

Democratic Services

Riverside, Temple Street, Keynsham, Bristol BS31 1LA
Telephone: (01225) 477000 *main switchboard*
Direct Lines - Tel: 01225 394942 Fax: 01225 394439
Web-site - www.bathnes.gov.uk

Your ref:

Our ref: CRS

Date: 2 August 2011

E-mail: Democratic_Services@bathnes.gov.uk

To: All Members of the Cabinet

Councillor Paul Crossley	Leader of the Council
Councillor Nathan Hartley	Deputy Leader of the Council and Cabinet Member for Early Years, Children and Youth
Councillor David Bellotti	Cabinet Member for Community Resources
Councillor Simon Allen	Cabinet Member for Wellbeing
Councillor Tim Ball	Cabinet Member for Homes and Planning
Councillor Cherry Beath	Cabinet Member for Sustainable Development
Councillor David Dixon	Cabinet Member for Neighbourhoods
Councillor Roger Symonds	Cabinet Member for Transport

Chief Executive and other appropriate officers
Press and Public

Dear Member

Cabinet: Wednesday, 10th August, 2011

You are invited to attend a meeting of the **Cabinet**, to be held on **Wednesday, 10th August, 2011** at **6.30 pm** in the **Banqueting Room - Guildhall, Bath**.

The agenda is set out overleaf.

Yours sincerely

Col Spring
for Chief Executive

The decisions taken at this meeting of the Cabinet are subject to the Council's call-in procedures. Within 5 clear working days of publication of decisions, at least 10 Councillors may signify in writing to the Chief Executive their wish for a decision to be called-in for review. If a decision is not called-in, it will be implemented after the expiry of the 5 clear working day period.

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 Col Spring who is available by telephoning Bath 01225 394942 or by calling at the Riverside Offices Keynsham (during normal office hours).
- 2. 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. Advance notice is required not less than two full working days before the meeting (this means that for meetings held on Wednesdays, notice must normally be received in Democratic Services by 4.30pm the previous Friday but Bank Holidays will cause this to be brought forward).

The public may also ask a question to which a written answer will be given. Questions must be submitted in writing to Democratic Services at least two full working days in advance of the meeting (this means that for meetings held on Wednesdays, notice must normally be received in Democratic Services by 4.30pm the previous Friday but Bank Holidays will cause this to be brought forward). If an answer cannot be prepared in time for the meeting it will be sent out within five days afterwards. Further details of the scheme can be obtained by contacting Col Spring as above.

- 3. Details of Decisions taken at this meeting** can be found in the minutes which will be published as soon as possible after the meeting, and also circulated with the agenda for the next meeting. In the meantime details can be obtained by contacting Col Spring as above.

Appendices to reports are available for inspection as follows:-

Public Access points - Riverside - Keynsham, Guildhall - Bath, Hollies - Midsomer Norton, and Bath Central, Keynsham and Midsomer Norton public libraries.

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

- 4. Attendance Register:** Members should sign the Register which will be circulated at the meeting.
- 5. THE APPENDED SUPPORTING DOCUMENTS ARE IDENTIFIED BY AGENDA ITEM NUMBER.**
- 6. 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.

- 7. Officer Support to the Cabinet**
Cabinet meetings will be supported by the Director's Group.
- 8. Recorded votes**
A recorded vote will be taken on each item.

Cabinet - Wednesday, 10th August, 2011

in the Banqueting Room - Guildhall, Bath

A G E N D A

1. WELCOME AND INTRODUCTIONS

2. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as set out under Note 6

3. APOLOGIES FOR ABSENCE

4. DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972

To receive any declarations from Members/Officers of personal or prejudicial interests in respect of matters for consideration at this meeting. Members who have an interest to declare are asked to:

a) State the Item Number in which they have the interest;

b) The nature of the interest;

c) Whether the interest is personal, or personal and prejudicial.

Any Member who is unsure about the above should seek advice from the Monitoring Officer prior to the meeting in order to expedite matters at the meeting itself.

5. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

6. QUESTIONS FROM PUBLIC AND COUNCILLORS

At the time of publication, 3 items had been submitted

7. STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

At the time of publication, no items had been notified

8. MINUTES OF TWO PREVIOUS CABINET MEETINGS (Pages 7 - 24)

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

9. CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

This is a standard agenda item, to cover any reports originally placed on the Weekly list for single Member decision making, which have subsequently been the subject of a Cabinet Member requisition to the full Cabinet, under the Council's procedural rules

10. CONSIDERATION OF MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

This is a standing agenda item (Constitution rule 21, part 4D – Executive Procedure Rules) for matters referred by Policy Development and Scrutiny bodies. The Chair of the relevant Policy Development and Scrutiny body will have the right to attend and at the discretion of the Leader to speak to the item, but not vote.

The Planning, Transport and Environment Policy Development and Scrutiny Panel has referred a matter to Cabinet relating to the Bath Transport Package. Cabinet will be asked to respond to the Panel's submission.

11. SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

There were none

12. COMMUNICATION AND MEDIA PROTOCOL (SAFEGUARDING) (Pages 25 - 42)

B&NES Local Safeguarding Adults Board made up of a range of statutory, voluntary and independent agencies identified the need for a multi-agency communication and media protocol to be agreed and implemented by Board members. The LSAB requested that communication leads from statutory agencies liaise and develop a joint working approach to media responses in respect of safeguarding adults. The LSAB have approved the attached protocol and now seek Cabinet approval.

13. QUALITY PARTNERSHIP SCHEME FOR CORRIDOR 3 OF THE GREATER BRISTOL BUS NETWORK (Pages 43 - 86)

The Greater Bristol Bus Network (GBBN) major scheme includes the establishment of quality partnership schemes on ten bus route corridors in the West of England area. This scheme will cover the corridor between Bath and Bristol. It will set quality standards for bus operators who wish to use the new infrastructure and facilities.

14. DETERMINATION OF THE STATUTORY NOTICE TO ALTER THE LOWER AGE LIMIT AT ST. MARY'S CHURCH OF ENGLAND PRIMARY SCHOOL (WRITHLINGTON) (Pages 87 - 118)

The Governing Body of St. Mary's C of E Primary school, Writhlington, has consulted on and published a proposal to alter the lower age limit of the school from age 4 to age 3 by the addition of Early Years provision that would be run by the school. At the end of the six week statutory notice representation period (26 July 2011) a decision is required to determine the proposal.

15. TREASURY MANAGEMENT MONITORING REPORT TO 30TH JUNE 2011 (Pages 119 - 128)

In February 2010 the Council adopted the 2009 edition of the CIPFA Treasury Management in the Public Services: Code of Practice, which requires the Council to approve a Treasury Management Strategy before the start of each financial year, review performance during the year, and approve an annual report after the end of each financial year. This report gives details of performance against the Council's Treasury Management Strategy and Annual Investment Plan 2011/12 for the first three months of 2011/12.

The Committee Administrator for this meeting is Col Spring who can be contacted on 01225 394942

Agenda Item 8

BATH AND NORTH EAST SOMERSET

CABINET

Wednesday, 13th July, 2011

The decisions contained within these minutes may not be implemented until the expiry of the 5 working day call-in period which will run from 15th to 21st Jul. These minutes are draft until confirmed as a correct record at the next meeting.

Present:

Councillor Paul Crossley
Councillor Nathan Hartley

Leader of the Council
Deputy Leader of the Council and Cabinet Member for Early Years, Children and Youth
Cabinet Member for Community Resources
Cabinet Member for Wellbeing
Cabinet Member for Homes and Planning
Cabinet Member for Sustainable Development
Cabinet Member for Neighbourhoods
Cabinet Member for Transport

Councillor David Bellotti
Councillor Simon Allen
Councillor Tim Ball
Councillor Cherry Beath
Councillor David Dixon
Councillor Roger Symonds

1 WELCOME AND INTRODUCTIONS

The Chair was taken by Councillor Paul Crossley, Leader of the Council.
The Chair welcomed everyone to the meeting.

2 EMERGENCY EVACUATION PROCEDURE

The Chair drew attention to the evacuation procedure as set out in the Agenda.

3 APOLOGIES FOR ABSENCE

There were no apologies for absence.

4 DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972

Councillor David Dixon declared a personal and non-prejudicial interest in Item 14, Price of Primary School Meals, as a parent of children who sometimes eat school meals.

Councillor Cherry Beath declared a personal and non-prejudicial interest in item 15, Voluntary Organisation Grants for Museums and Heritage, by virtue of being a past Chair of the Standing Committee of the Charter Trustees of The City of Bath.

5 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

6 QUESTIONS FROM PUBLIC AND COUNCILLORS

There were 18 questions from the following people: Councillors: Steve Hedges, Nigel Roberts, Will Sandry, Francine Haerberling, Tim Warren (3), Tony Clarke (2), Vic Pritchard, Sarah Bevan, Patrick Anketell-Jones (2), Charles Gerrish (2), Members of the Public: Rae Harris, Nigel Fenwick, Ian Barclay.

[Copies of the questions and response, including supplementary questions and responses if any, have been placed on the Minute book as Appendix 1 and are available on the Council's website.]

Add QA sheet here

7 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

There were 11 registered statements, some of which were made at the relevant agenda item.

Lin Patterson (Save Our 6/7 Buses Campaign) made a statement *[a copy of which is attached to these Minutes as Appendix 3 and is available on the Council's website]* relating to item 22 on the Agenda, in which she thanked the Cabinet for the allocation of £85K to increase the frequency of the 6/7 Bus Service (Agenda Report 22) but pointed out that the frequencies stated in the report were incorrect.

The Chair referred the statement to Councillor Symonds, and to the Cabinet for consideration at the item.

David Redgewell made a statement relating to items 12 and 17 on the agenda, in which he welcomed some aspects of the proposals but appealing to the Cabinet to consider the need for much improved bus and rail services in the area and to ensure effective independent scrutiny of decisions taken at the regional level.

Councillor Paul Crossley asked David Redgewell if he was aware that the LEP scrutiny panel had been set up and was now operational. David acknowledged this.

The Chair referred the statement to Cabinet for their consideration at item 17.

Amanda Leon (Radstock Action Group) made a statement *[a copy of which is attached to these Minutes as Appendix 4 and is available on the Council's website]* appealing to the Cabinet to reconsider the proposals for the redesign of the roads around Radstock Town Centre.

Councillor Cherry Beath thanked Amanda for her statement and asked whether she was aware that in order to bring forward the regeneration plans wanted by Radstock, it was necessary to introduce a new road system. Amanda noted this but said that the proposals would lead to degeneration, not to regeneration in Radstock. She felt that Frome Road should be straightened.

Councillor Tim Ball asked Amanda whether she was aware that Radstock Town Council was no longer opposing the scheme. Amanda replied that the Town Council had not withdrawn its objections to the scheme, only to an extension of the time allowed for objections to be made.

Councillors Paul Crossley and Cherry Beath agreed to visit Radstock to explore the points made by the speaker.

Pamela Galloway made a statement on behalf of the Warm Water Inclusive Swimming Network, in which she asked the Cabinet to note the support for warm

water swimming evident from the Recreation Ground Trust consultation, from the previous Administration and from the Overview and Scrutiny Panes.

The Chair referred the statement to Councillor David Dixon for his attention.

8 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

There were none.

9 CONSIDERATION OF MATTERS REFERRED BY OVERVIEW AND SCRUTINY BODIES

There were none.

10 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

The Cabinet agreed to note the report.

