-style-type: none"> Timescales – 12-15 months (see below) Longer term benefits once company has matured – it is a long term solution.
In-house	<p>Advantages</p> <ul style="list-style-type: none"> Council does not pay for any risk premiums, can easily change service inputs to meet budgetary requirements. Share support costs with other departments. Economies of scale normally achieved in utilities purchasing. Effective purchase ledger and accompanying budget monitoring systems in place. Low costs in providing capital if the Council has access to it. A staffing structure can be put in place to serve both leisure centres. Due to the success of the current in-house provision knowledge and experience would be shared across the service. 	<p>Advantages</p> <ul style="list-style-type: none"> Increases Council control over leisure services More effective cross department working; public health, education, open spaces and community development. Officers have autonomy to make local decisions Members / officers feel that they 'own / have control' of the services Changes in priorities can be implemented quickly. Joined up service provision for residents 	<p>Risks</p> <ul style="list-style-type: none"> All risk sits with the Council
	<p>Disadvantages</p> <ul style="list-style-type: none"> There will be initial costs to bring Stratford Park Leisure Centre back in-house. Higher staffing costs due to Council terms and conditions, although it is noted that SLM is currently required to pay Real Living Wage. Increased costs due to staff being able to access the LGPS. 	<p>Disadvantages</p> <ul style="list-style-type: none"> Limited access to the benefits of developing new opportunities and from economies of scale and also to the wider knowledge gained by experienced operators for innovation and development. 	<p>Other Considerations</p>

Option	Financial	Quality	
	<ul style="list-style-type: none"> • The Council will not have the benefit of NNDR and VAT relief (unless Ealing Ruling is applied) • Additional resource may be required within the Council to support the contract e.g., HR and finance. • Budget set year on year and may be subject to reductions with changing priorities of council or central government. • Central/support costs of the Council can be arbitrarily included in leisure budgets and disproportionate to overall service. • Any savings made within the service will go to the general fund and may lead to a reduced budget in the following year, not re-invested into the service / facilities. • No 'sinking' fund in place for future lifecycle building works and equipment replacement 	<ul style="list-style-type: none"> • Can be slower to react to introduce income generating schemes. • Without a defined specification, service delivery is often based upon short term priorities. • Often behind in industry innovation and new market led products, (for example, ICT initiatives). • Officers must use council procedures / contracts in areas that are not as effective / suitable for the services, for example ICT / marketing and branding. • The Council can be slow to react to implement change and is less able to react quickly to a highly competitive fitness market. • Reporting is predominantly about financial and usage performance as opposed to outputs and impacts of the service. 	

Priority Evaluation

The table below outlines the latest priorities with both options re-evaluated based on their ability to deliver against these priorities.

Priorities	In-House	LATC
<p>1. Delivery of council objectives/strategic outcomes.</p> <p>2. Able to understand the community within which the organisation is working.</p> <p>3. Ability to increase targeted participation and social value.</p> <p>Joined up council provisions for residents (fit for future)</p>	<p>Operating the centre(s) in-house means that joined up work to achieve the Council's wider strategic objectives would be more achievable than an external contractor arrangement. The management team will be able to work more easily with the other Council departments to ensure all wider strategic working is delivered.</p> <p>Delivering services in-house means that changing priorities can be quickly implemented.</p> <p>The in-house management team are already involved with wider Council strategies giving them extensive knowledge and experience of working towards Council outcomes.</p> <p>Given the success of the existing in-house management of The Pulse and the support team within the Council we are confident that an in-house operation would be successful in meeting outcomes and strategic priorities. There is sufficient resource, expertise, knowledge and experience to deliver outcomes, which is not always the case. It would be recommended however, that there is a management plan implemented with KPI's for performance and meeting outcomes to ensure the in-house delivery remains in line with strategic priorities and direction.</p> <p>Joined up working to achieve Council's outcomes and 'fit for future' aspirations are more easily deliverable under the in-house option.</p>	<p>As with the external contractor option, a specification and performance management system would be in place.</p> <p>Therefore, whilst the LATC is independent of the Council, if there is a clearly defined specification, and longer-term financial stability (known management fee / funding agreement) it can be easier for the Council's strategic outcomes to be met.</p> <p>Staff from the existing facility would transfer under TUPE therefore retaining the local experience and knowledge to deliver against outcomes.</p> <p>Has the ability to attract additional funding streams compared to in-house option, which can be used to deliver facility and services interventions.</p> <p>More likely to have a locally focussed approach compared to an external contractor.</p> <p>Company profits can be repatriated to council, invested in the company or a mix of both.</p> <p>A LATC would have outcomes and KPI's set within their management contract but there would be less control/influence over <u>how</u> they are delivered/met.</p> <p>Requirements for delivering under the fit for future agenda can be built into service specifications, however it will require partnership working with various Council departments</p>
Score	5	4
Customer experience and satisfaction. How well will services be planned,	There is likely to be less monitoring of performance as there will be no management contract in place. However, the management team could incorporate customer satisfaction	<p>Skill set of existing staff would transfer.</p> <p>Branding will need to be established.</p>

Management Options Appraisal – In-house vs LATC Review

Priorities	In-House	LATC
<p>developed and delivered to improve/maintain quality of service. Ability to create high levels of customer satisfaction throughout all areas of service delivery</p> <p>Exemplar quality of council and community facilities across the district</p>	<p>and quality KPI's into their management plans and monitor them regularly.</p> <p>The last customer survey at The Pulse in 2020, showed that the cleanliness across the three core activity areas is particularly good with no area scoring less than 4/5.</p> <p>The Council would need to re-brand SPLC and the Lido if it moved in-house and may need to consider District-wide branding to ensure consistency across the Councils facilities.</p> <p>The Council's in-house team achieved a Quest score of 'very good' at their latest assessment in May 2021.</p> <p>Currently the Council scores well with customer satisfaction and quality at The Pulse, whilst it is expected that this could be transferred to SPLC, as an older more complex building it will have more challenges.</p>	<p>Customer satisfaction KPI's can be incorporated into the specification documents.</p> <p>More likely to have a local bespoke approach to customer service.</p> <p>Will need to ensure robust operational procedures are set up and implemented to ensure the quality of service delivery is high. This may require external specialist support depending on experience within the team.</p> <p>With an LATC quality of service and meeting performance standards can be set within the contract documents and a performance management system.</p>
Score	5	4
<p>Revenue cost - running the service with a low or zero subsidy - what is acceptable</p>	<p>The in-house operation is unable to gain NNDR relief. The Council currently receives VAT relief on swimming lessons, fitness classes and courses income, which is comparable to external operators, such as SLM. Although some operators may be able to gain additional VAT relief on some income streams that the Council currently doesn't.</p> <p>The Council is able to apply for external funding available only to statutory bodies.</p> <p>Due to the performance of The Pulse, it is anticipated that under in-house management SPLC and the Lido would fare better financially than the current provider.</p> <p>The Pulse currently performs very well from an income perspective under in-house management against SPLC. However, due to the lack of control over maintenance costs,</p>	<p>The new company will need to have a suitable reserves policy and therefore the Council may have to provide a level of subsidy over and above any management fee in the early years of operation (or accept the cash flow risk).</p> <p>Likely to have higher central costs as it will require its own senior management team (Chief Executive, Finance Director etc.)</p> <p>The LATC would be required to implement the real Living Wage therefore staff costs comparable to in-house model.</p> <p>An LATC can be set up under an appropriate structure to receive VAT and NNDR relief.</p> <p>Likely to be able to apply for more funding than the local authority.</p> <p>There will be one-off set up costs for the LATC</p>

Priorities	In-House	LATC
	<p>as they are managed centrally, expenditure is higher than other management options. Utility costs are also higher.</p> <p>Central support costs are typically higher than external contractors and at The Pulse central support costs are higher than average.</p> <p>The in-house team has successfully implemented voluntary programmes at other facilities that could be transferred to the Lido, working with Friends of Stratford Park Lido to minimise expenditure on this site.</p> <p>Revenue risk of underachieving against budget sits with Council.</p> <p>Business Plans for the two leisure centres were completed as part of the Management Options report for each management model. Following investment, in a mature year the in-house option achieves the lowest overall surplus of c.£260k across both centres.</p> <p>However, due to the success of the in-house operation at the Pulse a surplus is still a realistic target. To achieve this the centres will require investment and better control over maintenance and utility costs will be required.</p> <p>Differences in expenditure are anticipated in:</p> <ul style="list-style-type: none"> • NNDR – In-house the Council will pay 100% of costs • Salaries – whilst all management models will be expected to pay Real Living Wage rates, external contractors, LATC's can implement different terms and conditions and pension rates, therefore in-house staff costs are anticipated to be slightly higher than the other options. • Utilities – At the Pulse in-house utility costs are high against benchmarks therefore utility costs at both 	<p>Any profit could be re-invested back into the facilities.</p> <p>Revenue risk will ultimately be underwritten by the Council</p> <p>The Business Plans completed for the two leisure centres show that in a mature year and post investment the LATC option achieves a surplus of c.£352k across both centres, which is between the in-house and external contractor position.</p> <p>The main variances against the in-house model are:</p> <ul style="list-style-type: none"> • NNDR – It is assumed that a LATC will achieve 80% NNDR relief • Salaries – whilst all management models will be expected to pay Real Living Wage rates, a LATC could implement different terms and conditions and pension rates, therefore there could be some savings in staff costs. • Utilities and Maintenance costs would be expected to be comparable to in-house management. • Central costs – LATC's have higher central costs due the need for a senior management team for the contract such as Chief Executive and finance manager. These costs cannot be spread over multiple contracts. The median benchmark for these costs is 14% of expenditure. • Profit – it is likely that an LATC will need to build up a level of reserves and therefore may include this within their business plan. <p>Ultimately with a LATC income and expenditure risk would sit with the Council as per the in-house option, however with an external contract a substantial amount of risk could be passed over to the operator.</p>

Management Options Appraisal – In-house vs LATC Review

Priorities	In-House	LATC
	<p>centres are expected to be higher under the in-house option</p> <ul style="list-style-type: none"> Repairs and Maintenance – In-house these are managed by a different department and therefore limited control by the management team results in higher than average costs. This would not be the case under alternative management models. Although the Council could discuss ways in which this could be managed more efficiently in-house. Central costs – in-house management typically has higher levels of central costs, the central costs for The Pulse are higher than average. 	
See the financial review below for an evaluation of the cost of the existing leisure centres under both management options (pre-investment)		
Score	3	5
Council influence and control. How important to you is having control and managing the risk over the service on a day-to-day basis	<p>The Council will be able to exert the most direct control over services through the in-house management option.</p> <p>In-house all risk will sit with the Council so whilst the Council will have control and manage the risk directly, this will have cost implications.</p>	<p>The specification will set out the Council's priorities in respect to pricing / programming and other elements of service delivery.</p> <p>An annual service planning element of the specification can ensure that the Council's changing requirements can be incorporated into future service delivery.</p> <p>There is Council representation on the board, the governance structure will need to be carefully considered to get the right balance between council influence and interference.</p>
Score	5	4
Staffing - using local employment, impact on terms and conditions, future opportunities for staff development, payment of the living wage for the lowest paid staff.	<p>All the existing staff skills and operational practice transfer back to the Council at SPLC and the Lido.</p> <p>It is likely that there could be increases in staff costs at SPLC and the Lido, where new employees would be employed on Council terms and conditions, however wages across all sites are required to meet the real Living Wage, therefore salary/wage costs are comparable across all options.</p> <p>Scope for progression for employees is limited to within the Centre/Council.</p>	<p>Staff would transfer to the new Trust under TUPE, with their terms and conditions protected.</p> <p>A new LATC would require central posts that are not currently in place such as a Chief Executive, Finance Director etc.; this results in higher central costs.</p> <p>As a single contract entity scope for progression is limited.</p> <p>The local authority is likely to have to underwrite the pension liability. It is not reasonable to expect the LATC to take on any pension deficits</p>

Priorities	In-House	LATC
		<p>A LATC could offer new joiners their own company terms and conditions which could result in some staff savings although noted that the Council will require living wage to be implemented.</p> <p>As the Council currently funds Real Living Wage and the expectation is that this will continue then the opportunity for a LATC to make significant staff savings is minimal.</p> <p>As a local entity employing local people is likely. There is an opportunity for staff to grow with the LATC a generate alternative progression options to those available in-house.</p>
Score	5	5
Giving up control of the facilities and services related to Leisure, health and wellbeing in return for investment within the current centres and potential new build	<p>The likelihood is that the Council will need to fund any major work and therefore it will be down to the ability to project manage and deliver investment schemes.</p> <p>Council has experience of delivering capital investment projects, however all risk remains with the Council.</p>	<p>LATC will not have direct access to capital resources, the responsibility will remain with the Council.</p> <p>However, where the Council funds capital investment, the LATC will use the revenue improvements to repay the capital costs.</p> <p>Ultimately though with LATC having a limited trading history, any risk of these payments being made falls back to the Council.</p> <p>The likelihood is that the Council will need to fund any major work and therefore it will be down to the ability to project manage and deliver investment schemes.</p> <p>Whilst existing contractors have experience of comparable investment projects there is support through development partners (e.g., Alliance Leisure) that the Council could utilise to ensure projects remain on budget and are delivered within timescales. This would remove a level of risk for the Council.</p>
Score	4	4

Financial Evaluation – Existing Facilities

A high-level review of the potential impact on the existing leisure centres (pre-investment) has been completed. This takes into account key income/expenditure differences only. The assumptions made in this assessment are:

- The calculations are based on 2019/20 actuals as the last full year pre-Covid and are based on a mature year, for example staff savings are unlikely to be realised in year 1 and could take c.3 years to reduce to the projected levels.
- The same VAT relief on income currently achieved at The Pulse (Swimming lessons, group exercise and courses) will be applied at SPLC under the in-house option.
- An LATC would have comparable VAT relief to an external contractor therefore some additional VAT relief may be possible at The Pulse, for example on casual swimming.
- Whilst Real Living Wage is assumed on all options, it is expected that an LATC may be able to achieve some small savings at The Pulse based on different terms and conditions. It is assumed that the staff at SPLC who are currently on external contractor terms and conditions would remain the same.
- It is assumed that the LATC would get 80% NNDR relief, as per the current arrangement at SPLC.
- It is assumed that the LATC would have some additional Irrecoverable VAT costs due to the additional VAT relief on income.
- It is assumed that an LATC would operate with central costs of 14%, which is in line with the Sport England National Median Benchmark.
- Central costs have been included for SPLC under the in-house option, this is based on the same percentage of income being achieved across both sites as is currently achieved at The Pulse. However, as central costs are currently relatively high, such significant additional central costs may not be required if SPLC is added to the Council portfolio.
- An element of surplus (2% of income) is included in the LATC model on the assumption that they would need to build a level of reserves to assist in their financial sustainability.

