

**Democratic Services**

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**To: All Members of the Council**

Chief Executive and other appropriate officers  
Press and Public

Dear Member

**Council: Thursday, 21st May, 2015**

You are invited to attend the Annual Meeting of the **Council** to be held on **Thursday, 21st May, 2015** at **6.30 pm** in the **Council Chamber - Guildhall, Bath.**

The agenda is set out overleaf.

Refreshments will be available for Councillors from 5pm in the Aix-en-Provence Room (next to the Banqueting Room) on Floor 1.

Yours sincerely

Jo Morrison  
Democratic Services Manager  
for Chief Executive

**Please note the following arrangements for pre-group meetings:**

<b>Conservative</b>	<b>Brunswick Room, Ground floor</b>
<b>Liberal Democrat</b>	<b>Kaposvar room, 1<sup>st</sup> floor</b>
<b>Labour</b>	<b>Labour Group room</b>
<b>Independent</b>	<b>Independent Group room</b>
<b>Green</b>	<b>Meeting Room 1, 2<sup>nd</sup> floor</b>

**If you need to access this agenda or any of the supporting reports in an alternative accessible format please contact Democratic Services or the relevant report author whose details are listed at the end of each report.**

*This Agenda and all accompanying reports are printed on recycled paper*

## NOTES:

1. **Inspection of Papers:** Any person wishing to inspect minutes, reports, or a list of the background papers relating to any item on this Agenda should contact Jo Morrison who is available by telephoning Bath 01225 394358.
2. **Details of decisions taken at this meeting** can be found in the minutes which will be circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting as above. Papers are available for inspection as follows:

**Public Access points:-** Reception: Civic Centre - Keynsham, Guildhall - Bath, The Hollies - Midsomer Norton. Bath Central and Midsomer Norton public libraries.

For Councillors and officers, papers may be inspected via Political Group Research Assistants and Group Rooms/Members' Libraries.

### 3. **Recording at Meetings:-**

The Openness of Local Government Bodies Regulations 2014 now allows filming and recording by anyone attending a meeting. This is not within the Council's control.

Some of our meetings are webcast. At the start of the meeting, the Chair will confirm if all or part of the meeting is to be filmed. If you would prefer not to be filmed for the webcast, please make yourself known to the camera operators.

To comply with the Data Protection Act 1998, we require the consent of parents or guardians before filming children or young people. For more information, please speak to the camera operator

The Council will broadcast the images and sound live via the internet [www.bathnes.gov.uk/webcast](http://www.bathnes.gov.uk/webcast) An archived recording of the proceedings will also be available for viewing after the meeting. The Council may also use the images/sound recordings on its social media site or share with other organisations, such as broadcasters.

4. **Spokespersons:** The Political Group Spokespersons for the Council are the Group Leaders, who are currently Councillors Tim Warren (Conservative Group), Liberal Democrat Group to be confirmed, Independent Group to be confirmed and Robin Moss (Labour Group).
5. **Attendance Register:** Members should sign the Register, which will be circulated at the meeting.
6. **Public Speaking at Meetings:** The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group. They may also ask a question to which a written answer will be given. **Advance notice is required not less than two full working days before the meeting. This means that for meetings held on Thursdays notice must be received in Democratic Services by 5.00pm the previous Monday.** Further details of the scheme can be obtained by contacting Jo Morrison as above.
7. THE APPENDED SUPPORTING DOCUMENTS ARE IDENTIFIED BY AGENDA ITEM NUMBER.

## 8. Emergency Evacuation Procedure

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are sign-posted.

Arrangements are in place for the safe evacuation of disabled people.

9. **Presentation of reports:** Officers of the Council will not normally introduce their reports unless requested by the meeting to do so. Officers may need to advise the meeting of new information arising since the agenda was sent out.

**A G E N D A**

1. EMERGENCY EVACUATION PROCEDURE

The Chairman will draw attention to the emergency evacuation procedure as set out under Note 8.

2. ELECTION OF CHAIRMAN 2015/16

It is a legal requirement that the first formal business at the Annual General meeting shall be the election of a Councillor to be the Chair(man) of the Council. The term of office of the Chair(man) expires on the election of his/her successor at the Annual meeting of the Council in 2016.

The present Chair(man) of the Council is Councillor Martin Veal who will preside over the election of his successor.

Once the new Chair(man) is elected, he will make and sign the Declaration of Acceptance of Office, and receive the Chain of Office from the former Chair(man), after which he may address the Council.

The newly elected Chair(man) will preside from this point in the proceedings.