11 EVERY DISABLED CHILD MATTERS

Councillor John Bull made an *ad hoc* statement reminding the Cabinet that the proposals before them were the result of an original initiative from the Labour Group. He was pleased to see progress and thanked officers for their commitment to the issue.

Councillor Francine Haeberling made an *ad hoc* statement welcoming the continuation of what the previous Administration had set in motion.

Councillor Nathan Hartley, in proposing the motion, acknowledged the hard work of ex-Councillor David Spiers and of Councillor Chris Watt for their hard work in reaching this point. He explained that the Charter would work to the benefit of disabled children.

Councillor David Bellotti seconded the motion because it had been a longstanding aim of his to see this adopted. He paid tribute to the hard work done by officers and members to date. He particularly drew attention to Objective 12, which expressed a determination to ensure a smooth transition to adult service provision for disabled young people preparing for adulthood.

On a motion from Councillor Nathan Hartley, seconded by Councillor David Bellotti, it was

RESOLVED (unanimously):

- (1) To ADOPT the Every Disabled Child Matters Charter on behalf of the Council;
- (2) To AUTHORISE the Cabinet Member for Early Years, Children and Youth to sign the Charter on behalf of the Council.

12 LOCAL DEVELOPMENT SCHEME REVIEW

Caroline Kay (Chief Executive, Bath Preservation Trust) made a statement [*a copy of which is attached to these Minutes as Appendix 5 and is available on the Council's*

website] welcoming the revised LDS but making some observations, in particular about the need for the specific mention of a building heights strategy.

The Chair referred the statement to Cabinet for their consideration.

David Dunlop (The Bath Society and London Road Residents Association) made a statement in which he reminded the Cabinet that government advice PVS25 requires the Council to address flood risk. On the grounds of flood risk, and for other reasons, he questioned the viability of the proposed Bathampton Park and Ride site, which included a lowering of the site so that it would be more likely to flood.

Councillor Paul Crossley asked David Dunlop by how much the site was to have been lowered under the proposals. David replied that the original proposals showed the site being lowered by 8.8 metres.

Councillor Tim Ball asked David Dunlop how many lorry loads of soil this would be. David replied that it would not be difficult to remove the soil because it could be disposed of at the gasworks site – but the project would bring no discernable improvement to congestion on the London Road.

The Chair referred the statement to Cabinet for their consideration.

Councillor John Bull made an *ad hoc* statement in which he drew attention to paragraph 5.4(e) where the Inspector had expressed concern that the affordable housing needs were not adequately addressed by the original proposals.

Councillor Paul Crossley asked Councillor Bull whether he would agree that it was essential for the Council to insist on 35% affordable housing provision. Councillor Bull readily agreed.

Councillor Les Kew made an *ad hoc* statement in which he expressed the concern that actions being taken by the Cabinet might put the Core Strategy at risk. He felt that Cabinet must address the need for economic growth and a transport network to sustain it.

Councillor Paul Crossley asked whether Councillor Kew would agree that it was essential to get flood protection measures in place to protect western Riverside. Councillor Kew agreed.

Councillor Roger Symonds asked whether Councillor Kew's concern extended to Bathampton Meadows. Councillor Kew agreed that it did.

Councillor Tim Ball, in proposing the motion, emphasised the need to find a way forward which the Inspector could agree with. He felt that this would be achieved by the document being presented for adoption.

Councillor Roger Symonds seconded the motion. He pointed out that the original growth assumption of the Regional Spatial Strategy had been 3% per annum but the new realities of 1.8% growth demanded a less ambitious Local Development Scheme, and that this also applied to the realities of the less ambitious Bath Transport Package. He emphasised that the proposals met all the prescribed criteria listed in paragraph 5.2 of the report.

On a motion from Councillor Tim Ball, seconded by Councillor Roger Symonds, it was

RESOLVED (unanimously):

- (1) To ADOPT the revised Local Development Scheme 2011 to 2014 for B&NES;
- (2) To RESCHEDULE the Core Strategy examination hearings to enable consideration of the issues raised by the Inspector in his letter dated 3rd June 2011.

13 HOUSING RENEWAL POLICY REVIEW

Councillor Vic Pritchard made an *ad hoc* statement welcoming the policy. He drew attention to the proposal to allow exceptional circumstances awards to be determined by an officer under delegated powers but said that he felt these decisions should be made by the Cabinet member.

Councillor Tim Ball, in proposing the motion, thanked Councillor Pritchard for his support and noted his comment. He said that the policy would come back to Cabinet in one year and that would allow an opportunity for the arrangements to be reconsidered.

Councillor Roger Symonds seconded the motion.

Councillor Simon Allen welcomed the policy and said that it would enable people to remain healthy, independent and safe in their own homes for as long as possible.

On a motion from Councillor Tim Ball, seconded by Councillor Roger Symonds, it was

RESOLVED (unanimously):

(1) To ADOPT the Home Health and Safety Policy 2011 as the Council's Housing Renewal Policy;

(2) To AGREE that the budget allocations detailed within the policy are applied in conjunction with the policy;

(3) To AGREE that the policy is reviewed in 1 year.

14 PRICE OF PRIMARY SCHOOL MEALS

Councillor Nathan Hartley, in proposing the motion, emphasised the financial pressures on parents at this difficult time and said that the Cabinet wished to alleviate this wherever possible. Despite a recommendation from the Schools Forum that the price should increase by 5p per child per day, the Cabinet had expressed its wish to keep the price the same for another year by funding the shortfall out of contingency. This would cost £31K in a full year.

Councillor Tim Ball seconded the motion. He was delighted for parents and particularly felt this would help large families.

Councillor David Dixon welcomed the proposals, particularly since some families depended on a decent school meal each day.

Councillor David Bellotti asked Councillor Hartley if he would obtain research findings on attainment and attention spans of children who had eaten a good meal at lunch time.

On a motion from Councillor Nathan Hartley, seconded by Councillor Tim Ball, it was

RESOLVED (unanimously):

(1) To AGREE that the price of a school meal for a pupil in the Council's primary schools will not increase from 1 September 2011 and will stay at £2.00 per meal.

15 VOLUNTARY SECTOR MUSEUMS AND HERITAGE GRANTS 2011-2012

Councillor Cherry Beath, in proposing the motion, said that the previous administration had put in place a very good set of criteria for judging applications. She drew attention to Annex B, Item 10 (Radstock Museum) and said that the funds of up to £4000 were being withheld until such a time as the museum had identified the costs of training for staff, trustees and volunteers following its reorganisation.

Councillor Roger Symonds seconded the motion.

On a motion from Councillor Cherry Beath, seconded by Councillor Roger Symonds, it was

RESOLVED (unanimously):

(1) To AWARD the following grants for 2011-2012 and for officers to subsequently make a grant of up to £4,000 under delegated authority to Radstock Museum.

Applications received	Request £	Purpose	Recommendation £
Bath & NE Somerset Museums Group	5,000	Co-operative events programme [retained and funded direct by the Service]	5,000
Bath Postal Museum	3,022	Visual display equipment	2,400
Bath Royal Literary & Scientific Institution	2,000	Exhibition and meeting room plinths	0
Beckford Tower Trust	2,000	'Beckford's Ride' project	2,000
Building of Bath Collection	2,000	World Heritage events programme	1,000
Holburne Museum	4,474	Interpretation project for families and the visually impaired	3,415
Mayor's Honorary Guides	5,000	Walking tours of Bath for residents and visitors	5,000
Museum of Bath at Work	4,000	Two community exhibitions	3,500
No.1 Royal Crescent	1,600	Education and interpretation programme	1,000
Radstock Museum	5,000	Appointment of temporary staff and training for volunteers and trustees	4,000
Somerset & Dorset Railway Heritage Trust	4,000	Purchase of a road-rail vehicle	0
Total:	38,096		27,315

16 VISITOR ACCOMMODATION STRATEGY

Leslie Redwood (Co-Chairman, Bath Independent Guest Houses Association), made a statement [a copy of which is attached as Appendix 6 to these minutes and is

available on the Council's website] in which he emphasised that a violent explosion in growth in visitor accommodation would only have short term benefits for developers and shareholders outside of Bath, and would be to the long term detriment of the city. So he welcomed the proposed policy, which he said had very wide support across the city.

David Greenwood (ex Chairman, Bath Independent Guest Houses Association), made a statement [*a copy of which is attached as Appendix 7 to these minutes and is available on the Council's website*] in which he asked the Cabinet to adopt the Visitor Accommodation Strategy into the local planning guidelines, thus guiding developers and planners with an evidence based framework which he felt would highlight the opportunities for balanced growth.

Councillor Eleanor Jackson observed that the survey was focussed almost entirely on the city of Bath. She felt that the tourist economy of north east Somerset deserved equal attention.

Councillor Les Kew observed that even though the strategy had not been official policy, it had for a long time been taken into consideration when applications had been considered by the Planning Committee.

Mary Lynch (Chair, Bath Tourism Plus), made an *ad hoc* statement reminding the Cabinet of the need to reconcile all of the tensions so as to make Bath very attractive for business. She felt that the proposed strategy would provide a consistent message.

Councillor Tim Ball, in proposing the motion, reminded Councillor Eleanor Jackson that the strategy was a B&NES wide strategy. He felt that there was room in the area for a mix of different kinds of hotel. He shared the regret expressed by others that the strategy had not been adopted a number of years before when it had been prepared.

Councillor Roger Symonds seconded the motion. He emphasised the need for a clear vision for the future and stressed the need to avoid an inappropriate level of stag and hen parties. He was keen to see small hotels in the Radstock area succeed.

On a motion from Councillor Tim Ball, seconded by Councillor Roger Symonds, it was

RESOLVED (unanimously):

- (1) To PUBLISH the Visitor Accommodation Strategy for consultation; and
- (2) To ASK the Divisional Director Tourism Leisure and Culture to arrange that the results of the public consultation, along with any suggested amendments arising, are reported to a future Cabinet meeting, with options for adoption as Council Policy.

17 BATH TRANSPORT PACKAGE

Peter Davis made a statement [*a copy of which is attached to these Minutes as Appendix 8 and is available on the Council's website*] welcoming the removal from the Package of the Rapid Transport and the A4 P&R proposals.

Major Tony Crombie (The Bath Society) made a statement welcoming the removal of Bathampton Meadows Park and Ride from the proposals.

Councillor John Bull made an *ad hoc* statement welcoming the removal of the rapid transport proposals and the Bathampton Park and Ride proposals. However, he was bemused that the total Council contribution had not reduced.

Councillor Tim Warren made an *ad hoc* statement pointing out that there had been no new alternatives put forward by Cabinet. He felt that the new scheme lacked substance.

David Dunlop made an *ad hoc* statement emphasising that a Park and Ride in Batheaston would not reduce congestion on the London Road because “suppressed demand” would take up the slack. He encouraged the Cabinet to consider rail options.

Councillor Roger Symonds, in proposing the motion, referred to the amended recommendations which he wished to move [*copies of which had been placed in the public gallery and are attached to these Minutes as Appendix 2*]. The update document also contained details of the Financial Implications of the new proposals. He said that the previous plans had not attracted government funding and so it had been necessary to put together a realistic bid for government funding in the short time since the local elections. Only 6 weeks still remained before the final submission had to be made to government. He agreed with others that the bus provision should be much better, and promised to improve the Council’s relationship with First Bus so as to have greater influence in their commercial decisions. He also emphasised that there was tremendous demand for rail transport but to capitalise on this it would be essential for trains to stop at stations such as Keynsham.