Based on the analysis if both leisure centres were managed in-house the subsidy is expected to be in the region of £421k per annum. With a LATC it is expected that a management fee payable by the Council would be required in the region of £117k. This is based on the current facility mix, prior to investment. With both centres in-house the cost to the Council is expected to increase by c.£107k, with a LATC it is anticipated to reduce by nearly £200k.

Management Options Appraisal – In-house vs LATC Review

Evaluation scores

Outlined below are the evaluation scores against the weightings for each priority. It can be seen that the LATC scores marginally higher than the In-House option, which is due to the significant financial benefit that can be achieved in its revenue position.

			In-House	LATC	In-House	LATC
	Priority	Weighting	Score	Score	Weighted Score	Weighted Score
1	1. Delivery of council objectives/strategic outcomes. 2. Able to understand the community within which the organisation is working. 3. Ability to increase targeted participation and social value. Joined up council provisions for residents (fit for future)	20%	5	4	20%	16%
2	Customer experience and satisfaction. How well will services be planned, developed and delivered to improve/maintain quality of service. Ability to create high levels of customer satisfaction throughout all areas of service delivery Exemplar quality of council and community facilities across the district	15%	5	4	15%	12%
3	Revenue cost - running the service with a low or zero subsidy - what is acceptable	25%	3	5	15%	25%
4	Council influence and control. How important to you is having control and managing the risk over the service on a day-to-day basis	15%	5	4	15%	12%
5	Staffing - using local employment, impact on terms and conditions, future opportunities for staff development, payment of the living wage for the lowest paid staff.	10%	5	5	10%	10%
6	Giving up control of the facilities and services related to Leisure, health and wellbeing in return for investment within the current centres and potential new build	15%	4	4	12%	12%
	TOTAL	100%	27	27	87%	87%

Disclaimer

Although the information in this report has been prepared in good faith, with the best intentions, on the basis of professional research and information made available to us at the time of the study, it is not possible to guarantee the financial estimates or forecasts contained within this report.

Max Associates cannot be held liable to any party for any direct or indirect losses, financial or otherwise, associated with any information provided within this report. We have relied in a number of areas on information provided by the client and have not undertaken additional independent verification of this data.

Stroud District Council

Review of In-House Option vs. LATC

April 2023

1. Introduction

- 1.1. Max Associates has been asked to review the potential cost impact of the In-House management option following the updated VAT guidance for local authority leisure services.
- 1.2. This paper provides an overview of the new guidance and sets out the financial impact on the leisure centre and central support services budgets and compares them to the LATC business case.

2. 2023 VAT Guidance

- 2.1. On 3rd March 2023 new guidance from the Government was released that confirmed that local authorities' leisure services are provided under a statutory framework and can be treated as non-business for VAT purposes. Therefore, Councils can benefit from VAT relief on sporting income, without risk of exceeding their diminimus value.
- 2.2. Currently local authorities are treated as undertaking business activity if they provide leisure services to members of the public. This treatment is based on the understanding that when local authorities provide leisure services they are not acting as a public authority.
- 2.3. A local authority acts as a public authority when they're carrying out their statutory public interest activities for the service of the community.
- 2.4. This treatment was challenged by a number of local authorities and the matter was considered by the courts.
- 2.5. This litigation has now concluded. The courts have found that local authorities' leisure services are provided under a statutory framework and can be treated as non-business for VAT purposes.
- 2.6. Before a public body, such as a local authority, can treat a supply as non-business it must be shown that this treatment would not significantly affect competition.
- 2.7. Consequently, HMRC conducted a detailed analysis of the leisure services sector and found that allowing local authorities to treat their supplies of leisure services as non-business would not significantly affect competition.

2.8. As a result of this change Local authorities that currently charge their customers VAT at the standard rate can apply the non-business treatment to their supply of leisure services.

2.9. This change excludes:

- catering
- adult or children's clothing
- water bottles
- sporting goods
- items from vending machines
- car parking
- sporting lets or other sporting activities previously treated as exempt.

2.10. The benefit of 'non-business' treatment of income is the ability to recover VAT on related expenditure but this is not subject to any limitations provided under Section 33 of the VAT Act 1994.

2.11. PSTAX has provided the following statement regarding the new guidance.

HM Revenue and Customs (HMRC) have recently issued a Brief - [Revenue & Customs Brief 3 \(2023\)](#) - on changes to the VAT treatment of Leisure Services supplied by Local Authorities. This note explains the background, what has changed, and what Authorities need to consider now.

Background

HMRC have historically regarded the in-house provision of leisure services by Authorities to be a taxable business activity. Some Authorities have chosen to outsource leisure centres to Charitable Trusts, which were regarded by HMRC as eligible bodies for a VAT exemption on sport supplies, meaning that they don't need to charge VAT to users of the sports facilities covered. However, the Trusts are also unable to recover much of the VAT incurred on related expenditure.

In 2017, following litigation by the London Borough of Ealing, HMRC accepted that Authorities could also be treated as eligible bodies for the VAT exemption used by the Trusts. They didn't force Authorities to apply VAT exemption, and many chose not to due to the impact on their Partial Exemption calculations – which could have adversely affected VAT recovery on expenditure across the whole Authority.

More recently, Chelmsford City Council, Midlothian Council and Mid-Ulster Council all successfully contested that leisure services were provided under a special legal regime, which was applicable only to Authorities. Within England, this is Section 19 of the Local Government (Miscellaneous Provisions) Act 1976 (“the Act”). Charges under special legal regimes can only be treated as non-business if doing so would not significantly distort competition. However, HMRC issued their Brief conceding this aspect before the courts could consider it.

The advantage of non-business treatment under Chelmsford (or Midlothian in Scotland and Mid-Ulster in Northern Ireland), rather than VAT exemption under Ealing, is that income is still relieved from VAT - but without the same risk of affecting the recovery of VAT on expenditure.

What is covered by the Brief?

HMRC say that it covers Authorities' provision of in-house leisure services to members of the public. Our interpretation of the Brief is that non-business treatment applies to:

- Charges for the casual use of Authorities' sports facilities – within leisure centres, schools, or elsewhere.
- Bookings of such facilities, where the criteria for the existing series of lets or continuous let VAT exemptions aren't met.

Where the above supplies are made by a third party acting as the agent of an Authority, we consider that non-business treatment applies to charges made to the public. However, it would not apply to charges made by third parties acting as principal. Care should be taken to determine the structure in place.

We consider that the Brief also **excludes**:

- Lettings of sports facilities which meet the criteria for a series of lets or a continuous let, or any non-sporting lets. **These remain exempt from VAT unless the option to tax has been exercised by the Authority.**
- Charges for classes/tuition provided by the Authority. **These remain exempt from VAT.**
- Catering/vending, and other supplies of goods. **These remain business activities, mainly subject to VAT, although some charges for cold takeaway food may be eligible for zero rating.**
- Car parking. **Any charges for off-street parking remain subject to VAT.**

Some of the exclusions in HMRC's brief would appear to be covered by the Act – so there may be potential for further changes in the future.

Action to be taken by Authorities

Authorities no longer need to charge VAT on supplies covered by the Brief. When they stop, there is no requirement to reduce the prices charged to customers.

The change in VAT treatment applies retrospectively, as HMRC now accept that non-business treatment should have always applied. If they have not already done so, Authorities can submit a claim to HMRC for any VAT declared on charges for the supplies covered over the past four years and request statutory interest. Where income that is now regarded as non-business was previously treated as VAT-exempt, Authorities may wish to revisit past years' Partial Exemption calculations.

The consequences of the revised VAT treatment should be considered as part of any future evaluation over whether to outsource or insource leisure services. In-house operation is now likely to be more VAT-efficient than outsourced, as Authorities' will largely be able to make the same supplies "VAT-free" as Trusts can, but with the benefit of VAT recovery on expenditure. However, HMRC's Brief still leaves income sources as VAT-exempt (so some impact on Partial Exemption calculations).

This note is intended to be a general guide to the changes and does not constitute VAT advice. Arrangements for the provision of leisure services can vary considerably and PSTAX are happy to work with individual Authorities, so they can understand the implications of the changes to their specific circumstances.

3. LATC vs. In-House

- 3.1. We have set out below the key financial differences between the LATC and In-House models, including the impact of the new VAT guidance.
- 3.2. **Income between the two models will be comparable** – Given Stroud District Councils approach to in-house management at The Pulse, it is evident that the centre is operated in a commercially successful way, which is not always typical of in-house delivery. In some cases it could be argued that a LATC would operate more commercially, however due to current in-house performance we would anticipate income generation to be comparable.
- 3.3. **Irrecoverable VAT** – A LATC will be required to pay irrecoverable VAT, an in-house delivery model will not have any irrecoverable VAT costs. This is a significant financial benefit to the in-house operation compared to the LATC.
- 3.4. **NNDR** – The LATC will be able to apply for 80% NNDR relief and the in-house model will have to pay full rates. Whilst this is somewhat of a circular calculation across different Council budgets at a leisure centre budget level the LATC will be able to show savings against NNDR.
- 3.5. **Pensions and Salaries** – If operated in-house all staff would be employed on SDC terms and conditions and would enter into the Local Government Pension Scheme. The pension scheme has an average contribution rate of 18% which is higher than that expected of a LATC which is projected to be c.7%. Additionally, in-house management typically offers higher salary bands and implements more costly terms and conditions e.g. sick leave and annual leave entitlement, resulting in higher staff costs for the in-house model.
- 3.6. **Central Support Costs** – The LATC is required to establish a central support team including a Managing Director and Finance Director, they would also need to pay for support services such as HR, IT and auditing. If operated in-house there would not be a requirement for a senior management team and instead would require a Leisure Services Manager. Whilst some additional costs may be required for finance and HR support it would not be as significant as the LATC option.
- 3.7. **LATC Reserves** – The LATC business plan included reserves at 2% of income, whilst the in-house model does not need to build up reserves, a comparable cost has been included for contingency with the assumption that if it is not required any surplus within the budget would be reinvested back into the leisure centres.
- 3.8. **Set Up Costs** – the in-House option would not require as significant set up costs as the LATC, however there would be the requirement to deliver the TUPE transfer of SLM staff, rebranding, redecoration, new marketing material etc.

4. LATC Financial Summary

- 4.1. Based on the business plans the overall management fee expected to be paid to the LATC based on the existing leisure centres is £589k in year 1, reducing to £510k in year 5. This includes 20% NNDR costs, which were excluded in the original business plan for the LATC.

LATC Summary - Existing	Year 1	Year 2	Year 3	Year 4	Year 5
Total Income					
SPLC	2,062,847	2,101,099	2,108,233	2,108,270	2,108,287
Lido	61,832	61,832	61,832	61,832	61,832
Pulse	1,588,199	1,609,698	1,609,721	1,609,732	1,609,737
Central Support	0	0	0	0	0
Total	3,712,877	3,772,629	3,779,786	3,779,834	3,779,856
Total Expenditure					
SPLC	2,149,587	2,144,534	2,104,238	2,117,609	2,131,380
Lido	169,585	170,535	171,505	172,494	173,502
Pulse	1,450,589	1,440,740	1,444,743	1,448,825	1,452,988
Central Support	532,123	532,123	532,123	532,123	532,123
Total	4,301,884	4,287,932	4,252,608	4,271,051	4,289,993
Deficit (Management Fee)	-589,007	-515,303	-472,823	-491,217	-510,137

5. In-House Financial Summary

- 5.1. Taking into account the impact of the new VAT guidance the financial business plan has been amended to include the new VAT benefit as well as the other financial amendments set out in section 3 above.
- 5.2. It can be seen that under in-house management the deficit/subsidy is projected to be c.£526k in year 1 reducing to £464k by year 5.
- 5.3. Consequently the in-house model is expected to deliver a saving of £40-£45k in a mature year against the LATC model.