3. ELECTION OF VICE-CHAIRMAN 2015/16

4. APOLOGIES FOR ABSENCE

5. MINUTES (Pages 9 - 18)

To be confirmed as a correct record and signed by the Chair(man)

6. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to complete the green interest forms circulated to groups in their pre-meetings (which will be announced at the Council Meeting) to indicate:

(a) The agenda item number in which they have an interest to declare.

(b) The nature of their interest.

(c) Whether their interest is **a disclosable pecuniary interest** *or* **an other interest**, (as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer or a member of his staff before the meeting to expedite dealing with the item during the meeting.

7. ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE

These are matters of information for Members of the Council. No decisions will be required arising from the announcements.

8. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

If there is any urgent business arising since the formal agenda was published, the Chairman will announce this and give reasons why he has agreed to consider it at this meeting. In making his decision, the Chairman will, where practicable, have consulted with the Leaders of the Political Groups. Any documentation on urgent business will be circulated at the meeting, if not made available previously.

9. REPORT OF URGENT DECISION BY THE CHIEF EXECUTIVE

In accordance with the rules within the Constitution concerning Chief Officer's action (Urgency Part 4G, rule 3) it is reported that the Chief Executive has taken the following decisions since the last meeting of Council;

**Urgent decisions by Chief Executive**

On 19th March 2015, the Chief Executive was asked to consider reports on amendments to the Council Capital programme and borrowing limits.

She subsequently approved;

- An increase in the capital budget for Odd Down Sports Ground of up to £290K to cover an additional scope of works, to be funded by a Revenue Contribution to Capital (RCCO) from the Outturn underspend for 2014/15.
- The capital project for a new Primary School in the Ensleigh Development to be fully approved with a total budget of £4m funded by Basic Needs Grant and available Developer's contributions from 2015/16 onwards.
- An increase in Council borrowing limits by £7 million from the 2015/16 allocation to fund additional capital expenditure and a consequent adjustment to the capital programme.

These decisions were deemed as urgent and were taken following consultation with Political Group Leaders, the Monitoring Officer and the Section 151 Officer.

10. NOTIFICATION OF MEMBERS ELECTED ON 7TH MAY 2015 (Pages 19 - 20)

11. APPOINTMENT OF LEADER

The Council is required to elect a Councillor to be the Leader of the Council for the 4 year term from May 2015 AGM to May 2019 AGM.

The Council is asked to note that all decisions regarding the appointment of a Deputy Leader, Cabinet Members and portfolios, the executive delegation scheme and frequency of Cabinet meetings are decisions solely for the Leader to make and publicise in due course.

12. APPOINTMENT OF COMMITTEES & PANELS, & OTHER ANNUAL BUSINESS  
(Pages 21 - 86)

This report invites the Council to consider its non-executive and regulatory committee arrangements for the Council year May 2015 – May 2016, and associated annual business. It is anticipated that an update report will be issued prior to the meeting, in the light of discussions underway between political groups.

13. MONITORING OFFICER APPOINTMENT (Pages 87 - 88)

This report seeks confirmation of the designation of the Head of Legal and Democratic Services (Maria Lucas) as the Council's Monitoring Officer with effect from 1 June 2015.

14. QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC

The Democratic Services Manager will announce any submissions received. The Council will be invited to decide what action it wishes to take, if any, on the matters raised in these submissions. As the questions received and the answers given will be circulated in written form there is no requirement for them to be read out at the meeting. The questions and answers will be published with the draft minutes.

15. PLEDGE TO CHILDREN IN CARE (Pages 89 - 96)

Following the publication of 'Care Matters: Time for Change' in June 2007, there has been a requirement for all Local Authorities to develop and publish a Pledge to their Looked after Children and Care Leavers. The Pledge sets out the services and support children should expect to receive.

Since the implementation of our Pledge in 2008 Bath & North East Somerset's Pledge to Children in Care has continued to be updated to reflect current regulations, guidance and best practice. The new Council following local elections is invited to affirm its commitment to the Pledge.

The Committee Administrator for this meeting is Jo Morrison who can be contacted on 01225 394358.

## **Protocol for Decision-making**

### **Guidance for Members when making decisions**

When making decisions, the Cabinet/Committee must ensure it has regard only to relevant considerations and disregards those that are not material.

The Cabinet/Committee must ensure that it bears in mind the following legal duties when making its decisions:

- Equalities considerations
- Risk Management considerations
- Crime and Disorder considerations
- Sustainability considerations
- Natural Environment considerations
- Planning Act 2008 considerations
- Human Rights Act 1998 considerations
- Children Act 2004 considerations
- Public Health & Inequalities considerations

Whilst it is the responsibility of the report author and the Council's Monitoring Officer and Chief Financial Officer to assess the applicability of the legal requirements, decision makers should ensure they are satisfied that the information presented to them is consistent with and takes due regard of them.