Councillor Symonds referred to clauses 2.15 to 2.21 of the amended recommendations and said that officers would work with the Cabinet to look at these in the time remaining until September when the application would be finalised.

Councillor Paul Crossley seconded the motion. He said that the previous administration’s policy had been designed when money was no object but the new financial realities meant that it was necessary to give careful consideration to priorities and value for money.

Councillor David Bellotti said that it was important to pause for thought about the financial implications. £7M had already been spent by the previous administration and it was essential to get some value for that money. He acknowledged the point made by Councillor Bull about the Council’s contribution being the same, for a smaller package, but said that made it all the more important to get good value. It still remained to persuade the Minister to fund the scheme.

On a motion from Councillor Roger Symonds, seconded by Councillor Paul Crossley, it was

RESOLVED (unanimously):

(1) To AGREE and RECOMMEND to Council that the following elements of the BTP should not be included in the Best & Final Bid to DfT:

- The Bus Rapid Transit Segregated Route.
- The A36 Lower Bristol Road Bus Lane.
- The A4 London Road Lambridge Bus Lane.
- New A4 Eastern P&R (1400 spaces), plus bus lane priority on the A4/A46 slip road.
- And in addition reduce the size of the P&R expansion at Newbridge.

(2) To AGREE that as a result the BTP would comprise of the following elements:

- Upgrades to bus stop infrastructure on 9 service routes, including real time passenger information.
- Expansion of Odd Down P&R by 250 spaces, of Lansdown P&R by 390 spaces and of Newbridge P&R by 250 spaces on the proposed site or a suitable alternative.
- Variable Message signs on the main approaches to Bath, and within the city centre.
- City centre works: High Street improvements and timed access restrictions (currently ongoing).
- Works to support BWR including a bus rapid transit system serving the site.

(3) To AGREE as a result of the above to formally withdraw the CPOs agreed at its meeting on 3rd September 2008 and subsequently served to allow for the implementation of the BTP.

(4) To AGREE and RECOMMEND to Full Council that the Council contribution towards the BTP would be no more £17.8m as set out in the updated Financial Implications. The schemes costs as recommended in this report have been reduced from £58.8m to £34.3m.

(5) To AGREE and RECOMMEND to Full Council that the final submission to DfT be approved by the Strategic Director Service Delivery and Chief Executive in consultation with the portfolio holder, the S151 officer and monitoring officer, and with a report back to Cabinet only if necessary notably if there is a material change in the financial costs or scope of the scheme which go beyond the parameters set out in this report.

(6) To RECOMMEND to Full Council additional borrowing of £3M to fully finance the costs of the Council contribution of up to £17.8M with an additional annual revenue cost of approximately £190K which will need to be included in revenue budgets for future years following completion of the scheme.

(7) To NOTE the revenue reversion risk as set out in the report and the potential need to fund the costs of project work on aspects of the scheme which are no longer going ahead from reserves with the appropriate financing to be dealt with in a later report to Cabinet and Council as appropriate and if the need arises.

(8) To AGREE and RECOMMEND to Full Council to instruct officers to:

- work on alternatives to Bathampton Meadows P&R, possibly involving rail, as part of our future Transport Strategy
- work with the Highways Agency to improve signage on the A46 to direct more traffic to an extended Lansdown Park and Ride
- talk to Wiltshire Council about measures to remove some of the through traffic along the London Road and other cross border transport issues
- evaluate measures to remove HGVs from London Road - this 10% of traffic creates 40% of the pollution
- examine how we can obtain substantial "modal shift" from the private car to rail in recognition of potential for rail expansion with the electrification of the GWR and the awarding of an extended rail franchise

- evaluate options to address the problems caused by a lack of affordable home to school transport
- consider measures to make the whole area much more cycle friendly - we have already secured Govt funding through the Regional Sustainable Transport Fund to link Batheaston to NCR 4 on the canal towpath, thereby taking many cyclists off the London Road and encouraging others to get out of their cars and cycle into Bath.

18 WEST OF ENGLAND PARTNERSHIP TRANSITION ARRANGEMENTS TO A LOCAL ENTERPRISE PARTNERSHIP

Councillor Paul Crossley, in proposing the motion, reported that the Cabinet was talking to the Local Enterprise Partnership to see if they could help to set up business forums in Keynsham and Bath.

Councillor David Bellotti seconded the motion.

On a motion from Councillor Paul Crossley, seconded by Councillor David Bellotti, it was

RESOLVED (unanimously):

- (1) To AGREE that Bath & North East Somerset shall become a member of the “West of England Local Enterprise Partnership Limited” being a Company Limited by Guarantee;
- (2) To APPOINT the Leader of the Council as the Council’s Director of the above company;
- (3) To AUTHORISE the Chief Executive, in consultation with the Leader of the Council, to conclude all necessary documentation, including signing the Articles of Association, and to take all necessary steps to effect these objectives.

19 FUTURE DEVELOPMENT OF BATH CITY LIAISON FORUM

David Dunlop (London Road Residents Association) made an *ad hoc* statement in which he pointed out that the lack of support for some meetings was caused by late notice for meetings. He appealed to the Cabinet to plan and advertise dates well in advance to maximise involvement.

David Redgewell underlined what David Dunlop had said and observed that the Council was still not reaching the hard-to-reach groups.

Councillor Paul Crossley introduced the report and proposed the recommendations. He agreed that it would be essential to move towards planned, scheduled meetings and that the involvement must extend beyond residents associations. He called for more task and finish ideas to make the forum more successful.

Councillor David Dixon seconded the motion and pointed out that the Street Cleansing Equipment decision, which had been signed off that very day, had arisen out of the task and finish group from the forum.

Councillor Roger Symonds wished to emphasise that what was needed was the involvement of interest groups such as Women’s Institute, Townswomen’s Guild etc.

Councillor Tim Ball said that in order to involve the harder-to-reach communities, it would be essential to have concrete proposals to discuss so that the forum did not become merely a talking shop.

Councillor Crossley agreed to make the point about interest groups to the officers, so that it could be built in as the arrangements were developed.

On a motion from Councillor Paul Crossley, seconded by Councillor David Dixon, it was

RESOLVED (unanimously):

(1) To ADOPT the approach to the future development of the Bath City Liaison Forum as set out in the report;

(2) To ESTABLISH an Interim Steering Group with the membership as set out in the report;

(3) To REQUEST the Interim Steering Group to prepare detailed Terms of Reference, membership and working arrangements to be agreed by the Leader of Council and presented for approval to the first meeting of the revised Forum.

20 TREASURY MANAGEMENT OUTTURN REPORT 2010/11

Councillor Charles Gerrish in an *ad hoc* statement said that with world markets in such a state of flux, the Council must be very cautious in its financial management. He asked whether the debt figures included the Council's share of the ex-Avon debt.

Councillor David Bellotti proposed the motion. In response to Councillor Gerrish's question, he observed that under the previous administration the Council had borrowed £90M on top of the ex-Avon debt.

Councillor Paul Crossley seconded the motion.

On a motion from Councillor David Bellotti, seconded by Councillor Paul Crossley, it was

RESOLVED (unanimously):

(1) To NOTE the 2010/11 Treasury Management Annual Report to 31st March 2011, prepared in accordance with the CIPFA Treasury Code of Practice;

(2) To NOTE the 2010/11 actual Treasury Management Indicators.

21 REVENUE AND CAPITAL OUTTURN 2010/11

On a motion from Councillor David Bellotti, seconded by Councillor Paul Crossley, it was

RESOLVED (unanimously):

(1) To NOTE the provisional revenue budget outturn for 2010/11;

(2) To APPROVE the revenue carry forward proposals and write-off requests as exceptions to the Budget Management Scheme;

(3) To INCREASE the revenue Budget Contingency by £65k;

(4) To APPROVE the revenue virements for 2010/11 and 2011/12;

(5) To NOTE the resulting reserves position and that unearmarked reserves remain at the target level of £10.5m;

- (6) To NOTE the provisional outturn of the 2010/11 capital programme and the funding laid out in the table in Appendix 1 Paragraph 1.24 of the report;
- (7) To APPROVE the capital rephasing and write-off of net underspends;
- (8) To APPROVE the capital programme 2011/12 items;
- (9) To NOTE the adjustments to the 2010/11 to 2015/16 capital programme and the final capital programme for 2010/11.

22 REVENUE BUDGET CONTINGENCY 2011/12 - ALLOCATION OF FUNDING

Councillor Charles Gerrish made an *ad hoc* statement pointing out that the allocation of £2500 to locally important buildings list SPD appeared to conflict with the response given by Councillor Tim Ball to question 19. The Chair referred this statement to Councillor Tim Ball to respond during the debate.

Councillor Eleanor Jackson in an *ad hoc* statement referred to the allocation of £50K for redundant toilets and asked whether the 3 locations included Radstock Victoria Square.

Councillor David Bellotti, in proposing the motion, pointed out that this item had been added to the agenda under the Council's General Urgency (Rule 15), so it had not appeared in the Executive forward Plan and it would not be subject to Call-in. He expressed his sadness that the Council appeared to leave redundant toilets in mothballs to disintegrate slowly and he assured Councillor Jackson that the Radstock toilet would be included in the list of those to be secured and maintained.

Councillor Bellotti pointed out the funding which had been allocated for the internet café in Paulton and said he was particularly pleased about this.

Councillor David Dixon seconded the motion.

Councillor Roger Symonds responded to the comments made earlier about the regularity of the 6/7 bus service and agreed that the wording had been confusing. He acknowledged that funding had still to be found for subsequent years. He was delighted to welcome the Frome/Radstock rail link feasibility study.

Councillor Tim Ball responded to Councillor Charles Gerrish's observation about the important buildings SPD by saying that it was the intention to complete the SPD but that the urgency of the MOD site work had prevented officer time from being spent on it.

Councillor Nathan Hartley expressed his delight at the allocation of £20K for Peasedown Youth Arts Room.

On a motion from Councillor David Bellotti, seconded by Councillor David Dixon, it was

RESOLVED (unanimously):

- (1) To NOTE the report.

The meeting ended at 9.10 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services

BATH AND NORTH EAST SOMERSET

CABINET

Thursday, 14th July, 2011

The decisions contained within these minutes may not be implemented until the expiry of the 5 working day call-in period which will run from 18th to 22nd Jul. These minutes are draft until confirmed as a correct record at the next meeting.

Present:

Councillor Paul Crossley
Councillor Nathan Hartley

Leader of the Council
Deputy Leader of the Council and Cabinet Member for Early Years, Children and Youth
Cabinet Member for Community Resources
Cabinet Member for Wellbeing
Cabinet Member for Homes and Planning
Cabinet Member for Sustainable Development
Cabinet Member for Neighbourhoods
Cabinet Member for Transport

Councillor David Bellotti
Councillor Simon Allen
Councillor Tim Ball
Councillor Cherry Beath
Councillor David Dixon
Councillor Roger Symonds

23 WELCOME AND INTRODUCTIONS

The Chair was taken by Councillor Paul Crossley, Leader of the Council.
The Chair welcomed everyone to the meeting.

24 EMERGENCY EVACUATION PROCEDURE

The Chair drew attention to the evacuation procedure as set out in the Agenda.

25 APOLOGIES FOR ABSENCE

There were no apologies for absence.

26 DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972

There were none.