In-House Summary - Existing	Year 1	Year 2	Year 3	Year 4	Year 5
Total Income					
SPLC	2,062,847	2,101,099	2,108,233	2,108,270	2,108,287
Lido	61,832	61,832	61,832	61,832	61,832
Pulse	1,588,199	1,609,698	1,609,721	1,609,732	1,609,737
Central Support	0	0	0	0	0
Total	3,712,877	3,772,629	3,779,786	3,779,834	3,779,856
Total Expenditure					
SPLC	2,268,826	2,296,106	2,247,714	2,259,342	2,271,316
Lido	161,474	162,300	163,144	164,004	164,881
Pulse	1,441,806	1,430,973	1,434,454	1,438,004	1,441,624
Central Support	368,873	368,873	368,873	368,873	368,873
Total	4,237,662	4,254,996	4,210,928	4,226,965	4,243,437
Deficit/Subsidy	-524,785	-482,367	-431,143	-447,132	-463,581

5.4. The updated individual business plans for each centre are set out below.

5.5. Stratford Park Leisure Centre - In-House

SUMMARY	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
INCOME					
Health & Fitness Membership	885,589	885,735	885,804	885,837	885,852
Health & Fitness Casual	41,670	46,300	46,300	46,300	46,300
Health & Fitness Group Exercise	68,220	68,220	68,220	68,220	68,220
Swimming - Casual	46,282	48,854	51,425	51,425	51,425
Swimming - Lessons/Courses	495,999	522,104	522,104	522,104	522,104
Swimming - Hire	32,481	34,286	36,090	36,090	36,090
Sports Hall	121,560	121,560	121,560	121,560	121,560
Squash	27,699	27,699	27,699	27,699	27,699
Outdoor - 3G Pitch	75,116	75,116	75,116	75,116	75,116
Outdoor - Tennis	15,834	15,834	15,834	15,834	15,834
Secondary - Catering & Vending	211,051	213,503	215,703	215,706	215,708
Secondary - Retail	41,345	41,890	42,378	42,379	42,380
TOTAL INCOME	2,062,847	2,101,099	2,108,233	2,108,270	2,108,287
EXPENDITURE					
Salaries	1,239,379	1,251,847	1,192,236	1,192,236	1,192,236
Utilities	358,050	368,792	379,855	391,251	402,988
NNDR	171,000	171,000	171,000	171,000	171,000
Insurance	21,083	21,083	21,083	21,083	21,083
Lifecycle	50,000	50,000	50,000	50,000	50,000
Repairs & Maintenance	71,610	71,610	71,610	71,610	71,610
Cleaning	9,548	9,548	9,548	9,548	9,548
Equipment	11,935	11,935	11,935	11,935	11,935
Gym Equipment Lease	50,000	50,000	50,000	50,000	50,000
Other Supplies	10,314	10,505	10,541	10,541	10,541
Advertising & Marketing	30,943	31,516	31,623	31,624	31,624
Communications	61,885	63,033	63,247	63,248	63,249
Other Administration	12,394	12,518	11,922	11,922	11,922
Costs of Sales	126,198	127,696	129,041	129,043	129,044
Capital Costs	0	0	0	0	0
Irrecoverable VAT	0	0	0	0	0
OPERATIONAL EXPENDITURE	2,224,340	2,251,084	2,203,641	2,215,041	2,226,780
Central Costs	0	0	0	0	0
Contingency	44,487	45,022	44,073	44,301	44,536
TOTAL EXPENDITURE	2,268,826	2,296,106	2,247,714	2,259,342	2,271,316
SURPLUS / DEFICIT	-205,980	-195,007	-139,481	-151,072	-163,029

5.6. The Pulse, Dursley - In-House

SUMMARY	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
INCOME					
Health & Fitness Membership	621,410	640,258	640,280	640,290	640,295
Health & Fitness Casual	28,013	28,013	28,013	28,013	28,013
Health & Fitness Group Exercise	42,117	42,117	42,117	42,117	42,117
Swimming - Casual	156,116	156,116	156,116	156,116	156,116
Swimming - Lessons/Courses	539,793	539,793	539,793	539,793	539,793
Swimming Lessons - Private	80,000	80,000	80,000	80,000	80,000
Swimming - Hire	77,913	77,913	77,913	77,913	77,913
Secondary - Vending	14,280	15,164	15,164	15,164	15,164
Secondary - Retail	28,559	30,327	30,328	30,328	30,328
TOTAL INCOME	1,588,199	1,609,698	1,609,721	1,609,732	1,609,737
EXPENDITURE					
Salaries	901,529	884,942	884,942	884,942	884,942
Utilities	167,200	170,544	173,955	177,434	180,983
NNDR	62,000	62,000	62,000	62,000	62,000
Insurance	16,097	16,097	16,097	16,097	16,097
Lifecycle	25,000	25,000	25,000	25,000	25,000
Repairs & Maintenance	45,600	45,600	45,600	45,600	45,600
Cleaning & Chemicals	21,280	21,280	21,280	21,280	21,280
Equipment	18,240	18,240	18,240	18,240	18,240
Gym Equipment Lease	21,000	21,000	21,000	21,000	21,000
Other Supplies	11,117	11,268	11,268	11,268	11,268
Advertising & Marketing	23,823	24,145	24,146	24,146	24,146
Communications	71,469	72,436	72,437	72,438	72,438
Other Administration	4,508	4,425	4,425	4,425	4,425
Costs of Sales	21,419	22,745	22,746	22,746	22,746
Depreciation	0	0	0	0	0
Irrecoverable VAT	0	0	0	0	0
Other					
OPERATIONAL EXPENDITURE	1,410,283	1,399,723	1,403,135	1,406,615	1,410,165
Central Costs	0	0	0	0	0
Contingency	28,206	27,994	28,063	28,132	28,203
TOTAL EXPENDITURE	1,438,489	1,427,717	1,431,198	1,434,748	1,438,368
SURPLUS / DEFICIT	149,710	181,981	178,523	174,984	171,369

5.7. Stratford Park Lido - In-House

SUMMARY	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
INCOME					
Swimming - Casual	57,927	57,927	57,927	57,927	57,927
Swimming - Lessons/Courses	0	0	0	0	0
Swimming - Hire	0	0	0	0	0
Secondary - Vending	3,905	3,905	3,905	3,905	3,905
TOTAL INCOME	61,832	61,832	61,832	61,832	61,832
EXPENDITURE					
Salaries	69,895	69,895	69,895	69,895	69,895
Utilities	41,328	42,155	42,998	43,858	44,735
NNDR	0	0	0	0	0
Insurance	618	618	618	618	618
Lifecycle	16,000	16,000	16,000	16,000	16,000
Repairs & Maintenance	8,500	8,500	8,500	8,500	8,500
Cleaning & Chemicals	5,000	5,000	5,000	5,000	5,000
Equipment	14,000	14,000	14,000	14,000	14,000
Other Supplies	1,237	1,237	1,237	1,237	1,237
Advertising & Marketing	927	927	927	927	927
Communications	618	618	618	618	618
Other Administration	1,398	1,398	1,398	1,398	1,398
Costs of Sales	1,952	1,952	1,952	1,952	1,952
Depreciation	0	0	0	0	0
Irrecoverable VAT	0	0	0	0	0
Other					
OPERATIONAL EXPENDITURE	161,474	162,300	163,144	164,004	164,881
Central Costs	0	0	0	0	0
Contingency	0	0	0	0	0
TOTAL EXPENDITURE	161,474	162,300	163,144	164,004	164,881
SURPLUS / DEFICIT	-99,642	-100,469	-101,312	-102,172	-103,049

5.8. Central Support Costs

5.8.1. The table below sets out the staff costs associated with the central support team under the in-house management option.

In-House Central Support Team	Salary	Total Salary	FTE	Total Cost
Leisure Services Manager	46,549	65,076	1	65,076
Fitness Manager	30,000	41,940	1	41,940
Swimming Development Officer	25,000	34,950	1	34,950
Sales Manager	30,000	41,940	1	41,940
Sales Advisors	22,000	30,756	2	61,512
Business Administrator	25,000	34,950	1	34,950
Business Apprentice	20,000	27,960	1	27,960
TOTAL		277,572	8.00	308,328

5.8.2. In addition to the staff costs above an allocation has been included for additional HR and Finance support from the Council. This totals £60.5k bringing the total central support costs to **£368,873**.

6. Set Up Costs

- 6.1. The set up costs for both options are set out below. As Stratford Park Leisure Centre and the lido is currently managed by Everyone Active, staff would need to transfer to the Council. The centre would also require re-branding and new marketing material to ensure constancy across the portfolio.
- 6.2. The set up costs also included the implementation of a new management system and some equipment replacement costs which would apply to all management models.
- 6.3. It is also the intention that under the in-house model the centres would operate to a service specification, with performance monitoring and reporting requirements. Therefore Legal costs have been retained to ensure this is delivered properly and in line with current industry practise.
- 6.4. The in-house set up costs assume that the Leisure Services Manager would be in post for 12 months prior to the transfer to manage and support the transfer process.

LATC Set Up Costs	2023/24	In-House Set Up Costs	2023/24
IT	£95,960	IT	£95,960
Marketing/Branding	£40,000	Marketing/Branding	£40,000
Re-decoration	£20,000	Re-decoration	£20,000
Staffing Support	£90,043	Staffing Support – Leisure Services Manager (12 months)	£65,076
HR Support - TUPE	£17,279	HR Support - TUPE	£17,279
Gladstone	£50,000	Gladstone	£50,000
Equipment	£45,000	Equipment	£45,000
Legal - Contracts Leases etc.	£40,000	Specification and Performance Monitoring documents	£0
Total	£398,282	Total	£333,315
Contingency	£39,828	Contingency	£33,331
Total Cost	£438,111	Total Cost	£366,646

- 6.5. The In-House option would result in set up cost savings of c. £71k.



7. Summary

- 7.1. Taking into account the new VAT guidance and applying this to an in-house model, results in a lower annual cost to the Council than originally projected during the management options appraisal process.
- 7.2. Given the Council's current performance, the VAT benefit on income and irrecoverable VAT savings offset the additional costs associated with in-house management (NNDR, staffing etc.) and therefore the applying the new guidance results in projected savings of c. £40- £45k in a mature year against the LATC model.
- 7.3. The in-house model also has reduced set-up costs compared to the LATC.

This page is intentionally left blank

Leisure Management Vision and Values

The Vision and Priorities set out below are based on the short to medium term scope of the Inhouse Leisure Provision. It is anticipated the vision and priorities will be reviewed annually to ensure they continue to meet the changing needs of the local community and progression and development of the centres as a service.

Vision

Enabling communities to participate in a life-long wellbeing journey. Delivered through a locally focussed and high quality service that enhances quality of life for local residents.

Short Term 0-3yrs	Medium Term 3-6yrs	Long Term 6+yrs
<ul style="list-style-type: none"> • Management of Stratford Park Leisure Centre, The Lido, and The Pulse, Dursley • Development of stronger relationships with the Health and Wellbeing team. • Recruitment of a Leisure services manager and review of staff structure • Development of operational specification (prior to contract start date) 	<ul style="list-style-type: none"> • Management of Stratford Park Leisure Centre, The Lido, and The Pulse, Dursley including phased delivery of investment plans and review of facilities. • Develop and manage external health and wellbeing activities in the park through leisure services as part of the park 10 year vision. 	<ul style="list-style-type: none"> • Management of Stratford Park Leisure Centre, The Lido and The Pulse, Dursley including delivery of phased investment plans • Fully integrated and holistic approach to health, wellbeing and leisure across the district.

Priorities

1. Deliver Wellbeing services and physical activity opportunities from our facilities that are inclusive, accessible and provide diverse opportunities for residents that improves their quality of life and reduces health inequalities.
2. Ensure that the leisure centres are operated efficiently and contribute towards the Council’s 2030 Strategy priorities.
3. To develop a successful and sustainable service that is locally led and positively contributes to the local economy.

Values

1. Quality – Ensure that the services and facilities we provide exceed expectation and deliver continuous improvement.
2. People – Customers, staff and residents are at the heart of what we do, we will treat people with honesty and respect and always act with integrity.
3. Enjoyment – The services we provide will be fun, safe, and engaging for everyone.
4. Diversity – We will deliver a diverse range of activities and services that will be accessible to all from facilities that are fit for purpose.
5. Sustainability – We will operate in a flexible and adaptable way to ensure the sustainability and future success of the company.

Risk	Lead	Probability	Severity	Score	Controls	Risk target	Review
<u>An optimism bias that does not reflect the true position of performance of the inhouse model or a lack of an appropriate business case.</u>	AG	3	2	6	<ul style="list-style-type: none"> A detailed business case and 1/4ly reports with key performance indicators (KPI's) will form part of the monitoring process. A Leisure Manager will be recruited to develop the centres and work closely with the health and wellbeing team to deliver the councils leisure, health, and wellbeing strategy. A service specification will be developed to ensure the service meets financial and quality targets. The facilities will undergo Leisure industry quality assessments The company will report back to CS&L and will be scrutinised by audit and standards committee. 	4	
<u>A new operator opens a facility(s) within the Stroud District and therefore increases market competition.</u>	AG	3	2	6	<ul style="list-style-type: none"> The service will work with a professional marketing company to market themselves effectively. High quality customer experience training will be a standard part of the induction plan for all new colleagues to ensure we meet the needs of all customers. Programme development and customer consultation will be a standard imbedded within the culture of the business. 	2	

<p><u>A downturn in demand for leisure and health facilities</u></p>	AG	2	3	6	<ul style="list-style-type: none"> The leisure services manager will work closely with other industry professional bodies to keep on trend with the latest industry developments. Health and wellbeing activities will be delivered both in and out of the centres working with health partners to deliver within the communities of the district, bringing a diverse and varied programme. 	4	
<p><u>Income targets for sustainability cannot be met.</u></p>	AG	4	2	8	<ul style="list-style-type: none"> The service will be monitored against a set of agreed performance criteria. A detailed business development plan is agreed, and performance is reported to CS&L committee through 1/4ly performance monitoring. The Leisure Manger will be part of networking groups to share good practice throughout the industry. 	6	
<p><u>A major failure in the structure or plant of either of the facilities resulting in closures.</u></p>	AG	2	3	6	<ul style="list-style-type: none"> The conditions survey will mitigate against this. An investment development plan for the centres to be approved within the next 3-5 year to reduce the likelihood of facility closure. 	1	
					<ul style="list-style-type: none"> This will be detailed within the performance specification document. The service will follow council financial procedures. The service will report back monthly on financial targets. 		

<u>Inadequate financial governance and monitoring</u>	AG	1	2	2	<ul style="list-style-type: none"> The service will report back to CS&L and audit and standards committee. The service will feature in the audit plan. The service finance and usage will continue to be monitored through Data Hub on the moving community's platform. 	1
<u>Poor business development vision</u>	AG	2	3	6	<ul style="list-style-type: none"> The Leisure Services Manager will have relevant industry experience. The specification will require a detailed annual and three year development plans. Capital investment plan will be developed to modernise the centres. 	4
<u>Lack of scrutiny over investment and loan decisions</u>	AG	1	2	2	<ul style="list-style-type: none"> All loans and investments to develop the centres must be approved through the committee process. All developments are professionally sourced with a detailed consultation programme. 	1
<u>Poor communication on TUPE transfer process and how the service will operate</u>	AG	2	2	4	<ul style="list-style-type: none"> Communications plan in place for when the transfer decision is made up until the hand over date. To include but not limited to; staff meetings, newsletter, training and social events. HR involved 12 months prior to handover to work through the logistics of TUPE, and induction process. 	3

					<ul style="list-style-type: none"> Leisure Services Manager recruited at least 12 months prior to contract handover. 		
<u>Poor induction of the new team into council employment</u>	AG	2	3	6	<ul style="list-style-type: none"> Roles and responsibilities of each team member will be clearly defined in their job descriptions. All new team members will go through a council induction plan and a leisure specific training plan based upon the specification. All existing leisure team at the Pulse will go through the leisure specific training plan based upon the specification. 	3	
<u>A major Pandemic</u>	AG	3	3	9	<ul style="list-style-type: none"> Whichever operating model is chosen the risk will always sit with the council. 	6	

Stroud District Council

Strategy for Leisure and Wellbeing in Stroud District 2021 – 2040

Executive Summary

Introduction

The purpose of the strategy is to provide the Council with a plan for delivering and facilitating community leisure and wellbeing provision in the District to meet the needs of the population to 2040. It is based on a well evidenced and researched review of provision now and into the future and includes clear recommendations providing a delivery framework and action plans.