27 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

28 QUESTIONS FROM PUBLIC AND COUNCILLORS

There were none.

29 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

The list of registered speakers [*a copy of which is attached to these minutes as Appendix 1 and is available on the Council's website*] was distributed in the public gallery in advance of the meeting.

Brian Higgins (Governor, Culverhay School) made a statement [*a copy of which is attached to these minutes as Appendix 2 and is available on the Council's website*] in which he emphasised the need to keep the school open for its local community. He referred to the independent analysis which had been conducted recently which supported the need for Culverhay to convert to co-educational status.

Richard Thompson (Head Teacher, Culverhay School) made a statement [*a copy of which is attached to these minutes as Appendix 3 and is available on the Council's website*] in which he appealed to Cabinet to listen to the voice of the local community and to allow Culverhay School the opportunity to transform itself into a successful co-educational school.

Bob Wilkins made a statement [*a copy of which is attached to these minutes as Appendix 4 and is available on the Council's website*] reminding Cabinet that Culverhay School had been seeking co-educational status for a number of years but had been prevented from doing so by the LEA. He asked the Cabinet to assist in a consultation with local people to determine whether Academy status, Free School status or some other option should be pursued in order to keep the school open on a co-educational basis.

30 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

There were none

31 CONSIDERATION OF MATTERS REFERRED BY OVERVIEW AND SCRUTINY BODIES

The Chair announced that the Council meeting considering the Call-in of the Culverhay School Closure Notice had upheld the Call-in and had referred the decision back to Cabinet to reconsider the decision.

32 DETERMINATION OF THE STATUTORY NOTICE TO CLOSE CULVERHAY SCHOOL

The Chair referred to the document which had been placed in the public gallery prior to the meeting, which related to the recommendations made by the Council meeting held earlier in the day to consider the Call-in of the decision taken on 23rd February to Determine the Notice to Close Culverhay School. He observed that Council had asked Cabinet to reconsider the original decision, in the light of the representations made at the Call-in meetings. He asked Cabinet members to confirm that they had read the representations from Council.

Councillor Tony Clarke made an *ad hoc* statement in which he emphasised that there were still issues arising out of the failure so far to address the excess school spaces.

Councillor Steve Hedges made an *ad hoc* statement reminding Cabinet that Culverhay School had been asking for a number of years to be allowed to become co-educational. It was unfortunate that the consultation process in the last year had been badly handled and appealed to the Cabinet to make the right decision.

Councillor Dine Romero made an *ad hoc* statement reminding the Cabinet that a majority of Council members felt strongly that closure had been a bad decision, which is why she had organised Call-ins at every stage of the process. She looked forward to allowing Culverhay an opportunity to prove itself.

Councillor Gerry Curran made an *ad hoc* statement appealing to Cabinet to revoke the previous decision and instead to support Culverhay School in its aims to move forward.

Sarah Moore made an *ad hoc* statement reminding Cabinet that the community had fought for 20 years to have a co-educational school at Culverhay. The community had proved its determination during the events of the last year and she hoped that Cabinet had been convinced by their arguments.

Councillor Nathan Hartley thanked the Council for the decision it had taken earlier that day to uphold the Call-in. He explained the history of the process so far and said that the part played by the community had been pivotal. He felt that the Cabinet had an opportunity to recognise the strength of community feeling and to deliver the right decision.

He felt that since February (when the original decision was made), two significant events had occurred: there had been a change of policy by the incoming Cabinet; and new funds had been identified to support the school in its aspiration to become co-educational.

He therefore moved the resolution below.

Councillor Paul Crossley seconded the motion. He thanked education officers who had worked so hard to find a way of enabling the Cabinet's new policy position. He expressed warm thanks to those in the local community, friends of Culverhay, staff and Governors all of whom had joined together to make the community's strength of feeling evident. Councillor Crossley made particular mention of the Head Boy of Culverhay School, James Eynon, who had spoken to clearly and convincingly in favour of the school.

On a motion from Councillor Nathan Hartley, seconded by Councillor Paul Crossley, it was

RESOLVED (unanimously)

(1) That it wishes to REVERSE the earlier decision and to decide instead **not** to close Culverhay School;

(2) To INSTRUCT the Strategic Director, Children's Services, to instigate the statutory revocation procedure and to report back to a future Cabinet meeting on any representations received in respect thereof

33 CULVERHAY: NEXT STEPS

Councillor Nathan Hartley introduced the item by responding to criticism of the new plans being considered by Cabinet. He said that the previous decision had been predicated on 1500 empty school places, when in fact 750 of these were filled by children from outside the authority. He said that the remaining empty places provided parental choice, which was a good thing. He reminded the Cabinet that the school's vision was for a co-educational school – which it had been prevented from pursuing for 15 years – and for the provision of education up to 19 years old, plus vocational and educational courses, all of which would allow the school to move confidently towards becoming viable again after the damage done by the threat of closure. He said that the move to co-education would be funded by the Council to

the amount of £300K, and the essential staff restructuring would be funded up to £400K. He pointed out that it had been very unwise for the previous administration to promise the capital proceeds of the sale of Culverhay to other schools in advance of closure. He also observed that Culverhay had the highest number of walkers and cyclists to school in the whole authority and this would now be encouraged even more if the school stayed open to serve its community.

Councillor Hartley reminded the Cabinet that whatever option they chose for Culverhay's future, it must meet the four priorities:

- To ensure excellent educational provision for all children in the area;
- To allow girls to attend the school;
- To address the deficit which the school acknowledges will be a challenge;
- To encourage the school to collaborate with other schools to enhance educational standards.

He announced that this year's admissions booklet, which was unable to offer the co-educational option for Culverhay, would contain a promise to parents that, should Culverhay achieve co-educational status in time, then all parents would receive a letter offering them an opportunity to reconsider whether they wished to change their option.

He moved the resolution below and said that if Cabinet agreed, then it would allow Culverhay School to make a fresh start and to prove itself to parents, students, sponsors and the whole community.

Councillor Paul Crossley seconded the proposal. He was confident that parents, school and LEA could work together to deliver the co-educational Academy bid to government.

On a motion from Councillor Nathan Hartley, seconded by Councillor Paul Crossley, it was

RESOLVED (unanimously)

- (1) To AGREE that its preferred option for Culverhay School would be for the school to become co-educational, either as an Academy or as a Free School;
- (2) To INSTRUCT officers to work with the school's Governing Body to deliver the preferred option at the earliest opportunity.

The meeting ended at 10.40 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services

Bath & North East Somerset Council		
MEETING:	Cabinet	
MEETING DATE:	Wednesday 10th August 2011	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2259
TITLE:	B&NES Local Safeguarding Adults Board Communication & Media Protocol (Safeguarding)	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix 1: B&NES Local Safeguarding Adults Board Communication & Media Protocol (Safeguarding)		

1 THE ISSUE

1.1 B&NES Local Safeguarding Adults Board (LSAB) made up of a range of statutory, voluntary and independent agencies identified the need for a multi-agency communication and media protocol to be agreed and implemented by Board members. The LSAB requested that communication leads from statutory agencies liaise and develop a joint working approach to media responses in respect of safeguarding adults. The LSAB have approved the attached protocol and now seeking cabinet approval.

2 RECOMMENDATION

2.1 The Cabinet agrees for the LSAB to adopt the B&NES LSAB Communications and Media Protocol.

3 FINANCIAL IMPLICATIONS

3.1 None.

4 CORPORATE PRIORITIES

4.1 Building communities where people feel safe and secure.

5 THE REPORT

5.1 The Awareness, Engagement and Communication sub-group of the LSAB highlighted the need for a joint communication and media protocol. The LSAB acknowledged that it was in both the public interest and the local agencies interest to have an agreed approach to media communications and requested the sub-group develop this. The Royal United Hospital Communications Manager led the development of the protocol in partnership with Police, PCT and B&NES Council communication lead officers. The LSAB have approved the final version attached to this report.

6 RISK MANAGEMENT

6.1 The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

6.2 The protocol sets out the main principles for dealing with an incident. Where there is sufficient time for this to be done the protocol timescales will be adhered to, where there is insufficient time the timescales will be accelerated.

7 EQUALITIES

7.1 An equalities risk assessment has not been completed and is in the process of being done. It is not anticipated that the assessment will highlight any concerns. LSAB members are from a wide range of multi agency settings and have considered this in terms of equalities.

8 RATIONALE

8.1 The multi-agency protocol sets out clear arrangements, practice guidance and training needed for LSAB member agencies regarding managing safeguarding cases which might attract media attention. The implementation of the protocol will ensure that media presentations are coordinated appropriately.

9 OTHER OPTIONS CONSIDERED

9.1 None.

10 CONSULTATION

10.1 Cabinet member; Staff; Other B&NES Services; Community Interest Groups; Stakeholders/Partners; Other Public Sector Bodies

10.2 Say HOW consultation was or will be carried out (mandatory)

The protocol has been developed in partnership with LSAB members and has been shared and consulted on at several meetings. LSAB members and communications leads have input into the development of the protocol. The LSAB have agreed to adopt this final version.

11 ISSUES TO CONSIDER IN REACHING THE DECISION

11.1 Social Inclusion; Customer Focus; Human Resources; Human Rights; Corporate; Health & Safety; Impact on Staff; Other Legal Considerations

12 ADVICE SOUGHT

12.1 *The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.*

Contact person	Lesley Hutchinson, Assistant Director for Safeguarding & Personalisation [Tel: 01225 396339]
Sponsoring Cabinet Member	Councillor Simon Allen
Background papers	Not applicable
Please contact the report author if you need to access this report in an alternative format	

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Communication and Media Protocol

Title: Communication and Media Protocol Safeguarding Alerts

Date: 30.06.2011

Author: Helen Robinson-Gordon, Head of Communications, RUH.

Version: Final Version

Status: Approved by LSAB 14.07.11.
Approved by Cabinet 10.08.11

1. Introduction

This Communication and Media Protocol for those involved in the safeguarding of adults, is the result of communications specialists drawing upon the expertise and experiences of those involved in safeguarding issues.

This Protocol is designed to provide specialist advice and guidance to those involved in protecting adults' at a time of public and/or media interest in a given case. It seeks to detail the training needs of staff in line with the stages identified in the Safeguarding Adults Procedure stipulated by the Bath and North East Somerset Local Safeguarding Adults Board (B&NES LSAB). **This Policy and Procedure can be found in full at www.bathnes.gov.uk**

This Protocol provides the communications and media advice and guidance for the seven stages as identified in the above document, and also provides an outline of the type and duration of training that is needed, when and by whom.

2. Background

By its very nature a safeguarding alert can attract a high level of public interest, particularly if the subject of the alert is an adult at risk or if the conduct of a particular organisation is in doubt or under scrutiny. Alerts can involve some of the most vulnerable people in society and can challenge an organisation's procedures, systems and training during a time of intense public focus. Whilst the majority of journalists will adopt a challenging but fair approach to a given alert, press and media attention can be intrusive, hostile and sensational – particularly national papers or broadcasts. To satisfy public appetite, the media will often look for an organisation to blame or for an individual failing in their duty of care. Poorly managed communications will certainly fuel a critical media approach and shake public confidence. A slick, skilful and consistent approach to media handling is vital to mitigate against these effects. It will be a primary contributing factor to how the management of the alert is perceived by the media, public and colleagues and how the organisation's reputation is preserved or otherwise. The power and influence of the media must never be underestimated.