OUTCOMES - To establish the themes and outcomes for leisure and wellbeing services in the District consultation was carried out with Members, Officers and other key stakeholders. This was complemented by a national and local strategic review.

INSIGHT – To establish where the District is now against the outcomes extensive research into the demographics and health profile of the District was completed. Public consultation also took place along with an assessment of current user profile and existing leisure and wellbeing provision. From the insight data future targets were established and are set out in the strategy against the five ways to wellbeing: -



Leisure & Wellbeing Strategic Outcomes

<h3>COMMUNITY RESILIENCE & WELLBEING</h3>	<ul style="list-style-type: none"> • Individual communities are empowered to make a change in their own community and feel confident about doing it. • Encouraging the least active to be more active • People are aware of and can access mental health support from statutory and community sector • Engagement with community groups so resident consultation is at the heart of everything we do • Improved partnership working across leisure, culture, arts and external partners to create diverse and alternative ways to incorporate learning into leisure and wellbeing • More people appreciate and use outdoor surroundings for leisure and wellbeing activities as residents and tourists • Voluntary and community sector groups are valued, enabled and empowered to deliver local change through training, support and co-production
<h3>ENVIRONMENT & CLIMATE CHANGE</h3>	<ul style="list-style-type: none"> • Improved access to nature to support health and wellbeing • Low carbon movement of people and goods • Increased levels of Active Travel • Residents living healthier lives through Active Places and Active Travel • Support health and wellbeing projects that are focused on outdoor recreation and activities • Communities are minimising their carbon footprint, adapting to climate change, reducing waste and recycling more • Leisure and community facilities that are energy efficient • Utilise our assets to raise awareness of climate change through health and wellbeing activities
<h3>HOUSING & HOMELESSNESS</h3>	<ul style="list-style-type: none"> • Leisure, health and wellbeing to actively work in partnership with housing providers, developers and tenant services • Continue to provide tailored housing and support solutions to vulnerable individuals and communities • Improved tools for dealing with anti-social behaviour • Provide support for rough sleepers and commission appropriate long-term accommodation • Provide improved standard of housing and housing related services to contribute towards a better quality of life for residents, adopting an ACE (Adverse Childhood Experiences) approach when working with residents
<h3>ECONOMY, MARKET TOWNS & RURAL VITALITY</h3>	<ul style="list-style-type: none"> • Help create a vibrant and sustainable economy that works for all • Develop tourism potential of area as a unique selling point for living, working, visiting and investing in the District • Ensure leisure and wellbeing services and facilities support the local economy and provide destinations for residents and visitors • Training opportunities provided through the leisure and wellbeing services • Support innovation and energy in creating locally led and distinctive approaches to economic recovery and revival following the Covid-19 pandemic • Maximise the value of local assets and ensure the benefits of economic development are retained locally

INTERVENTIONS

In order for the Council to achieve the strategic outcomes and future targets for leisure and wellbeing the following interventions are recommended.

Recommended Facility Interventions

<p>Deliver a fundamental remodelling/repurposing of Stratford Park Leisure Centre- (invest in facilities, increase water space, add additional facilities to enable an integrated wellbeing offer and improve commerciality).</p>	<p>Consider a 'leisure local' option to meet anticipated demand as a result of the planned housing allocation along the M5 corridor. (providing a swimming pool c. 20m x 8m, a small gym and flexible studio/activity space).</p>	<p>Work in partnership to action the recommendations of the Stratford Park Lido feasibility and business case work (e.g. heating of the pool).</p>	<p>Maximise Stratford Park as a visitor destination. Alongside the leisure centre, lido, outdoor courts and museum, review children's play, young persons and family activities (e.g. pump track/ adventure golf).</p>
<p>Develop/increase the size of the gym and increase studio space (new studio) at The Pulse.</p>	<p>Provide additional flexible community space as part of the housing development planned for Wisloe.</p>	<p>Improved active travel provision across all facilities, including improved cycle storage and parking, linked walking routes to facilities and accessible disabled and parent and child parking spaces.</p>	<p>Work in partnership to support opportunities for skateboarding.</p>
<p>Work to address the current 4x 3G pitch shortfall in the district to meet current training requirements and 6x3G pitch shortfall to meet future demand. This should include maximising community access to 3G pitches on school sites.</p>	<p>To maximise opportunities to develop a complimentary strategic approach to arts and culture provision across the District.</p>	<p>Work in partnership to to increase and maintain public access to school pools, sports halls and other facilities.</p>	<p>Review the siting of the grounds maintenance depot in Stratford Park and potential relocation of the museum collections store.</p>
<p>Continue the roll out of plans to increase community use of Independent Living hubs.</p>	<p>Continue community hub development.</p>	<p>Better utilisation of the canal as a facility to deliver watersports.</p>	<p>Work to address the estimated short fall of 6-7 additional rugby pitches required across the district as a whole to meet future demand, plus additional 3 pitches in Stroud to accommodate Stroud RFC youth teams.</p>

Service Interventions

<p>COMMUNITY RESILIENCE & WELLBEING</p>	<ul style="list-style-type: none"> • Specific session for people with varying health issues • Social sessions linked to activities • Expand GP referral scheme to utilise canal and outdoor space • Casual sessions for people to try out new activities • New branding to create an identity for leisure & wellbeing across the District • Review pricing to reduce cost as a barrier • Better promotion of heritage sites • Wellbeing events • Share best practice and improve communication • Intergenerational activities • Childcare option to encourage parents to participate
<p>ENVIRONMENT & CLIMATE CHANGE</p>	<ul style="list-style-type: none"> • Improved marketing and sharing of information on outdoor spaces, walking & cycling routes • Ensure the canal strategy is aligned to the leisure & wellbeing outcomes • Proactively work with the county council to develop and promote active travel • Include climate change messages in leisure & wellbeing environments • Provide local facilities to minimise car travel • Review opportunities for chargeable cycle schemes • Utilise museum collection to educate on sustainability • Promote active travel and increased use of public transport • Increase bikeability courses
<p>HOUSING & HOMELESSNESS</p>	<ul style="list-style-type: none"> • Initiatives for those living in Council accommodation • Use leisure and wellbeing activities as a way to engage homeless people • Deliver health & Wellbeing sessions from independent living hubs • Specific activities for older people to improve independent living • Implement a pricing structure that enables those on low incomes to access facilities
<p>ECONOMY, MARKET TOWNS & RURAL VITALITY</p>	<ul style="list-style-type: none"> • Improved monitoring and measuring of performance across the leisure centre portfolio • Deliver training and apprenticeship schemes within leisure & wellbeing facilities/services • Increase support (funding) for projects that provide training and secure future skills for the young and unemployed • Improve the quality of catering service across Stratford Park to make it financially viable • Encourage local businesses to adopt a 'healthy workforce' • SDC achieve a 'Healthy Workforce Award - lead by example

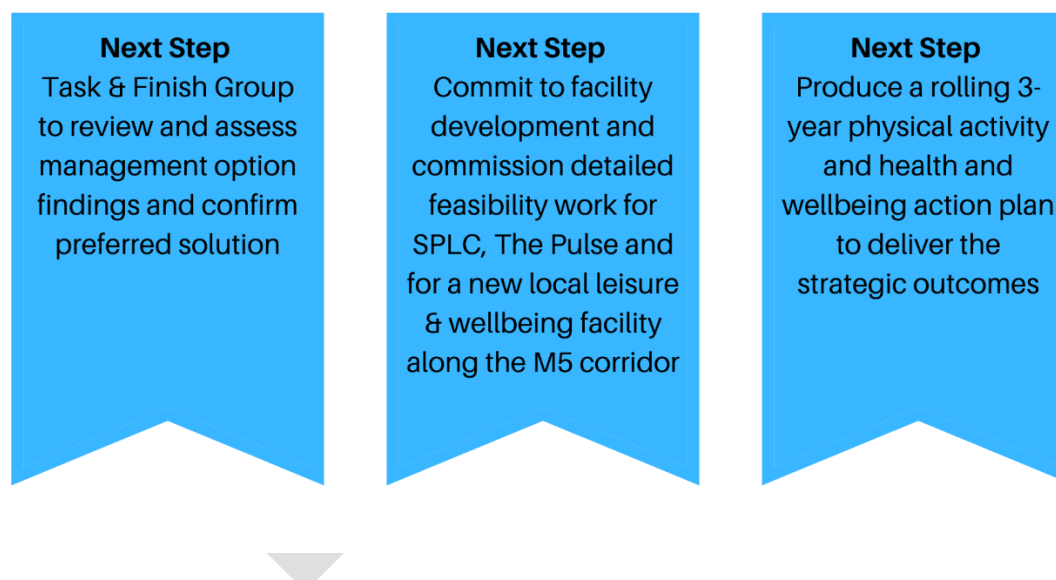
Management Options

A management options appraisal was completed to assess the most appropriate governance structure going forward, noting the existing SLM management contract expires in 2024.

The agreed options were evaluated against a weighted evaluation criteria. The highest scoring option across all facilities and services was in-house management. The external contractor, Local Authority Trading Company¹ (LATC) and Non-Profit Distribution Organisation (NPDO) options all scored comparatively across the leisure centres. However the external contractor scored the lowest for the Museum and sports development, health and wellbeing services.

Centre	In-House	External Contractor	LATC	NPDO
SPLC	88%	78%	78%	76%
Lido	88%	78%	78%	76%
The Pulse	88%	78%	78%	76%
Museum in the Park	95%	70%	78%	76%
SD, Health and Wellbeing Services	95%	62%	80%	78%

It is recommended that the Council considers these finding in detail and undertake appropriate consultation before finalising its decision.



¹ Under the LATC umbrella The council may decide to apply the Teckal exemption, which may allow the authority to establish a LATC without the requirement for a procurement exercise and claim NNDR/VAT relief etc.

This page is intentionally left blank

Equality Analysis Form

By completing this form, you will provide evidence of how your service is helping to meet Stroud District Council's General Equality duty:

The Equality Act 2010 states that:

*A public authority must, in the exercise of its functions, have **due regard** to the need to:*

- (a) eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by the Equality Act 2010.*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

The protected characteristics are listed in Question 9

Stroud District Equality data can be found at: <https://www.stroud.gov.uk/council-and-democracy/corporate-plans-and-policies/equality-diversity-and-inclusion/equality-impact-assessments>

Please see Appendix 1 for a good example of a completed EIA.

[Guidance available on the HUB](#)

1. Persons responsible for this assessment:

Name(s): Angharad Lewis	Telephone:
	E-Mail: angharad.lewis@stroud.gov.uk
Service: Community services	Date of Assessment: 31/5/2023

2. Name of the policy, service, strategy, procedure, or function:

Inhouse provision of Leisure Services.

Is this new or an existing one? New

3. Briefly describe its aims and objectives

The aim of the report:

To recommend bringing Stratford Park Leisure Centre inhouse and setting up a leisure services section within Community Services Directorate.

Two options appraisals took place in November 2021 with both options recommending inhouse. Due to the classification of inhouse leisure as a business and therefore subject to VAT business rates at the time, this was discounted as being too expensive for the council.

The change by HMRC on 3rd of March 2023 classifying Inhouse leisure as a non VAT

Appendix G

business activity meant a further analysis of the financial implications was undertaken resulting in the recommendation to bring the leisure centre inhouse.

4. Are there external considerations? (Legislation / government directive, etc)

The current contract expires on the 31st of October 2024 whereby Stratford Park Leisure Centre will no longer be run by the current operator. The Leisure contract is in its 3-year extension period.

The decision was made at CS&L committee to explore the LATC option as the preferred option, as the inhouse option was discounted due to the financial impact it would have on the council. The HMRC ruling forced us to review all plans and conduct a further review on inhouse v LATC. The financial analysis gave the inhouse option the financial advantage, along with the benefits of giving control back to the council thus enabling the delivery of the Leisure and wellbeing Strategy 2021 -2041.

Considerations:

1. Plan contract handover should include but not limited to, data transfer of personal information, conditions survey of leisure facilities, IT requirements, procurement of a new Leisure Management System, marketing, and branding.
2. Develop communication plan including internal (current and new employees transferring, members) and external customers.
3. TUPE for Stratford Park team, consideration to be given to HR resource to carry out this work.
4. Leisure specification agreement on how the centres will be operated and the reporting mechanism to CS&L and audit committees.
5. Recruitment of a Leisure Services Manager

5. Who is intended to benefit from it and in what way?

Running leisure facilities and health and wellbeing in one service will benefit:

1.The residents and visitors of the district of all ages and abilities as they will have greater access to facilities offering a broader programme across the district.

The activities will take place not just in the leisure centres but in the community targeting the most vulnerable residents making physical activity more accessible in local community venues.

2. We focus most on the inactive becoming active in order to reduce health inequalities

- Improving both the physical and mental health programmes delivered within the centres,
- Working with our schools to provide good quality sporting venues accessible to the local sports clubs.
- Reviewing the price so that physical activity programmes are accessible to all including revamping the councils' concessions scheme.
- Enabling full access across the district regardless of what membership you hold and where it was purchased.

- Working with our health partners to deliver community wellbeing programmes from both leisure centres and using council employees to deliver within the community hubs and other local venues, enabling full access regardless of post code.
- Delivering a Schools Swimming Programme/Lessons thus creating a 'life skill' and a 'premise to save life' across the Authority.

3. Workforce – develop strong partnerships with the local schools and colleges for young people and adult learners, providing meaningful work experience and apprenticeship programmes.

This approach will develop both young and older people into the leisure and community sector and develop a council which is an employer of choice within the district.

4. Encourage sporting excellence, review, and revamp the elite athlete programme, working with sports clubs across the district.

6. What outcomes are expected?

The key expected outcomes are.

1. Increase in fitness classes across the district.
2. The opportunity to be a member of both facilities regardless of where the centre membership is purchased, increasing access for all.
3. Improved catering at the leisure centre.
4. Introduction of a sports programme which focuses on encouraging children and young people to become active.
5. Development of an active programme across the district which is accessible for older adults including those in care homes.
6. Increased collaboration with both health and charitable partners to focus on key conditions such as Dementia and Parkinson's.
7. Improved partnership working with the education sector such as SGS College creating meaningful work placement opportunities.
8. Improved quality and customer satisfaction levels.
9. Increase usage in the park through health and wellbeing initiatives.
10. The opportunity to work on the investment plan which will benefit residents and visitors to the district.

The above outcomes will raise the income levels and enable us to focus on vulnerable members of our society to improve access for all through a new pricing structure.

7. What evidence has been used for this assessment? (e.g., Research, previous consultations, inform (MAIDEN); Google assessments carried out by other Authorities)

Leisure Consultants conducted the analysis based upon:

- The outcomes of the leisure strategy consultations
- The objectives from the leisure strategy
- Detailed discussions with other councils, trust and LATC's

Appendix G

- Priorities set by the task and finish group.
- The values and behaviours which were developed through officer, member, and partner discussions.
- Research conducted by the consultants on the pros and cons of each option.
- Financial analysis on both LATC v In-house using benchmarking data from moving communities.
- Stakeholder consultation on capital investment

8. Has any consultation been carried out? See list of possible consultees

Consultation has included:

- Officer research with other councils and operators including:
South Kesteven (LATC), South Glos (Circadian leisure Trust), Monmouth County Council (in-house), Warrington Live Wire Leisure Trust, Salt Ayre Leisure Centre (Lancaster City Council), Halesowen Leisure Centre (Dudley Metropolitan Council), Northampton Active (Leisure Trust), Harrogate Borough Council (Brimham Active LATC) and the newly formed LATC support group (for other LATC both formed or in the process of forming) and community leisure UK.
- Consultation with members task and finish specifically on the management options appraisal
- Consultation with task and finish and opened to CS&L members.
- Consultation through the leisure review not specific to the management options appraisal but relevant in informing the direction of travel:
Members/Officers/Youth council workshops
Stakeholder consultation
SLT consultation
- Project group – made up of SDC officers from HR, IT, Leisure, Facility Management, Environmental health, Finance, Audit and Legal.
- Project Board – made up of members representing the political parties within Stroud District, Strategic Directors, and officers.

9. Could a particular group be affected differently in either a negative or positive way?

(Negative – it could disadvantage and therefore potentially not meet the General Equality duty.

Positive – it could benefit and help meet the General Equality duty.

Neutral – neither positive nor negative impact / Not sure)

Protected Group	Type of impact, reason, and any evidence (from Q7 & 8)
Age	<p>The district has a population of circa 121,103 people which are broken down into the following age categories:</p> <p>Aged 0-4 - 5,643</p> <p>Aged 5-19 20,200</p> <p>Aged 20 to 64 – 67,030</p> <p>Aged 65+ - 28,230</p> <p>In terms of the current provision:-</p> <p>Stratford Leisure Centre has approximately 2600 members. No further figures were available at this time.</p> <p>The Pulse has approximately 1400 members.</p> <p>On top of the memberships the Pulse has a breakdown of users:</p> <p>0-4 years = 453 5-19 years = 5842 20 – 64 years = 5634 65+ years = 1552</p> <p>The existing provider at Stratford Park Leisure Centre (SPLC) and The Pulse makes provision for specific age groups, including but not limited to:-</p> <ul style="list-style-type: none"> • Swimming Lessons programme for children & young people (Both centres) • Adult Be a better swimming (swimming lessons) (Both centres) • 11/15 Years Parent Supervised Gym sessions (both centres) • 11-15 years Fitness Team Supervised gym sessions. (both centres) • Forever Fit Exercise Classes (SPLC) • Walking Football (SPLC) • Support the delivery of GP Exercise on Referral (both centres) • Support the delivery of Active Tots & Kidz Gymnastics and Trampolining (SPLC) <p>By bringing Stratford Leisure Centre in house, and combining its management with The Pulse, it is intended to create a balanced programme across the district to enable all ages to participate in physical and wellbeing activities at</p>

Appendix G

	<p>the facilities and other community venues. It would allow both centres and associated staff to support the delivery of the 3 year Physical Activity Action plan. An example of this would be to expand the offer of Choose2move classes across both sites and within the community which would enable residents to participate in moderate physical activity classes designed for people who are looking to increase their physical activity levels.</p> <p>In addition, the centres will work closely with the Health and Wellbeing team and community partners to ensure we cater for the most vulnerable as stated within our Leisure and Wellbeing strategy.</p> <p>To ensure that our programme and activities remain fit for purpose ongoing programme consultation will take place to ensure an equitable programme across the district.</p> <p>Overall, we consider the transfer of leisure services from an external contractor to an in-house provision will be positive.</p> <p>Positive impact</p>
<p>Disability</p>	<p>The district has a population of circa 121,100 people (based on 2021 census) which are broken down as follows:-</p> <p>Disabled and limited a lot – 5.8% Disabled and limited a little – 10.3% Not disabled – 83.9%</p> <p>The inhouse service will continue to provide a varied program as shown above.</p> <p>When we look to invest in the facilities, we will continue to focus on groups who are affected with both physical and mental health challenges. As part of the programme development there will be an ongoing consultation with users.</p> <p>Currently both The Pulse and Stratford Park Leisure Centre are working together to offer a programme called Get Out Get Active (GOGA). GOGA aims to make activity more inclusive, support people to move more and encourage people to lead an active and healthy lifestyle. They are both offering weekly Inclusive Gym sessions which are instructor lead for residents who are over 16 and have a physical, sensory, or learning disability.</p> <p>Positive impact.</p>
<p>Gender Re-assignment</p>	<p>Currently there will be no change to the provision of services to this group. Village change facilities are available which allows for private changing spaces for anyone using the centre. Further consultation is required to assess future provision and therefore the impact is neutral at this time.</p>

	<p>Neutral impact.</p>
<p>Pregnancy & Maternity</p>	<p>This group is catered for and will continue to be catered for within the programme at both sites. We will adopt the council priorities at both sites and work closely with the Health and Wellbeing team who already provide activities for this group under the “Mummy and Me” brand.</p> <p>The Pulse currently make provision for this group by offering the following: -</p> <ul style="list-style-type: none"> • Water Fitness Classes • Gym Sessions • Exercise Classes <p>Stratford Park Leisure Centre currently make provision for this group by offering the following: -</p> <ul style="list-style-type: none"> • Water Fitness Classes • Gym Sessions • Exercise Classes • Mummy & Me is currently run at Stratford Park by SDC’s Health & Wellbeing Team <p>We will also be able to review prices ensuring activities are affordable which will impact positively on households of low income and lone parents.</p> <p>Overall, this will improve provision at both sites as the classes will align fully with the council priorities.</p> <p>Positive impact</p>
<p>Race</p>	<p>The district has a population of circa 121,100 people (based on 2021 census) which are broken down as follows:-</p> <p>Asian, Asian British or Asian Welsh - 1.0%</p> <p>Black, Black British, Black Welsh, Caribbean or African - 0.4%</p> <p>Mixed or Multiple ethnic groups - 1.8%</p> <p>White - 96.4%</p> <p>Other ethnic groups -0.4%</p> <p>The Stroud District has a low proportion of this group with only 3.6% - when programming, conducting further consultations and working with our community partners we must consider all members of our community. The leisure team will work closely with customer user groups to ensure all needs are met. Positive impact</p>
<p>Religion – Belief</p>	<p>The district has a population of circa 121,100 people (based on 2021 census) which are broken down as follows:-</p> <ul style="list-style-type: none"> • No religion 41.1% • Christian 47.5% • No Answered 6.5%

Appendix G	<p>Consultation has taken place with community groups who have discussed the need for quiet spaces in leisure facilities to conduct prayer as some religions require this. Barnwood Trust are part of our consultation group and when it comes to the capital investment programme we will consult further on the wider needs of our communities. By bringing the provision in house, we will have the ability to meaningfully act on results of consultation.</p> <p>Positive Impact</p>
Sex	<p>The district has a population of circa 121,100 people (based on 2021 census) which are broken down as follows:-</p> <ul style="list-style-type: none"> • Male 59,200 • Female 61,900 <p>A range of activities both in and out of the centres is in the programme which will continue to be provided to encourage equal opportunities for men and women to get involved. We continually review the opportunities at both sites for equal provision.</p> <p>Positive impact</p>
Sexual Orientation	Neutral impact
Marriage & Civil Partnerships (part (a) of duty only)	Neutral impact
<p>Rural considerations: I.e., Access to services; transport; education; employment; broadband;</p>	<p>Nothing changes regardless of the management of the centres. This is addressed in the delivery of the leisure and wellbeing strategy.</p> <p>The Leisure and Wellbeing strategy addresses using community-based venues to tackle rural isolation bringing opportunities to the communities rather than expecting the community to come to the centres.</p> <p>This work will continue, and I see this as a positive impact.</p>

10. If you have identified a negative impact in question 9, what actions have you undertaken or do you plan to undertake to lessen or negate this impact?


Please transfer any actions to your Service Action plan on Excelsis.

Action(s):	Lead officer	Resource	Timescale

Declaration

I/We are satisfied that an Impact Assessment has been carried out on this policy, service, strategy, procedure, or function * (delete those which do not apply) and where a negative impact has been identified, actions have been developed to lessen or negate this impact.

We understand that the Equality Impact Assessment is required by the District Council and that we take responsibility for the completion and quality of this assessment.

Completed by: Angharad Lewis	Date:31/5/2023
Role:	
Countersigned by Head of Service 	Date: 12/6/2023

Date for Review: Please forward an electronic copy to eka.nowakowska@stroud.gov.uk

This page is intentionally left blank

STROUD DISTRICT COUNCIL

COMMUNITY SERVICES AND LICENSING COMMITTEE

22 JUNE 2023

List of Outside Bodies within the remit of Community Services & Licensing Committee

Appointments to Outside Bodies

Red – To be appointed

Organisation	Representatives from 2022/23 civic year	Nominations received for 2023/24 civic year
Cowle Trust (Museum in the Park)	Councillor Nigel Prenter	Councillor Nick Hurst
Kingshill House Charitable Trust	Councillor Trevor Hall	
Stroud & Rodborough Educational Charity	None required. Councillor Robinson and Prenter until July 2025 Libby Bird until Sept 2025	None required
Stroud Citizens Advice *	None – Main None – Substitute	Councillor Gary Luff
Stroud Festival Limited	Councillor Beki Aldam	
Stroud Road Safety Liaison Group	None required	
Woodchester Park Mansion	Councillor Steve Robinson Vacancy x 1	Councillor Steve Robinson
Community Safety Partnership	Councillor Chris Brine (Chair CS&L)	Councillor Beki Aldam (Chair of CS&L)
Older Peoples Forum	None	
Youth Council	Councillor Nigel Prenter	
Stroud District Council Know Your Patch	Councillor Doina Cornell – Main Councillor Robin Drury-Layfield – Substitute	
Homestart	Councillor Natalie Bennett	Councillor Natalie Bennett

This page is intentionally left blank



COMMUNITY SERVICES AND LICENSING COMMITTEE

MEMBER REPORT

NAME OF ORGANISATION/BODY	Museum in the Park (Cowle Trust)
DATE OF LAST MEETING ATTENDED	15 th May 2023 (apologies sent, report based on reports/minutes)
BRIEF REPORT	
<p>This report covers the period January-March 2023.</p> <p>The museum welcomed nearly 43,000 visitors (up 35% on the year before) and had just over 68,500 user engagements (this includes enquiries, outreach, website visits but excludes social media) – up 23% on the year before. In 19/20 these were 56,000 and 90,400. Gross retail income was higher than 19/20 with less visitors.</p> <p>Excluding donations for the mourning ring (see below) public donations were strong during the year, with the majority coming via on-site donation boxes. These funds are held by the Trust to support collections care, development and support external grant funding applications. The Trust are also able to gift-aid under HRMC's small donation scheme.</p> <p>Garden sales, which are also held by the Trust, this income supports the walled garden.</p> <p>Collections Treasure Act Finds: Thanks to generous public donations the museum has been able to purchase a special 17th Century gold 'Painswick Mourning Ring' for the collection. Following a successful fundraising campaign the Cowle Trustees were then able to match the public donations to complete the treasure purchase. Visit: https://museuminthepark.org.uk/the-painswick-mourning-ring</p> <p>The museum has made funding applications to the V&A Purchase Fund and Headley Trust for a for the Cam and Dursley Iron Age hoard of 17 coins. See: https://finds.org.uk/database/artefacts/record/id/1037058</p> <p>Fossil Fishing Update: Unfortunately, the museum's application to Arts Council England for funding to support the conservation and interpretation of the Fossil finds from Kings Stanley was unsuccessful. They have now made an application to Association of Independent Museums for the conservation element only. They have received a grant of £1,500 from the Curry Fund for the same project.</p> <p>With the Cowle Trustees permission the museum has lent several items from the archaeology collection for radio-carbon dating for the 'Chedworth in Context' project and facilitated two store visits for the researchers.</p>	

The **Community Case** currently hosts a Royal Stroud themed display by the Stroudwater Textile Trust featuring photographs and cloth samples from the Textile Trust collections, and a selection of souvenir wares from the collections of the Museum in the Park. On until 2nd July.