3. Purpose

The purpose of this protocol is to identify the potential media and communications issues which may arise when a safeguarding alert is raised; the procedures that need to be followed at each stage and identify the media and communications training needs of relevant staff involved.

4. What Can a Communications Leads Offer?

Communications experts can provide strategic and practical advice to health and social care colleagues in terms of managing the immediate and longer term aspects of communications and media handling. They are also likely to have experience of dealing with communications aspects of major and untoward incidents.

5. Managing Communications

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5.1 When Will a Safeguarding Alert Attract Media Attention?

Every alert is different but there is one overriding question, to which, if the answer is 'possibly yes', or 'probably yes', then the relevant communications department must be informed. That question is:

"If details of this case or potential case were to be in the public domain, would there be public interest, comment or criticism?"

If the answer is yes or even possibly yes, then the following must also be taken into consideration:

- How serious is the incident?
- Do we have a duty to protect other people at risk?
- How damaging are the circumstances now, or potentially, to the reputation of the organisations involved?

A quick assessment needs to be made against the above criteria and a decision taken as to whether communication leads need to be involved. It is however always better to inform the relevant communications leads as a precaution if nothing else, than to not inform them and be left facing an escalating crisis in terms of reputation management and public outcry.

5.2 First Steps – Agency Engagement and Training

At the very least, senior staff (including the Safeguarding Commissioner) who may be involved in a safeguarding alert, should establish a good working relationship with their respective communications leads and keep them engaged at all stages of an alert or possible alert (the type of alert that will attract media attention is discussed in 5.1 above). The communications departments of the statutory and independent / voluntary and private sector LSAB partners provide an important professional function towards the effective management of safeguarding alerts. Specifically, the communications staff at the two local police forces, Wiltshire and Avon and Somerset, should also be involved in managing the media during an alert as they are also likely to have a role to play if the alert is within the public domain and subject to legal proceedings. Proactive engagement with these respective departments as an integral part of the safeguarding procedures will benefit the overall safeguarding alert process. **See Appendix 1 for contact details.**

Where ever possible the media and communications training for safeguarding alerts should be done as part of either induction or ongoing training as it is important to ensure as many staff as possible are trained to the appropriate level. This protocol identifies the level of advice and guidance to those involved in protecting adults', young people and children at a time of public and/or media interest in a given case. It seeks to detail the training needs of staff in line with the stages identified in the Safeguarding Adults Procedure stipulated by the B&NES LSAB.

5.3 Who Should Alert the Communications Department?

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Having considered the above criteria (set out in 5.1) it is the responsibility of the Safeguarding Case Coordinator (from either Avon and Wiltshire Mental Health Partnership Trust AWP or Community Health and Social Care Services CHSCS) to inform the appropriate organisation (s) communications leads and the Safeguarding Commissioner as soon as possible. The communications leads should be trusted with all information surrounding any particular incident as they need to understand the full story and background in order to provide appropriate advice and identify the most appropriate response. Communications leads will often come back with a series of queries based on what they know from experience the media will ask.

5.4 Which Organisation Leads on Communications?

B&NES Council have the statutory responsibility to coordinate the response to safeguarding alerts. CHSCS and AWP are contracted to operationalise the Safeguarding Adults Policy and Procedure and the Council have assurance mechanisms in place to retain the statutory responsibility for this.

Given that the Council maintain overall statutory responsibility it is reasonable that the Council's Communications Team are involved in partnership with other communication leads to formulate the plan for media response. There is access to communications advice detailed in Appendix 1, including out of hours via on-call systems.

Depending on the nature of the incident a judgement should be made by the safeguarding coordinator, the Safeguarding Commissioner and the Council Communications Lead as to which communication lead will be involved, once the Council Communications Team has been briefed. This should be based on the nature of the incident, its location and which professionals or organisation have to date been involved in the service user's care.

All communications leads should however be informed of the overall incident and agreed approach at an appropriate time. It's likely that one of the communications leads will then take the lead for the overall media handling and this decision will be taken by the senior communication staff in conjunction with the appropriate safeguarding coordinator and senior managers and the Safeguarding Commissioner.

5.5 Making Information Available

Once a lead has been identified it is critical that they represent communications for **all** the organisations and become an integral partner at meetings and involved in decisions in order to offer advice and guidance on media and communication issues. The focus of the media can shift very quickly indeed and its vital that all involved are aware of the impact the media can have on a safeguarding process and the potential risk to partner organisations reputations.

5.6 Sign- off Process

All statements and briefing material must be signed by the communication lead in conjunction with agreement from relevant senior manager and Safeguarding Commissioner.

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All media responses need to be swift and timely, messages need to be clear concise and simple and agreement must be sought by those agencies implicated in the case. However given that timing is crucial senior staff involved will have to take decisions on behalf of, and in the interests of partner organisations. An example of a statement template is attached (**see Appendix 2**) and this can be held electronically by all relevant communications departments and used as appropriate. Each organisation should add their own title and logo before issue. The example attached carries the RUH logo.

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Communications Guidelines for the Seven Stages of a Safeguarding Alert

1. Introduction

The Safeguarding Adults Procedure is divided into seven stages and the level of media and communications involvement and training relating to this will vary from stage to stage. The role and involvement of a communications specialist will vary from stage to stage.

This Guidance identifies the key personnel involved at each stage and the actions required.

2. Stage 1: Alert

Identify the type of staff who are most likely to have responsibility for raising an alert. (Examples might be a care worker in a residential home, a nurse on a hospital ward, home help, member of Community Learning Difficulties Service, supported living provider. The person that identifies potential abuse will raise an alert in accordance with their organisational safeguarding policy and procedure. The alert will be referred to CH&SCS within the same day.

Communications Actions:

- Ensure staff know how and where to contact communications leads within their organisations
- Ensure staff have an awareness of the potential for media or public scrutiny.
- Decide who will provide the communications support and how – for instance, directly by members of the communications leads from the PCT, RUH, Council etc or via cascade through line managers
- Ensure Communications Teams and senior managers are aware of the relevant ‘whistle-blowing’ policy. This is in case the member of staff making the alert also directly or indirectly informs the media.

Training Required:

- Simple awareness of the potential of media interest is needed for all ‘relevant’ social care, health and other staff involved in directly supporting service users.

3. Stage 2: Referral (within same working day)

Referrals are coordinated by CH&SCS.

Communications Actions:

- Ensure staff involved in the referral process receive media training suitable to their post and involvement as part of ongoing training or induction.
- When an alert is referred to CH&SCS and (occasionally) AWP they will assess whether it meets the criteria in 5.1 of the

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Protocol. Where this is the case a senior staff member will notify the communication leads at the Council and the Safeguarding Commissioner that a potentially media sensitive alert has been referred. At this stage, it may be for information only.

- Communications leads involved to establish and agree brief overview of incident and understanding of the respective staff involved from each organisation
- Be aware of the risk of information or rumours beginning to 'leak out' from scene of incident, staff involved and/or family
- Consider requirement for internal as well as external communications activities
- Prepare re-active holding statement if required in response to press and media queries

Training Required:

- Simple awareness of the potential of media interest is needed for all 'relevant' social care, health and other staff involved in directly supporting service users.

4. Stage 3: Decision (by end of following working day)

If no further action is being taken – assume stand down procedures.

Communications response:

- To prepare and agree possible reactive holding statements.

If decision taken to proceed:

Communications Actions:

- Consider level of communications input required, which organisations are involved and who is to take the lead.
- Invite communications leads to relevant meetings.
- Communications lead to check what additional communication support or resources that lead organisation may require e.g. from NHS South West.
- Police may be involved at this stage if there are legal or criminal implications. In this instance anticipate that the police would take over as lead organisation including for communications
- If the alert subsequently implicates more than one agency, or several individuals, especially children, expect significant media interest by local and national press and media. Adopt procedures and activities as in major incident plan – communications leads will need to co-ordinate and monitor journalists' behaviour/activities, establish strategy/operational ground rules, prepare responses, take pressure/attention off staff, set aside media facilities.
- Record communications activities as part of the audit trail for handling the alert.

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Training Required:

- Establish media training/support needs. Senior managers/directors should be fully trained to deal with live and pre-recorded media interviews, print interviews and to be able to brief all relevant staff when required. More junior managers should also understand the need to refer to their relevant communications lead and be able to advise on statements and giving local interviews if need be or if no senior manager is available.

5. Stage 4: Strategy Discussion / Meeting (within five working days)

Communications Actions:

- Ensure relevant senior B&NES council staff are briefed. **(see Appendix 3)**
- Communications input essential at team meetings. Results of which need to be shared with other communications colleagues
- Key spokes people identified . (Examples might include Manager of care home, team leader)
- If Police involvement, check that any communications activity does not jeopardise police investigation.
- Anticipate media interest and agree media handling strategy. Prepare agreed statements. (Signed off by appropriate director or if a serious incident the CEO).
- Ensure the response protects the identity/interests of individuals including adult(s) at risk, staff involved with incident and investigating staff. The timing of any internal staff messages/updates need to be carefully co-ordinated with that of external media activity.

Training Required:

- Ensure relevant senior B&NES council staff are suitably media trained. **(see Appendix 3)**
- Training to be provided for all senior staff and middle ranking managers across all agencies involved. To be undertaken as part of induction or ongoing training.

Stage 5: Investigation / Assessment

Communications Actions:

- Depending on nature of incident assess level of ongoing national/regional/local press and media interest.
- Agree likely completion and results of investigation / assessment.
- Prepare communications plan for how this announcement is handled and communicated internally and externally.
Identify spokes-people

Training Required:

If required provide additional media training/support for the spokes-person.

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7. Stage 6: Planning (within 2 weeks of assessment / investigation being completed)

Communications Actions:

- It's important in terms of reputation management, for the organisation involved to make clear any recommendations for actions and outline how these will be effected, what lessons have been learned and what procedures have been instigated to try to prevent such an incident happening again. This is particularly important if an organisation has been under severe criticism.
- Reassuring the staff and public about ongoing commitment to providing high quality safe care is also important at this stage.

Training Required:

- If required provide additional media training/support for the spokes-person ensuring they can communicate effectively the actions taken and reassure staff and public about a safer way forward if appropriate.

8. Stage 7: Review (within 3 months for first review)

It's very likely that the media will return to an incident or alert at regular anniversaries such as 6 months, 1 year, 5 years etc. Therefore, although staff involved at the time of the alert/incident may have left or moved on within the organisation.

Communications Actions:

- Keep a written log of media interest and comment made at the time to ensure continuity and that existing staff will have the background knowledge to hand when facing fresh inquiries.

Note: A detailed training programme for media and communications for relevant safeguarding staff needs to be read in conjunction with this protocol and will form an ongoing training programme involving communication leads in delivery of the training where relevant and required. **(See Appendix 3)**

There will be occasions when due to circumstances these guidelines need to be accelerated rapidly, however the same principles outlined in the protocol eg, having a lead communications officer, obtaining all the back story and liaising with fellow professionals in other agencies still apply.

Title: Communication and Media Protocol Safeguarding Alerts

Date: 30.06.2011

Author: Helen Robinson-Gordon, Head of Communications, RUH.