Public Programme

The museum has continued to offer a mix of high quality, welcoming and enjoyable activities and events for different audiences and age groups. Exhibitions have included the excellent ‘Hand-Stitched Stories’ by Sabine Kaner, which included sell-out weekend workshops. Events commenced with the Stroud Snowdrop Weekend organised by the gardeners; in March we hosted free workshops funded and run by Into Film Southwest for children and young teens as part of the Stroud Film Festival, this was run alongside a workshop led by a local artist to ensure a broad offer.

A customer quote from the Film Festival weekend: *“the welcome and venue were great and it was great to have something for young teens to do. So often its younger kids or older teens so thanks very much for that.”*

‘Winter warmers’ continued with an advance schedule of slideshow themes, this received lovely feedback. Buzz Club now meets monthly on Sundays with a different guest or seasonal activity each time. All ages are welcome to these drop-in sessions. The museum supported a new outdoor ‘pilot’ course of three sessions using the garden and park to aid recovery and wellbeing, in this instance for women in recovery from trauma and addiction.

There were five Remote Learning engagements with primary schools in January alone, despite the museum being closed for deep cleaning and conservation. This illustrates one of the continuing benefits of the Remote Learning Programme developing during Covid.

De-carbonisation

The Museum Manager is part of the team working on the Council’s de-carbonisation of the leisure centres and museum. The museum presenting different challenges from the leisure centres. See press release here: <https://www.stroud.gov.uk/news-archive/renewable-energy-will-heat-leisure-centres-and-museum>

Museum Membership

Visit www.museuminthepark.org.uk/membership to sign-up to the free-to-join membership to get museum insights and news.

The museum team have rolled out a new cloud based new electronic point of sale (EPOS) which is connected to the membership database.



Cowle Trust: Nick Duxbury was nominated as a trustee after responding to the trustee vacancy advert. There are no further vacancies at this time.

REPORT SUBMITTED BY	Cllr Nigel Prenter
DATE	14 th June 2023



COMMUNITY SERVICES AND LICENSING COMMITTEE MEMBER REPORT

NAME OF ORGANISATION/BODY	Police and Crime Panel
DATE OF LAST MEETING ATTENDED	24th March 2023

BRIEF REPORT

This Police and Crime Panel meeting in addition to the normal PCC updates had an update as to Constabulary's progress on remediation actions from the HMRCIFS report, and hear from members of the OPCC commissioning team. The main points were:-

- The Assistant Commissioner (AC) gave an update on the Enhanced Operating Model (EOM) which was initiated in response to the report's findings. One of key changes has been splitting up those that response from those that investigate calls which has improved efficiency.
- The EOM also required the reallocation 1300 officers into new roles created from the model, the panel questioned the impact on morale and asked about appeal processes for those that did not get their first or second preference roles. In response the AC stated that only 10% of officers did not get their preferred roles and there had been 30 appeals received, which was considered a small number compared to the large programme of change. A further question on general force morale was answered positively and that this was generally good, however concerns on cost of living are present.
- As well as other changes a new Crime Prevention' Command pulls a number of existing services together with a focus on serious violence and its prevention.
- One member asked the constabulary's response to the recently issued Baroness Casey's Report on Misconduct in the Met. Police, The Chief Executive confirmed she was currently in the process of reviewing it and whilst some things were very specific to the Met. there were other areas that were relevant.
- Apparently, the Met Police force has not achieved its officer uplift figures and this may create an opportunity for others, including Gloucestershire to bid for more officer numbers.

OPCC Commissioning Team

- The Commissioning team gave a presentation on how they commission services and work with other agencies in commissioning services for the constabulary. This includes supporting the OPCC to hold the Constabulary and local criminal justice partners to account around adhering to the 12 rights within the Victims Code of Practice, as well as representing on a number of national partnerships.
- Another part of the role is the management of the Commissioners Fund scrutinising grant applications and administrating the distribution of funding and providing grants in 2022/3, a

2-year funding opportunity was offered to 34 projects totalling £100k, for 23/4 a 1-year funding is available of £75k.

- In response to a question as to whether the Samaritans had applied for funding, they had not but the escalation around mental health and self-harm risk was an area the Commissioner was keen to influence in some way and would welcome any suggestions from the Panel.

Commissioners Report

- Officers were very pleased with the progress made in dealing with Anti-Social Behaviour (ASB) during the Cheltenham Festival after last year’s issues.
- The Forest of Dean and Cotswold councils had signed up to be part of the Solace scheme which used a multi-agency approach to dealing with ASB. The Commissioner hoped that both Tewkesbury and Stroud would join the other four districts.
- Responding to a question about the Community Triggers programme, the Panel were advised that this mechanism had been around for a while but there had been an increase in demand since Nov. following the creation of a new post developing and promote their use. Officers had uncovered a number of issues with other partners not meeting their legal requirements and it was agreed a more in-depth discussion would be useful for the Panel in the future
- In response to a question on response times It was advised that it was moving in the right direction but was not yet sustained enough to be fully confident. For example, in January the average answer time for 999 calls was 9.3 seconds and 101 was 3 minutes. This fell in February, it was found in a 2-week period that 42% of 101 calls could have been directed out of the Force Control Room, which would have reduced demand.

REPORT SUBMITTED BY	Cllr Martin Pearcy
DATE	27th May 2023

Cost of Living (CoL) Briefing

This briefing covers the period from March-April 2023. The CoL response for Stroud is a partnership between the statutory and voluntary sectors.

Data & Insight

Stroud Foodbank

April 22 - March 23 was the busiest year on Stroud Foodbank's record. However, for April 2023, demand has fallen to similar levels as April 2022. Additional Government payments to individuals may have eased demand.

An end of year update from Amanda Strover CEO of Stroud District Foodbank is appended to this briefing which includes data on demand in Stroud District.

We are working closely with the Foodbank to enhance their outreach support through the Hubs network. Audrey Harris from GL11 has been working as part of Hubs network to broker a new partnership to support Foodbank provision in Berkeley. Recent venue issues impacted on Foodbank usage in the Berkeley data which we hope will improve through better partnership working.

Stroud Citizens Advice

Demand continues to be high for Citizens Advice (see data at the end of this briefing) but they are pleased to have recruited a new Foodbank advisor after the post has been vacant for several months. The new advice worker is currently in training and is aiming to begin outreach advice sessions with the Foodbank in June.

Once again, Stroud Citizens Advice are able to hold a discretionary fund from our Household Support Fund allocation. Sometimes a small amount of funding to pay a bill, fix or replace something essential is the most effective way to support a client. The HSF 'Wider Essentials' allocation is made available for this purpose.

SDC Household Support Funding from GCC

GCC have allocated £300k to Stroud district for the financial year 23/24. The focus continues to be on food vouchers and energy support.

A delivery plan is being drafted to allocate support through the partners we have worked with successfully through the Cost of Living crisis.

In addition, for the first time, GCC are now allowing Districts to allocate HSF to resource money advice charities. SDC Cost of Living budget currently has a proportion allocated to provide this type of outreach money advice (through GL1 Communities,

Steve Miles, Senior Youth Officer
Email: steve.miles@stroud.gov.uk

P3 and Clean Slate). This element of Stroud's Cost of Living support may therefore be considered for other uses.

GCC Household Support Fund Individual Grant – Data from GCC on Stroud allocations of this fund will be updated when we have it.

Energy Vouchers – Severn Wye Energy Agency have been allocated £300k by GCC from the Household Support to provide energy vouchers for 23/24. In 2022, the Fuel Bank (sister charity to Foodbank) supported Foodbank referrals with fuel vouchers. This was a faster service than Severn Wye could provide, with clients usually receiving funding within the day of referral. SDC could allocate some HSF funding to resource Fuel Bank to support Foodbank clients in Stroud District.

Community Hubs – Hubs continue to be in high demand. Hubs report that they are seeing new faces at their food pantry and foodbank sessions. Some are seeing residents who are working, not on benefits and are struggling to afford bills.

The Hubs network is receiving additional support from UKSPF for individual Hub funding, and from SDC for Local Area Coordination from experienced community development workers. This extra coordination will help Hubs to put in place processes and support to help deal with continued demand.

Steve Miles, Senior Youth Officer
Email: steve.miles@stroud.gov.uk

**Appendix A**

In March 2023, we experienced our busiest month on record, issuing a total of 968 emergency food parcels. This marked a significant increase of 76% compared to March 2022. However, in April, the parcel count remained similar to the previous year, with only a modest 4% increase. Referrals so far in May have followed a similar trend to April, indicating a comparable level of demand compared to the same period last year. The cost of living payment of £301 may have alleviated some financial strain for eligible households, potentially reducing the need for emergency parcels.

Food Bank Centre April 2023	Adults	Children	Total	Total (%)
Stroud	167	84	251	38.79%
GL11 Community Hub Foodbank	52	50	102	15.77%
Stonehouse	50	42	92	14.22%
Wotton-Under-Edge	50	41	91	14.06%
Dursley	41	23	64	9.89%
Paganhill	23	16	39	6.03%
Nailsworth	2	3	5	0.77%
Berkeley	1	2	3	0.46%
Totals	386	261	647	100.00%

Food Bank Centre March 2023	Adults	Children	Total	Total (%)
Stroud	294	235	529	54.65%
Stonehouse	79	77	156	16.12%
GL11 Community Hub Foodbank	45	43	88	9.09%
Dursley	52	32	84	8.68%
Wotton-Under-Edge	46	12	58	5.99%
Paganhill	29	8	37	3.82%
Berkeley	7	5	12	1.24%
Nailsworth	4	0	4	0.41%
Totals	556	412	968	100.00%

Year so far

2023	Vouchers	Adults	Children	Total parcels
Jan	307	447	281	728
Feb	302	434	258	692
Mar	384	556	412	968
April	261	386	261	647
Totals	1254	1823	1212	3035

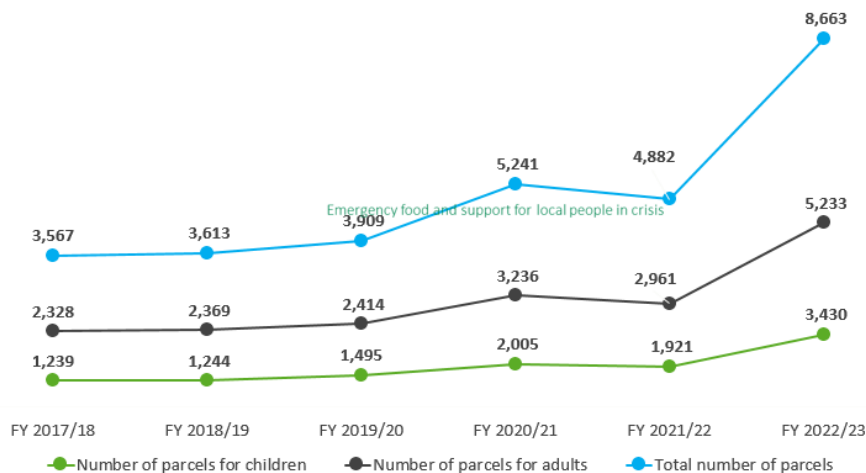
Steve Miles, Senior Youth Officer
Email: steve.miles@stroud.gov.uk

Highest Ward Referrals Jan-April 23

	Ward
1	Dursley
2	Stroud Slade
3	Cainscross
4	Stonehouse
5	Wotton-under-Edge
6	Cam West
7	Cam East
8	Stroud Farmhill & Paganhill
9	Nailsworth
10	Severn

End of year Stats Summary Apr 22- March 23

- Sadly, our busiest year ever with 8663 emergency food parcels packed & distributed (5233 adult & 3430 child parcels)
- A staggering 77% increase in emergency food parcels across the Stroud District.



Centre Updates & Development

Paganhill: Whilst the Octagon is closed, we are running a mobile service on-site every Wednesday from 1-3 pm using our van. We remain committed to supporting our Paganhill clients during this challenging period and give thanks to our volunteer team for adapting so well to the situation. The presence of P3 alongside us further strengthens the range of support services still available to the Paganhill community.

Berkeley: We're delighted to announce that starting in August, our delivery service from the Jenner Museum in Berkeley will be expanding to a new centre at St. Mary's Church.

Steve Miles, Senior Youth Officer
Email: steve.miles@stroud.gov.uk

**COMMUNITY SERVICES AND LICENSING COMMITTEE
INFORMATION SHEET (NO.4)
22 June 2023**

This expansion means that not only will we continue to provide essential food provisions, but we'll also be developing additional services to support the community even further. Our new CA caseworker will be on site and we hope that our potential new collaboration with P3 will further support this.