Version: Final Version

Status: Approved by LSAB 14.07.11.
Approved by Cabinet 10.08.11

Appendix 1

RUH

Helen Robinson Gordon

Head of Communications

Dir Line: 01225 825849

Mobile: 07734 300376

Pager: 07623 114391

Tim Edmonds

Communications Manager

Dir Line: 01225 826230

Mobile: 07805 201726

Pager: 07623 114391

Anita Houlding

Senior Communications Officer

Dir Line: 01225 825799

Mobile: 07803 642404

Pager: 07623 114391

Bath and North East Somerset Council

Jonathan Mercer

Communications and Marketing Manager

Dir Line: 01225 477449

Mobile: 07977228186

James Hinchcliffe

External Communications Manager

Dir Line: 01225 477283

NHS

NHS South West

Centralised out-of-hours contact number for on-call Communications Manager and on-call Director: 0844 5449633

NHS BANES

Derek Thorne

Assistant Director of Communications

Dir Line: 01225 831861

Out of hours mobile: 07594 919733

Craig MacFarlane

Communications Manager

Dir Line: 01225 831414

Mobile: 07515 191918

NHS Wiltshire

Out of hours Duty Communications Officer: 0769 907 51809

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NHS Somerset

Paul Courtney
Communications Manager
Mobile: 0794 118 2175

North Bristol NHS Trust

Out-of-hours – call main switchboard: 0117 970 1212
Contact on-call site manager, who escalates to on-call Executive

University Hospitals Bristol NHS Trust

Out of hours: 0117 923 0000

Avon and Wiltshire Mental Health Partnership

Ray Chalmers
Head of Communications
Dir Line: 01249 468099
Mobile:: 07909 000157
Out of hours communications contact: 01249 468088

Royal United Hospital for Rheumatic Diseases**NHS Foundation Trust**

Emma Mooney
Marketing & Communications Manager
Dir Line: 01225 465941 ext 211

Ambulance Service**Great Western Ambulance Service**

Victoria Eld
Out of hours Head of Communication
Mobile: 07824 626312

South Western Ambulance Service

Lynne Paramor
Director of Corporate Services:
Dir Line: 01392 261509

Melodie Juste
Senior Communications Manager
Dir Line: 01392 261506

Dave Rogers
Communications Assistant
Dir Line: 01392 261649

Out of hours, call Duty Manager in control room: 01392 269621

Police**Police HQ, Portishead**

Out of hours media mobile: 07919 693752
Press office in hours:01275 816350

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This is the main number to ring for Avon & Somerset, Wiltshire and Gloucester Police in the event of major incident

Wiltshire Police 24/7 number: 0845 408 7000

Fire and Rescue

Avon Fire & Rescue Service HQ

Main number (also for out of hours): 0117 926 2061

James Bladon

Media & Communications Manager

Dir Line: 0117 926 2061 ext. 390

Stephanie Mounsey

Media & Communications Officer

Dir Line: 0117 926 2061 ext. 216

Out of hours duty press officer mobile: 0707 746 7634

Wiltshire Fire & Rescue Service

Main number: 01380 723601 (direct to control room)

Louise Knox

Media & Communications Manager

Dir Line: 01380 731126

Mobile: 07841 951 111

Out of hours: 01380 731 130 to the control room who identify senior duty manager – media is part of their remit

Gloucestershire Fire & Rescue Service

Main number (diverts to control room out of hours): 01452 753333

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Date

Media Statement

The **(insert name of organisation)** has been made aware that an incident has occurred on **(insert day and date)** and that a vulnerable adult/young person/child **(delete as appropriate)** may be involved.

Specially trained staff from our organisation are working with their counterparts in health/social services and the police/emergency services **(change or delete those involved as appropriate)** to further investigate this incident. The welfare of any vulnerable person is our priority and will remain so throughout the course of any investigation.

Ends

Lead agency to ensure all relevant communication contact details are placed at the bottom of all press communications

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Appendix 3

Outline of Media Training Plan

The following is a summary only of the main points of teaching for media training.

Stages 1 – 3

For staff involved in the earlier Stages of an alert a single training or awareness session, lasting about 2 hours will be sufficient. This could be provided by members of the Communications Teams, particularly those who were previously employed as journalists.

The session would be interactive and cover the basics of media relations, how to deal with a media call, where they can find support and what to say and not say.

Stages 4 and above

For those staff involved in these later stages, the training session would ideally need to be at least half a day, extending to a full day if all aspects of interview technique and crisis management are required. External contractors for broadcast would also be brought in.

It would include:

Telephone Interview Training

A phone call from a journalist/trainer who will conduct a fifteen minute interview with you on a subject of your choice. Within an hour they'll deliver the copy they would have written were they doing it for real.

One-on-one Interview Training

Manage the interview to make sure your messages are heard. How best to control the agenda by giving the journalist news they can use.

Press Conference Training

Preparation for the sort of questions and format you can expect to face in real life at a press conference and what to provide in press kits and background briefing
Ending the encounter gracefully!

TV Interview

Preparation of core messages and how to hone them to suit your target audience. How to appear on screen, dress, body language, addressing tricky questions etc.

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Bath & North East Somerset Council		
MEETING:	Cabinet	
MEETING DATE:	10 August 2011	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2266
TITLE:	Quality partnership scheme for Corridor 3 of the Greater Bristol Bus Network	
WARD:	Keynsham North, Keynsham East, Keynsham South, Saltford, Bathavon West, Farmborough, Newbridge, Kingsmead, Abbey.	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix 1: Draft quality partnership scheme for Corridor 3 of the Greater Bristol Bus Network.		

1 THE ISSUE

1.1 The Greater Bristol Bus Network (GBBN) major scheme includes the establishment of quality partnership schemes on ten bus route corridors in the West of England area. This scheme will cover the corridor between Bath and Bristol. It will set quality standards for bus operators who wish to use the new infrastructure and facilities.

2 RECOMMENDATION

The Cabinet agrees that:

2.1 A quality partnership scheme be made covering the bus route corridor between Bath and Bristol via Keynsham.

2.2 Delegated powers be given to the Divisional Director for Planning & Transport Development to determine the appropriate standard of services in the quality partnership scheme.

2.3 Delegated powers be given to the Divisional Director for Planning & Transport Development to decide in consultation with the Cabinet Member for Transport on any revisions to the standard of services in the quality partnership scheme arising from the formal review process.

3 FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications arising directly from the implementation of the recommendations but the delivery of the GBBN scheme gives rise to some additional revenue commitments.
- 3.2 Costs associated with the new real time information system and cleaning and maintenance of the new shelters are estimated to be £30,000 per annum. Provision has been made for this amount in the base budget.
- 3.3 It is possible that there may be additional revenue support costs related to contracted bus services on the corridor. Such costs would reflect the higher quality of service that contractors would be required to provide over and above that for which they tendered originally. It is envisaged that any such costs would be met from the current bus revenue support budget. In the event that the contractors are unwilling or unable to agree to an upgrade in quality, the relevant contracts may be terminated with three months' notice and put out to competitive tender.

4 CORPORATE PRIORITIES

- Building communities where people feel safe and secure
- Promoting the independence of older people
- Improving life chances of disadvantaged teenagers and young people
- Sustainable growth
- Addressing the causes and effects of Climate Change
- Improving transport and the public realm

5 THE REPORT

- 5.1 The GBBN major scheme was a key component of the former Joint Local Transport Plan 2006/07 - 2010/11. The government approved the major scheme bid in 2007 and delivery is programmed to be completed by the end of March 2012. The complete scheme covers ten bus service corridors across the West of England area, of which Corridor 3 is the route between Bath and Bristol via the A4 and Keynsham.
- 5.2 The £70m capital cost of the complete GBBN scheme has been funded partly by a £42m government contribution for new infrastructure, bus priority measures and a real-time information system. First, the main bus operator in the area, is a partner in GBBN and has contributed over £20m of investment through the purchase of new vehicles. Additional contributions have been obtained from developers through Section 106 agreements.
- 5.3 To support the investment, the scheme requires that the councils make quality partnership schemes and supporting voluntary partnership agreements with bus operators on the GBBN corridors.
- 5.4 A quality partnership scheme is a statutory arrangement under which local transport authorities provide and maintain specific facilities (such as shelters, raised kerbs, traffic regulation orders and a real-time information system). Bus operators are permitted to use those facilities if they meet specific standards (such as vehicle quality, minimum frequency, maximum fares and customer service).

- 5.5 Bus operators may object to certain specific standards at the formal consultation stage if they consider that it would not be commercially viable for them, acting in a competent and efficient manner, to meet those standards. If such an objection is discounted, operators have a right of appeal to the Traffic Commissioner.
- 5.6 The Transport Act 2000 gave powers to make quality partnership schemes to local transport authorities and the Local Transport Act 2008 widened the scope of service standards. The latter also widened the scope of exemptions from competition legislation for bus operators to encourage co-operation between them.
- 5.7 Alongside the quality partnership scheme, the Council intends to enter into voluntary partnership agreements with bus operators on the corridor to create a framework for making further enhancements to bus services.
- 5.8 The quality partnership scheme document has evolved through the consultation process in the light of comments from bus operators and stakeholders. Informal consultation is continuing over matters of detail and it may be necessary to make some changes to the draft document in Appendix 1 prior to the formal process of making the scheme.
- 5.9 The quality partnership scheme requires that the standard of services must be reviewed in the event that there is a material change in market conditions or if requested by a proportion of the relevant bus operators. If maximum fare levels are specified, they must be reviewed at least annually.

6 RISK MANAGEMENT

- 6.1 The report author and Lead Cabinet Member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.
- 6.2 This quality partnership scheme will be made under fairly recent legislation. The legal process has been followed but the content of the scheme document has been developed in the course of consultation with partners, bus operators and stakeholders. Changes have been made to address many of the concerns raised by stakeholders but there is, nevertheless, a possibility that operators may challenge some of the provisions.

7 EQUALITIES

- 7.1 A proportionate equalities impact assessment has been carried out using corporate guidelines.
- 7.2 With regard to the Equality Duty now placed on public bodies, it is envisaged that the recommended decision will advance equality of opportunity for persons with the protected characteristics of age and disability by requiring bus operators to provide fully accessible vehicles on the corridor. Data obtained for satisfaction surveys in 2007 indicated that 27% of passengers on the corridor were using a concessionary pass and were, therefore, either aged over 60 or disabled.
- 7.3 It is envisaged that the recommended decision will have a neutral impact in respect of the other aspects of the Equality Duty and that the benefits will apply to all bus users.

8 RATIONALE

8.1 The recommended actions are a key part of the delivery of the GBBN major scheme.

9 OTHER OPTIONS CONSIDERED

9.1 Consideration has been given to removing some of the standards of services from the quality partnership scheme and negotiating them for inclusion in the voluntary partnership agreement that will support it. This matter is still under discussion with operators and some changes may be made in the final document. The fundamental principle will remain that the substantial investment by the public sector in infrastructure should be matched by a requirement on bus operators to provide a high-quality bus service on a commercial basis with a reasonable rate of return.

10 CONSULTATION

10.1 Stakeholders/Partners; Other Public Sector Bodies; Section 151 Finance Officer; Monitoring Officer

10.2 Consultation was carried out electronically and also through meetings with relevant bus operators, the Traffic Commissioner for the Western Area, the Department for Transport and the West of England Partnership.