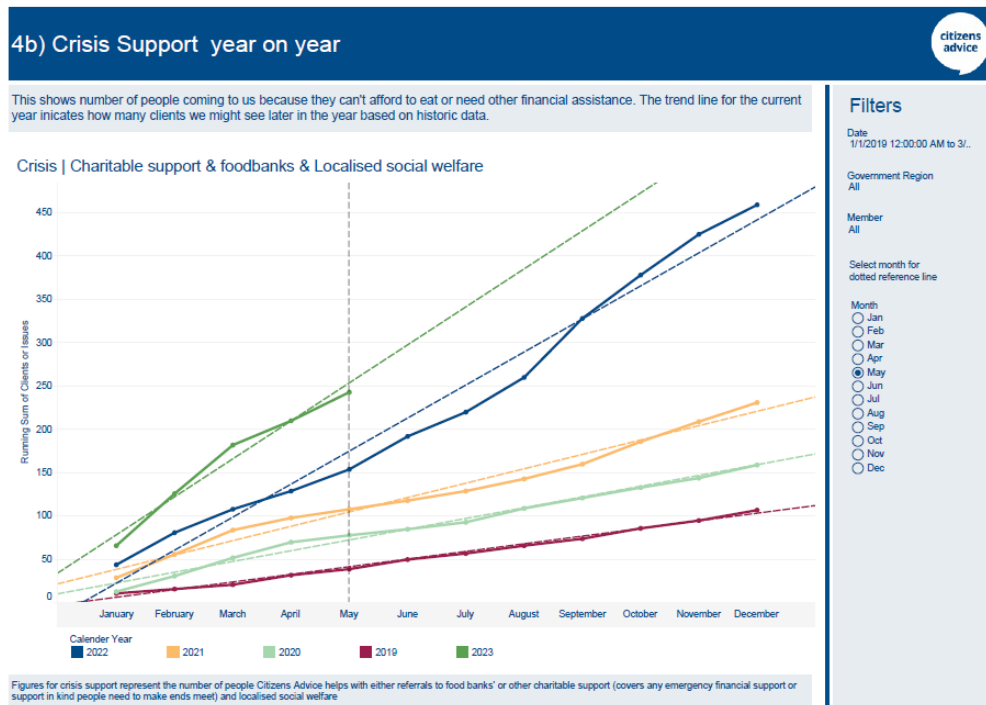
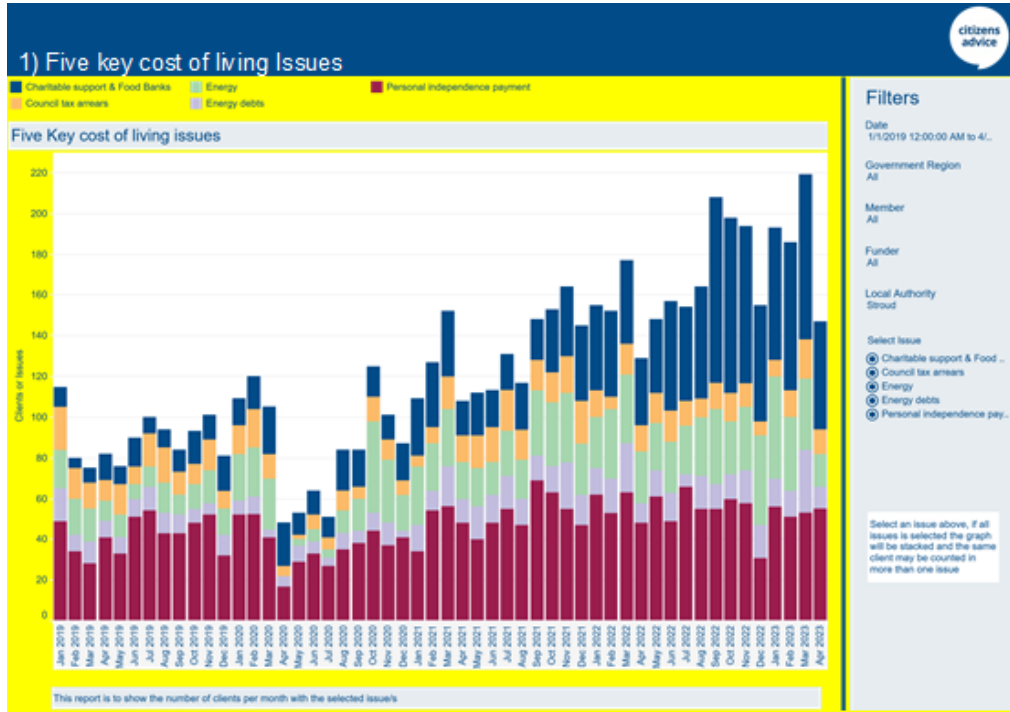
We're also looking at the Town Hall in Sharpness, potentially partnering with the GL11 Community Hub and their outreach team.

Cashes Green Community Centre: We're opening a new foodbank provision here to coincide with the existing Friday café. As Cashes Green is our third-highest ward for referrals creating a hub here providing food & support will allow us to directly address the needs of the community. We hope to be on-site from July.

Update provided by Amanda Strover, CEO Stroud District Foodbank.

Steve Miles, Senior Youth Officer
Email: steve.miles@stroud.gov.uk

Appendix B: Stroud District Citizens Advice Data.



Steve Miles, Senior Youth Officer
Email: steve.miles@stroud.gov.uk

**COMMUNITY SERVICES AND LICENSING COMMITTEE
 INFORMATION SHEET (NO.4)
 22 June 2023**

Ward

Count of clients with a financial crisis issue

Local Authority Ward	Current Period	Previous Period	Change	% Change
Amberley and Woodchester	0	1	-1	-100%
Berkeley Vale	1	1	0	0%
Bisley	0	1	-1	-100%
Cainscross	8	5	3	60%
Cam East	3	3	0	0%
Cam West	4	3	1	33%
Chalford	1	1	0	0%
Coaley & Uley	0	0	0	
Dursley	4	1	3	300%
Hardwicke	2	1	1	100%
Kingswood	2	1	1	100%
Minchinhampton	2	1	1	100%
Nailsworth	1	3	-2	-67%
Painswick & Upton	1	5	-4	-80%
Randwick, Whiteshill & Rus..	0	1	-1	-100%
Rodborough	1	0	1	
Severn	4	0	4	
Stonehouse	4	2	2	100%
Stroud Central	1	1	0	0%
Stroud Farmhill & Paganhill	5	4	1	25%
Stroud Slade	9	6	3	50%
Stroud Trinity	2	2	0	0%
Stroud Uplands	0	1	-1	-100%
Stroud Valley	4	1	3	300%
The Stanleys	3	0	3	
Thrupp	1	0	1	
Wotton-under-Edge	3	1	2	200%
Grand Total	66	46	20	43%

Steve Miles, Senior Youth Officer
 Email: steve.miles@stroud.gov.uk

This page is intentionally left blank



STROUD DISTRICT COUNCIL

Council Offices • Ebley Mill • Ebley Wharf • Stroud • GL5 4UB

Telephone 01453 766321 • Facsimile 01453 750932

www.stroud.gov.uk

COMMUNITY SERVICES AND LICENSING COMMITTEE

OFFICER REPORT

NAME OF ORGANISATION/BODY	Stroud District Council
BRIEF REPORT: Decarbonisation of Stratford Park Leisure Centre, the Museum in the Park, Stroud and The Pulse, Dursley.	
<p>1. Introduction</p> <p>1.1. The purpose of this report is to update members on the current position and progress with the installation of Air Source Heat Pumps at Stratford park Leisure Centre and the Museum in the Park, Stroud and The Pulse, Dursley; following Council's decision to accept the Salix Grant and provide match funding to deliver the project at its meeting on the 16th February 2023.</p> <p>1.1. The project supports the council's 2030 Strategy and its commitment to be an exemplar in investing in its own property and changing its policies and practices to achieve carbon neutrality.</p> <p>1.2. This proposal is also in accordance with the adopted Council Plan and specifically seeks to support the delivery of objectives EC1.5; Explore and progress additional projects for carbon reduction, complements the One Public Estate project; retrofitting of public buildings (EC3.2) and (CW4.1) helping to make our Leisure provision fit for the future.</p> <p>2. Progress</p> <p>2.1. Rapid progress has been made with procuring a contractor to deliver these works, which has been achieved through use of the Everything FM framework. A consultant engineer has been appointed, asbestos surveys have been undertaken, planning applications submitted, employer's requirements and all the necessary procurement documents have been drafted with input from the project team (including building managers).</p> <p>2.2. Invitations to tender were sent on 17th March 2023 and bids returned on 24th June 2023. These were evaluated and Cotswold Energy Group has been selected as the preferred bidder. Ground source heat pumps were not proposed by any of the tenderers as they would be unable to provide a suitable return on the additional cost of their installation, there were concerns over the ground being able to remediate sufficiently and the availability of suitable drilling rigs was uncertain. Therefore, the preferred tender proposal incorporating additional photovoltaic installations at all three sites together with enhancements to other elements of plant and equipment will provide a better return and are considered more sustainable.</p>	



COMMUNITY SERVICES AND LICENSING COMMITTEE

OFFICER REPORT

2.3. Air source heat pumps are the preferred option for all 3 buildings and bids have come in under considerably under budget. Some additional works are being considered (including replacement Air Handling Units at both the Pulse and SPLC) which will further improve energy efficiency and carbon savings, subject to Salix approving use of the grant monies for this purpose.

2.4. The contractor is expected to be in contract by 1st July 2023, but is already working on the project and is completing the final designs. The recently announced merger of Cotswold Energy Group Ltd with South Coast Insulation will not impact on the delivery of this project.

3. Main Risks

3.1. Inadequate heat supply. *The heat pump system may not provide enough heat or may not heat the building/pool up quickly enough.* Detailed building surveys will ensure that the heat pumps and radiators are suitably sized to meet the building loads. Performance specifications and heat load calculations are to be submitted to the consultant for approval.

3.2. Disruption to occupiers during installation. *The installation is likely to take place during the 2023/24 heating season, so will result in some disruption.* Closures will be targeted for quieter months (August/December/January) and customers will be kept informed throughout. The contractor's programme indicates a maximum of one week shutdown for whole sites albeit there will be a need to agree planned partial shutdowns of some spaces and works will be undertaken out of normal hours wherever possible. Internal works to the Museum in the Park are now planned for a series of Mondays when closed to the public.

3.3. Impacts on occupiers during operation. *Occupiers may also be affected by a change in the behaviour of the heating system.* The current proposed designs will enhance the efficiencies of the heating systems and result in better comfort levels for users.

3.4. Not meeting Salix deadlines. *The Salix grant deadline may not be met and the council would have to meet any shortfall in funding.* The deadline for drawing down grant funding is 31st March 2024. The contractor's programme includes for the completion of all installations by the end of January 2024 ensuring adequate time for final commissioning.

This risk will be managed carefully and reported on throughout the project.



STROUD DISTRICT COUNCIL

Council Offices • Ebley Mill • Ebley Wharf • Stroud • GL5 4UB

Telephone 01453 766321 • Facsimile 01453 750932

www.stroud.gov.uk

COMMUNITY SERVICES AND LICENSING COMMITTEE

OFFICER REPORT

The contracts include for recovery of damages should the contractor not complete by the March 2024 deadline.

3.5. Consenting delays or difficulties. *Planning permission and Listed Building Consent is required.* Planning and listed building consent applications have been submitted. Should Listed Building Consent not be granted at the Museum in the Park there remain options to site plant in line with earlier consents received or to centralise the plant at the Leisure Centre.

3.6. Electrical Supply and DNO Approval. *Approval is required from the National Grid (the DNO).* Initial discussions suggest that the supplies are adequate at both the Museum in the Park and SPLC whilst the contractor's tender includes for an upgrade at the Pulse which has come from those discussions with National Grid.

3.7. Supply chain delays of equipment and labour. Early procurement and placement of orders will help to mitigate this, but it needs to be kept under review. The contractor requires approval of the final design by 1st July in order that they can place orders. The suppliers of the preferred plant have not suggested delays to deliveries and the contractor would source optional suppliers should this be required.

3.8. Delays in programme leading to an extended closure of the facilities. *This will lead to increased costs and an impact on customers.* The planned closures are now shorter than was anticipated. Good contract management and a communications strategy will help to mitigate this risk.

3.9. Higher capital costs than expected. The preferred contractor's tender sum, following competitive tender, is below the client's budget projection and within the grant offer from Salix. The works are procured through a design and build contract placing the majority of cost risks with the contractor.

3.10. Abortive costs. *There is a risk of abortive costs if the project doesn't proceed through its respective phases.* The council have committed approximately £120k of design costs to date and intends to be in contract by 1st July.

4. Salix Grant

4.1. Monthly monitoring reports are being submitted to Salix as required under the grant conditions and an early payment has been drawn down successfully. Salix has been approached for approval of the additional works as outlined above.



STROUD DISTRICT COUNCIL

Council Offices • Ebley Mill • Ebley Wharf • Stroud • GL5 4UB
 Telephone 01453 766321 • Facsimile 01453 750932
 www.stroud.gov.uk

COMMUNITY SERVICES AND LICENSING COMMITTEE OFFICER REPORT

5. Next Steps

5.1. The contractor is to continue survey work and will complete detailed design for client's approval by 1st July. Works will commence on all sites in July subject to receipt of respective statutory consents.

6. Key Milestones:

Delivery Milestone	Provisional Completion Date	Actual completion date
Project Approval (Council)	16/02/2023	16/02/2023
Pre-Design Stage	27/02/2023	27/02/2023
Tender documents finalised	13/03/2023	13/03/2023
Out to tender	20/03/2023	17/03/23
Tenders complete	05/05/2023	24/05/2023
Orders placed	22/05/2023 01/07/2023	
Work in progress on site	29/05/2023 10/07/2023	
Completed on site	02/02/2024	
Final Commissioning	29/02/2024	
Key: Completed		

7. Comms

7.1. Staff at each site have been being kept informed by their managers and Everyone Active, through their regular contractor meetings. Cotswold Energy have agreed to issue joint comms and, once the programme is clearer, more information will be provided to customers and the wider community.

7.2. Initial indications are that close downs at each site will be much shorter and less disruptive (e.g. partial closedowns) than originally estimated.

FUTURE MEETINGS	21/09/2023
REPORT SUBMITTED BY	Brian McGough ; Programmes Manager Alison Fisk, Head of Property Services
DATE	05/06/2023

UPDATE ON PLAY REVIEW SPENDING ALLOCATIONS

This briefing provides an update on the redevelopment of 5 Stroud District Council owned play areas and Stratford Park Play Area.

Following the report to CS&L committee relating to the £300,000 COMF funding to support the development of 5 SDC owned play areas the project has been progressing.

We have carried out community consultation events between 17th-31st January 2023 at Dursley Primary School, Paganhill Community Hub, Top of Town Community Hub, Stonehouse Park Infant/Junior School and Acacia Drive play area. The events were well attended, and we gathered data relating to the type of play children and young people like to do when they visit a park i.e. Challenge, risk, dynamic movements, tactile.

The information gathered enabled Kompan (the appointed contractor) to create 2 designs for each play area which the public then voted on between the 20th-24th February 2023 for the winning design to be built.

The equipment has not been ordered and we are expecting to take delivery by June 2023. All of the equipment we will be installing is coming from Kompan Green Range. (you can find more information about their green range [here.](#))

Below are images of the chosen designs for each play area.

Archway Gardens



Acacia Drive



Cambridge Avenue



Mason Road



Wharfdale Way



The £300,000 has been divided between the 5 play areas as follows: -

Name of Play area	Estimated Costs
Archway Gardens	£40,000
Cambridge Avenue	£107,000
Mason Road	£71,000
Wharfdale Way	£40,500
Acacia Drive	£39,450
Total	£297,950

Stratford Park Play Area

In February 2023, Strategy and Resources committee approved as part of the capital programme investment of £150,000 into Stratford Park Play area.