10.3 No admissible objections were received from relevant bus operators during the formal consultation period.

11 ISSUES TO CONSIDER IN REACHING THE DECISION

11.1 Social Inclusion; Customer Focus; Sustainability; Young People.

12 ADVICE SOUGHT

12.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	Andy Strong, Public Transport Team Leader – 01225 394201
Sponsoring Cabinet Member	Councillor Roger Symonds, Cabinet Member for Transport
Background papers	1 West of England Joint Local Transport Plan 2011 – 2026. 2 – Quality partnership schemes: Statutory guidance to English local transport authorities and metropolitan district councils (published by the Department for Transport, March 2009)
Please contact the report author if you need to access this report in an alternative format	

Quality Partnership Scheme
Greater Bristol Bus Network
Corridor 3

This Quality Partnership Scheme in respect of Corridor 3 of the Greater Bristol Bus Network (“the Scheme”) is made by Bath & North East Somerset Council (“the Lead Authority”) and Bristol City Council (together “the Authorities”) in accordance with Sections 114 to 123 of the Transport Act 2000 (“the 2000 Act”) as amended and the Quality Partnership Schemes (England) Regulations 2009 (“the Regulations”).

1 DEFINITIONS AND INTERPRETATION

“Excluded Service” means any local bus service or class of local bus services set out in Schedule 2.

“Facilities” means, subject to regulations made under s119 of the 2000 Act from time to time:

- (a) all infrastructure, equipment and services provided along routes in the Scheme Area; and
 - (b) all infrastructure, equipment and services which are ancillary to (a)
- and which are
- (a) provided by the Authorities for the benefit of the registered local bus services participating in the Scheme; and
 - (b) set out in Schedule 3.

“Greater Bristol Bus Network” means the major transport scheme co-ordinated by the West of England Partnership that consists of ten bus route corridors on which Quality Partnership Schemes will be made.

“JLTP” means the West of England Joint Local Transport Plan 3 (2011 – 2026), the Supporting Documents thereto and any successor documents.

“Local Service” means any registered local bus service which:

- (a) is so defined by s2 of the Transport Act 1985; and
- (b) is not an Excluded Service.

“Participating Operator” means a bus operator who uses the Facilities in the operation of a Local Service and who has given a written undertaking in the form attached at Schedule 4 to the Traffic Commissioner that, when using the Facilities on any date, he will provide the Standard of Services as it has effect in relation to that date.

“Qualifying Agreement” has the meaning set out in paragraph 17(4) of Schedule 10 to the 2000 Act as amended.

“RTI” means Real Time Information.

“Scheme Area” has the meaning set out in Clause 4.1

“Standard of Services” means the standards set out in Schedule 1.

“Traffic Commissioner” has the meaning set out in s82(1) of the Public Passenger Vehicles Act 1981 as amended.

“Voluntary Partnership Agreement” has the meaning set out in s153(2) of the 2000 Act as amended.

“West of England Partnership” means such joint strategic organisation of Bath and North East Somerset Council, Bristol City Council, North Somerset Council and South Gloucestershire Council as shall be operated by those authorities from time to time.

2 DATE AND PERIOD OF OPERATION

2.1 The Scheme will come into operation on 27 November 2011 (“the Commencement Date”) in accordance with s116 and s118 (1) of the 2000 Act.

2.2 The Scheme will operate for a period of 5 years from the Commencement Date subject to variation or revocation in accordance with s120 of the 2000 Act.

3 SCHEME PURPOSE AND OBJECTIVES

3.1 The Scheme forms part of the Greater Bristol Bus Network co-ordinated by the West of England Partnership. The purpose of the Scheme is to improve the quality of bus services operating in the Scheme Area.

3.2 The Authorities will provide the Facilities and Participating Operators will provide Local Services to the Standard of Services.

3.3 The Authorities are satisfied that the Scheme will contribute to the implementation of their local transport policies as set out in the JLTP and thus will meet the requirements of s114(1) of the 2000 Act.

3.4 The Authorities are satisfied that both the provision of the Facilities and the provision of Local Services to the Standard of Services will

- (a) improve the quality of Local Services provided in the Scheme Area by bringing benefits to persons using those services and
- (b) reduce or limit traffic congestion, noise and air pollution

and thus will meet the requirements of s114(3) of the 2000 Act.

3.5 The Authorities are satisfied that the competition test in Part 1 of Schedule 10 to the 2000 Act has been met in respect of the Scheme.

3.6 The notice and consultation requirements of s115 of the 2000 Act have been complied with.

3.7 The Authorities and Participating Operators will enter into and implement Voluntary Partnership Agreements which will include a framework for making enhancements such as (but not exclusive to):

- (a) quicker journey times
- (b) increased frequency
- (c) later operation of commercial service in evenings
- (d) earlier start of commercial service in mornings
- (e) extension of commercial operation on Sundays and Bank Holidays
- (f) installation of CCTV on vehicles
- (g) reductions in fares

and to cover other issues such as the co-ordination of timetables and ticket interavailability. The baseline data for patronage, journey times, punctuality and passenger satisfaction is set out in Schedule 5.

3.8 The Authorities will seek to make maximum use of contributions towards transport provision from appropriate developments. Any such funding may be used at the discretion of the Authorities for improvements to the Facilities or for enhancements to Local Services, subject to the conditions pertaining to it.

3.9 The Scheme may be supported as appropriate by Qualifying Agreements between Participating Operators.

3.10 The Authorities and Participating Operators will enter into and implement an agreement to work together to improve the punctuality and reliability of Local Services in the Scheme Area (a "Punctuality Improvement Partnership Agreement") unless such an agreement is in place already.

4 SCHEME AREA AND SCOPE

4.1 The Scheme shall cover the area of the route corridor between Bristol and Bath via Brislington, Keynsham and Saltford as delineated in bold on Plan 1 attached (the "Scheme Area").

4.2 In respect of Local Services using the Facilities that form part of bus routes extending beyond the Scheme Area, operators are required to meet the Standard of Services on that part of those bus routes within the Scheme Area only.

5 FACILITIES

5.1 The Authorities will make the Facilities available to Participating Operators from the dates in Schedule 3 until the Scheme ceases to have effect.

5.2 As part of the obligation in Clause 5.1, the Authorities shall secure that any Traffic Regulation Order and/or other contractual or other arrangement necessary to deliver the Facilities be made and maintained whilst the Scheme has effect.

5.3 The Authorities confirm that they have secured arrangements for the effective enforcement of the Traffic Regulation Orders required to deliver the Facilities and for the enforcement of other Traffic Regulation Orders in the Scheme Area while the Scheme has effect. This includes where applicable any contracts or service level agreements with relevant third parties.

5.4 Clauses 5.1, 5.2 and 5.3 do not apply in relation to any period during which the Authorities are temporarily unable to fulfil their obligations due to circumstances beyond their control. Notwithstanding this, the Authorities will use all reasonable endeavours to minimise the impact of any disruption to Local Services.

5.5 In respect of Clause 5.4, "temporarily" means "for a period not exceeding fourteen days" and "circumstances beyond their control" include road works, severe weather, flood and emergency incidents.

5.6 Standards for the implementation, modification and maintenance of the Facilities are set out in Schedule 3.

5.7 The premises of Bristol Bus Station and Bath Bus Station do not form part of the Scheme Area and operators wishing to use those premises for Local Services must make their own arrangements to do so, including payment of any departure charges.

6 CONDITIONS OF USE

6.1 A bus operator may not use any of the Facilities in connection with the provision of a Local Service unless

- (a) he is a Participating Operator; and
- (b) the local bus service is a Local Service which is provided to the Standard of Services when using the Facilities except for any period during which the operator is temporarily unable to do so owing to circumstances beyond his control (provided that the Lead Authority is notified in writing of the reason and anticipated duration of this breach as soon as is reasonably possible after the anticipated breach becomes apparent).

6.2 In respect of Clause 6.1 (b), “temporarily” means “for a period not exceeding fourteen days” and “circumstances beyond his control” include road works, severe weather, flood and emergency incidents.

6.3 A registered local bus service other than a Local Service may not use the Facilities.

6.4 Any bus operator who uses the Facilities in connection with the provision of a local bus service but fails to comply with Clause 6.1 may be subject to action by the Traffic Commissioner in accordance with s26 of the Transport Act 1985 and s155 of the 2000 Act.

7 MONITORING AND REVIEW

7.1 The Authorities and Participating Operators will hold regular meetings to monitor the operation of the Scheme and the Voluntary Partnership Agreements associated with it.

7.2 Targets for improvements to bus journey times, punctuality, reliability and passenger satisfaction will be set in a Voluntary Partnership Agreement between the Authorities and Participating Operators at the start of the Scheme by reference to the targets in the JLTP and the standards set by the Traffic Commissioner. The Authorities and Participating Operators will work together to collect data and monitor progress towards the targets and the responsibilities of the parties will be set out in the Voluntary Partnership Agreement.

7.3 Participating Operators will provide the Authorities with bus journey time and reliability information from the RTI system to be implemented as part of the Scheme. Participating Operators will use all reasonable endeavours to provide such information fourteen days prior to any review meeting but no later than seven days prior.

7.4 A review of the requirements as to frequencies and timings may be initiated by the Lead Authority either at its own discretion or by request of three or more Participating Operators whose services are affected by a particular set of requirements (or 50% of

such operators, if fewer) and will be undertaken in accordance with the process set out in Schedule 6.

7.5 The Authorities retain the right to monitor compliance with the Standard of Services in respect of any Local Service that uses the Facilities and Participating Operators will allow the Authorities reasonable access to any Local Service and provide them with any reasonable assistance it may require for this purpose including the provision of relevant information.

7.6 If it becomes necessary during the lifetime of the Scheme to postpone or cancel the provision of any of the Facilities to the extent that the basis on which a Participating Operator was meeting the Standard of Services was undermined thereby, the Lead Authority will open discussions with that Participating Operator with a view to revising the Standard of Services to a proportionate degree.

7.7 In the event of a structural fall in demand on Local Services using the Facilities to the extent that a Participating Operator considers that the Standard of Services can no longer be met, that Participating Operator and the Lead Authority shall review the matter and use all reasonable endeavours to find a mutually acceptable way forward that seeks to maintain as much of the Standard of Services as possible.

7.8 A formal process of review of the Scheme will be set up by the Lead Authority no later than twelve months before the end of the Scheme.

8 DISPUTE RESOLUTION

8.1 In the event of the failure of the Authorities or a Participating Operator to meet any of the requirements of the Scheme, the parties shall attempt in good faith to resolve the matter at the earliest opportunity through communication at a senior level of management before any formal action is taken.

SIGNED on behalf of Bath & North East Somerset Council by

.....

Name

Title

SIGNED on behalf of Bristol City Council by

.....