Community consultation took place on the proposed design in February 2023 alongside the other 5 play areas.

Below is an image of the new play area that will be installed at Stratford Park in summer 2023.



Safer Streets Fund

This brief provides information about the Safer Streets Fund (SSF) which has been made available to the Community Safety Partnerships (CSP) across the country by the Home Office (HO) with aim of tackling crime.

The 1st round of the SSF was launched in January 2020. The 4th and latest round, specifically designed to help reduce Anti-Social Behaviour (ASB) and Violence and Intimidation Against Women and Girls (VIAWG) in the Stroud District, was concluded on 15 May 2023.

Stroud CSP, made up of local partners including Stroud District Council (SDC), Stroud Policing Team and Stroud Town Council (STC) were invited to apply for up to £50,000 to help fund initiatives and projects. The application had to be returned to the Office of the Police & Crime Commissioner (OPCC) who would ensure that the application meets the HO's strict criteria and contained enough supporting evidence.

Our application focused on Target Hardening Environmental Improvements and Prevention. Both themes compliment the OPCC's ASB and VIAWG strategies which are particularly prevalent at this moment in time given the recent sexual assaults in the Stroud town centre and the murder of a Chapel Street resident, in 2022.

Our application included the following.

Environmental Improvements

Cut back, clearance and tidy of the footpath between Stratford Park and Paganhill (described a Rape Alley by a distressed resident at the Stroud Community meeting in January 2023).

£2,500.00

Cut back, clearance and tidy of the footpath between A419 and Church Lane towards St Cyrs Church, Stonehouse (improvements were identified by a local resident at the Stroud Community meeting in January 2023).

£4,300.00

Repair works, bin store re design and improved lighting at Chapel Street, Stroud (improvements were identified following feedback from local residents, STC and SDC officers).

£17,500.00

Supply and fit of raised flower beds and benches a in the Paganhill Estate, Stroud (Stroud Police conducted an environmental audit with SDC officers and concerned Ward Councillors and members of the public).

£4,500.00

Paul Harrison, Senior Community Services Officer
 Email: paul.harrison@stroud.gov.uk

Improved lighting and CCTV in Bank Gardens, Stroud (Identified by STC who reported that the route is not well lit and that there are regular issues with ASB in the area.

£10,000.00

Prevention

Introduction of 2 x Night Safe Officers to patrol the Stroud Town Centre Friday and Saturday evenings 8pm – 2am (following feedback from members of the community who have said that they feel unsafe).

£11,040.00

I am pleased to report that our application was successful and the OPCC were happy to fund £49,840.00 to cover the costs of our initiatives and projects.

We will use the Community Payback scheme (offenders of less serious crimes are sentenced to undertake a set number of hours of unpaid community work (overseen by the Probation Service) so that they can “payback” the community they offended against. This can primarily involve jobs such as litter picking, removing fly tipping painting etc) and where possible, work with local contractors to conduct the Environmental Improvements. These improvements will include, cutting back overgrown trees and hedges, clearing and disposal of rubbish, repairing damaged fences and improving lighting.

As per the HO’s criteria, we will conduct further consultation with the local community and involve them in the process. In addition to the positive impact these improvements will have on reducing ASB and VIAWG, the enhanced visual appearance of these areas should help people feel safer in their local communities.

Two Night Safe Officers will start patrolling the Stroud town centre between 8pm – 2am every Friday and Saturday from 1 July 2023. This provision will initially be rolled out for a trial period of 3 months. If successful we will be keen to extend the service further and will look to secure additional funding from the next round of SSF.

We will work in partnership with Gloucester City Safe who provide a similar service for Gloucester City Council. The introduction of the Night Safe Officer scheme in Gloucester has not only helped reduce ASB and VIAWG but has boosted the night-time economy by protecting local businesses helping them flourish during these challenging financial times.

Key partners within SDC, Stroud Policing Team and STC will oversee these works to ensure that they are delivered on time, to the expected standard and are within budget. We will involve the community members and feedback on positive outcomes to the OPCC and local residents.

Paul Harrison, Senior Community Services Officer
Email: paul.harrison@stroud.gov.uk

Safeguarding Update

Introduction

The following information covers the responsibilities and actions of the Council with regards to safeguarding children, young people and adults during the later part of 2021, the whole of 2022 and so far in 2023.

Driven by legislation from the Childrens Act (2004), and the requirements of the Working Together to Safeguarding Children (2018) statutory guidance, as well as the Care Act (2014), the Council continues to be part of the safeguarding arrangements in Gloucestershire - this includes being a partner of the Gloucestershire Safeguarding Childrens Partnership (GSCP), and a stakeholder of the Gloucestershire Safeguarding Adult Board (GSAB).

Our corporate work this year has included conducting self-assessment audits for both children, young people and adults safeguarding. We have also reset our internal safeguarding officer group and started the review process of our policy and procedures.

Progress from 2021 to 2023

Gloucestershire Safeguarding Childrens Partnership (GSCP): In response to the Working Together to Safeguarding Children (2018) statutory guidance, the GSCP evolved from its previous incarnation (as the Gloucestershire Safeguarding Childrens Board) in 2019. Subsequently, this Council and other District Councils in Gloucestershire, became a formal partner of the GSCP and became more actively involved with the work of the partnership. We gained a dedicated 'District Safeguarding Sub-Group' within the governance structure of the GSCP, meaning our responsibilities sat within a dedicated management framework. We also gained support from the GSCP's Business Unit. This arrangement continues today.

The District Safeguarding Sub-Group, meet four times a year and primarily report to the GSCP Management Group alongside other sub-groups. Some adult safeguarding matters are also included in our sub-group work programme. The other sub-groups include statutory partners and service teams from a range of different public sectors.

Each District Council has two representatives on the GSCP - these take on respective lead roles on a rota basis for the Chairing and Deputy Chair / Adult Lead work. Stroud District Council handed over the Chairperson role in May 2022 after a two-year term.

Steve Miles, Senior Youth Officer
Email: steve.miles@stroud.gov.uk

Gloucestershire Safeguarding Adult Board (GSAB): The governance of the GSAB is different to that of the GSCP and has changed little in its function over the years. We have representation to the 'Board' conducted by our Strategic Director of Communities who also now acts as our Strategic Lead for Safeguarding. We also have the addition of a representative from the District Safeguarding Sub-Group to support collective matters of district council's at GSAB meetings.

Referrals and Multi-Agency Work: Our referrals to the respective 'Multi-Agency Safeguarding Hubs / Help Desks' continue in line with our current statutory responsibilities, policy, and procedures. Whilst we do not have statutory responsibilities to investigate safeguarding concerns or incidents in the wider context, we do so with regards to reporting them correctly. In this respect, our many services continue to engage with the respective referral systems – the nature of safeguarding matters, means the work can be arduous and complex, but essential. In circumstances that require us as a Council to be represented at a multi-agency meeting, be that (for example) a case management or a housing matter, officers deal with to ensure we collaborate appropriately.

Self-Assessment Audits: Both the GSCP and the GSAB require us to conduct self-assessment audits for safeguarding children, young people, and adults – this is a statutory requirement under Section 11 of the Childrens Act (2004) and Section 47 of the Care Act (2014) respectively. Both reports, whilst submitted separately, receive independent scrutiny from safeguarding professionals of the GSCP and the GSAB – both appoint an independent chairperson to oversee this work, who appoint a panel of people to assist them.

With regards to the Section 11 Audit, GSCP partners are invited to present to the panel, their audit report and discuss its content. Stroud District Youth Council (SDYC) participated alongside the Independent Scrutineer (the chairperson) and safeguarding professionals, in the audit panel sitting for 2021 and 2022. This was of huge mutual benefit and considered to be exemplary practice in safeguarding audit work. The formal public report for 2022 will be published soon.

SDYC reviewed Standard 4 of the Section 11 Audit indicators following their work on the panel in 2021. Subsequently, changes to the title of the standard and the objectives were offered and then consulted upon as part of the 2022 audit panel discussion with partners. The changes will be implemented in 2023.

SDC Safeguarding Group: We have reset our internal officer group, which is chaired by our Strategic Lead for Safeguarding. This group now consists of officers from

Steve Miles, Senior Youth Officer
Email: steve.miles@stroud.gov.uk

**COMMUNITY SERVICES AND LICENSING COMMITTEE
INFORMATION SHEET (NO.3)
22 June 2023**

across the Council, representing different services and directorates - it has met twice so far in 2023. Many of the officers involved are 'safeguarding reporting leads' for their service. The group has agreed updated terms of reference and has commenced a review of the Council's safeguarding policy and procedures.

Review of Policy and Procedures: As referenced above, the Council has begun a review of its safeguarding policy and procedures. There is research currently being done on current and emerging legislation, policies of other authorities, and emerging practices and procedures. A draft of the revised policy and procedures will be shared with elected members in August. The plan is to present the final draft to the Community Services and Licensing Committee on or before the meeting in January 2024.

Steve Miles, Senior Youth Officer
Email: steve.miles@stroud.gov.uk

This page is intentionally left blank

STROUD DISTRICT COUNCIL

COMMUNITY SERVICES AND LICENSING COMMITTEE

WORK PROGRAMME FOR 2023-24

THURSDAY, 22 JUNE 2023

Date of meeting	Matter to be considered (i.e. insert report/project title)	Notes (e.g. lead member & officer)
21.09.23	Performance Monitoring Q1	TBC
	Budget Monitoring Q1	Accountant
	Council Plan Refresh	Senior Policy & Governance Officer/Corporate Policy & Governance Manager
	Stroud District Passport to Activity & Wellbeing	Physical Activity & Health Development Manager
	Careline Digital Switchover Funding Application	Head of Community Services
	Anti-Social Behaviour and Compliance Policy	Head of Community Services
	Member/Officer Reports: a) Gloucestershire Health and Overview Scrutiny Committee b) Museum in the Park (Cowle Trust) c) Police and Crime Panel d) Citizens Advice e) Mental Health Champions f) Homestart g) Cost of Living Information Sheet h) Salix Project Update Information Sheet i) Abandoned Vehicles Information Sheet	Councillor Helen Fenton TBC Councillor Martin Percy TBC TBC TBC Community Health & Wellbeing Manager Head of Property Services Head of Community Services
	Work Programme	Chair/Strategic Director of Communities/Committee
	30.11.23	Performance Monitoring Q2
Budget Monitoring Q2		Accountant
Community Services and Licensing Revenue Estimates – Revised 2023/24 and Original 2024/25		Accountant
Domestic Abuse and Sexual Violence County Strategy		Head of Community Services
Community and Voluntary Support Framework		Community Health & Wellbeing Manager
Community Engagement Strategy		Head of Environmental Health
Youth Work Strategy 2024 to 2028		Senior Youth Officer
Member/Officer Reports: a) Gloucestershire Health and Overview Scrutiny Committee b) Museum in the Park (Cowle Trust) c) Police and Crime Panel		Councillor Helen Fenton TBC TBC

Agenda Item 13

	d) Citizens Advice e) Mental Health Champions f) Cost of Living Information Sheet g) Salix Project Update Information Sheet Work Programme	TBC TBC Community Health & Wellbeing Manager Head of Property Services Chair/Strategic Director of Communities/Committee
18.01.2024	Serious Violence Strategy	Head of Community Services
	Health and Inequalities Strategy	Head of Community Services
	Safeguarding Policy	Head of Community Services
	Member/Officer Reports: a) Gloucestershire Health and Overview Scrutiny Committee b) Museum in the Park (Cowle Trust) c) Police and Crime Panel d) Citizens Advice e) Mental Health Champions f) Cost of Living Information Sheet g) Salix Project Update Information Sheet Work Programme	Councillor Helen Fenton TBC TBC TBC TBC Community Health & Wellbeing Manager Head of Property Services Chair/Strategic Director of Communities/Committee
	Performance Monitoring Q3	TBC
	Budget Monitoring Q3	Accountant
14.03.2024	10 Year Vision of Stratford Park Leisure Centre	Head of Community Services
	Report from Mental Health Champions	Mental Health Champions
	Member/Officer Reports: a) Gloucestershire Health and Overview Scrutiny Committee b) Museum in the Park (Cowle Trust) c) Police and Crime Panel d) Citizens Advice e) Mental Health Champions f) Homestart g) Cost of Living Information Sheet h) Salix Project Update Information Sheet Work Programme	Councillor Helen Fenton TBC TBC TBC TBC TBC Community Health & Wellbeing Manager Head of Property Services Chair/Strategic Director of Communities/Committee

Potential future Informal Information Evenings	
Date	Topic
September 2023	Neighbourhood Wardens and Careline 6pm – 7.30pm
November 2023	The Pulse, Museum in the Park and Health & Wellbeing 5.30m – 7.30pm
January 2024	Police and Crime Commissioner and Director of Public Health (inc community hubs) 6pm – 7pm
March 2024	Youth Service and Health & Wellbeing (Children) 6pm – 7.30pm

To be allocated to Committee date or Information evening	
Date	Topic

TBC	Cultural Strategy
TBC	Update on Tourism in the District

Future Members' Information Sheets		
	Topic	Notes (e.g. responsible officer)
Annual Members' Information Sheets from Officers	September 2023 - Neighbourhood Wardens - Careline - Lido update - Abandoned Vehicles	- Senior Neighbourhood Warden - Senior Community Services Officer - Head of Community Services - Senior Community Services Officer
	November 2023 - Museum in the Park - The Pulse	- Museum Manager - Operations Manager
	February/March 2024 - Youth Service - Customer Services - Community Grant Allocations (Successful and unsuccessful applicants)	- Senior Youth Officer Customer Services Manager - Community Health and Wellbeing Manager

Published Members' Information Sheets		
Date sent (& ref no)	Topic	Notes (eg responsible officer)
07.06.2023 (1)	Play Review on Spending Allocations	Physical Activity & Health Development Manager
13.06.2023 (2)	Safer Streets 4 Funding	Senior Community Services Officer

This page is intentionally left blank