Name

Title

Plan, Schedules and Annex

Plan

- 1 The Scheme Area

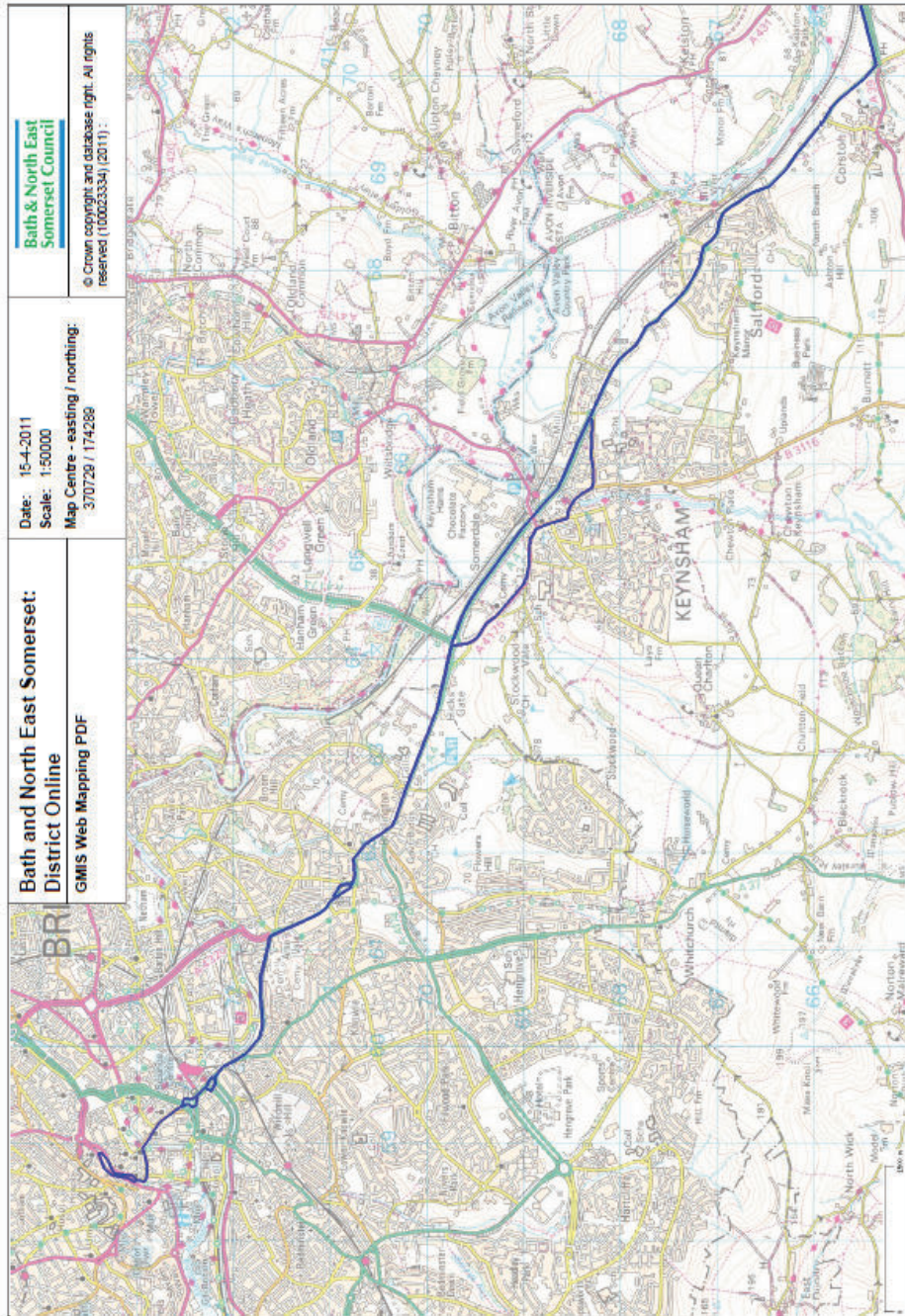
Schedules

- 1 Standard of Services
 - A Frequencies and timings
 - B Fares
 - C General
- 2 Excluded Services
- 3 The Facilities
- 4 Undertaking in accordance with s118 (4) of the Transport Act 2000
- 5 Baseline patronage, journey time, punctuality and passenger satisfaction information
- 6 Process for review of requirements in Schedule 1 (A)

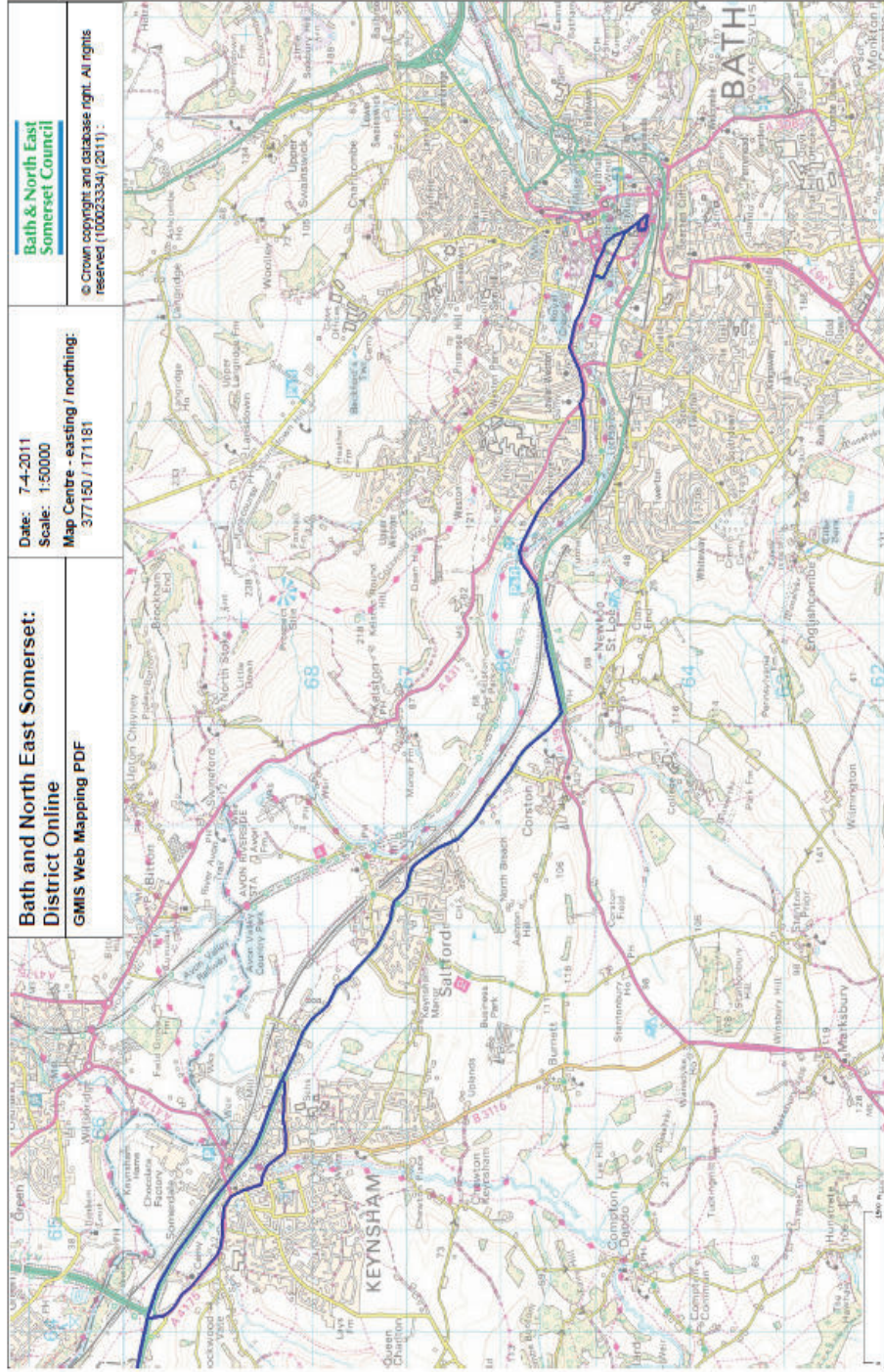
Annex

- 1 Code of Conduct on Bus Service Stability for the West of England Partnership Area

PLAN 1 The Scheme Area – Part 1



PLAN 1
The Scheme Area – Part 2



Quality Partnership Scheme

Greater Bristol Bus Network

Corridor 3

SCHEDULE 1 Standard of Services

A - Frequencies and timings

1 In respect of Local Services operating in the Scheme Area, each Participating Operator (or a combination of Participating Operators) must provide a minimum level of service to all recognised bus stops (except as specified below) in the parts of the Scheme Area and at the times of day shown in Table 1. On Mondays to Fridays between the Christmas and New Year holidays, the requirements for Saturdays shall apply.

Table 1 – Minimum frequency to be operated in parts of the Scheme Area (buses per hour)

	Mondays to Fridays (not Bank Holidays) until 1800		Saturdays 0830 to 1730	Daily 1900 to 2200	Sundays & Bank Holidays 0900 to 1900
	0730 to 0900 and 1600 to 1800	0900 to 1600			
Bristol to Bath via Keynsham by-pass	5	5	4	-	-
Bristol to Bath via Keynsham (additional to above)	-	-	-	1	2
Bristol to Keynsham (additional to above)	4	4	4	1	-
Keynsham to Bath (additional to above)	2	2	2	-	-

2 Individual departures must be timed to give a regular interval as far as possible.

3 The Authorities and Participating Operators will enter into and implement a Voluntary Partnership Agreement to co-ordinate their Local Services so as to establish and maintain a regular interval between services as far as possible. The Authorities' aim is to secure the following overall level of service between Bristol and Bath on Mondays to Fridays (not Bank Holidays) at or as soon as possible after the Commencement Date:

- A combined minimum frequency of 6 buses per hour in both directions between 0700 and 1800 and 2 buses per hour between 1800 and 2200. First departure to be no later than 0630 and last departure to be no earlier than 2200.

B - Fares

1 The maximum adult single fares that may be charged on Local Services at the Commencement Date are set out in Table 2. Participating Operators may charge fares at a lower level than the maximum at any time that the Scheme has effect, subject to the provision of notice as required in Paragraph 5.

Table 2 – Adult single fares (pence)

BATH, Bus Station or Dorchester Street (150)																
150	Nile Street (150)															
220	150	Park Lane (150)														
220	150	150	The Weston (150)													
220	150	150	150	Hartwell's Garage (150)												
240	220	220	220	150	Old Newbridge Hill (150)											
240	220	220	220	150	150	Newton St Loe (150)										
330	310	310	290	290	290	190	Corston Turn (160)									
390	330	330	310	310	290	290	220	Saltford (all stops) (160)								
390	390	390	390	390	330	310	290	220	Pixash Lane/ Ellsbridge House (160)							
440	440	440	390	390	390	390	310	220	160	Keynsham (all stops) (150)						
500	500	500	440	440	440	390	390	330	290	150	Hicks Gate (150)					
500	500	500	500	500	500	390	390	330	290	200	150	Wick Road/Eagle Road (150)				
500	500	500	500	500	500	500	440	390	290	230	200	150	Totterdown Bridge (150)			
500	500	500	500	500	500	500	500	440	330	260	230	200	100	Temple Gate (150)		
500	500	500	500	500	500	500	500	440	330	260	230	230	200	150	BRISTOL, Cent. Area (150)	

Note: Fares in bracket are the adult single fares for travel within the zone.

2 The maximum adult return, child single, child return and 7-day ticket fares that may be charged on Local Services using the Facilities will be calculated using Table 3. Participating Operators may charge fares at a lower level than the maximum at any time that the Scheme has effect, subject to the provision of notice as required in Paragraph 5.

Table 3 – Maximum return, child fare and 7-day ticket conversion table (pence)

Single	Adult			Child			
	Return		7-day unlimited travel	Single	Return		7-day unlimited travel
	Off-peak	Peak			Off-peak	Peak	
150	240	260	1350	120	160	190	1080
160	260	280	1440	130	180	210	1170
220	340	380	1980	170	260	280	1530
230	350	400	2070	170	260	280	1530
240	390	420	2160	180	280	310	1620
260	400	400	2340	180	280	310	1620
290	450	500	2610	210	340	380	1890
310	490	540	2790	230	370	410	2070
330	510	540	2800	250	390	410	2250
390	530	540	2800	300	400	410	2500
440	700	750	3600	330	520	560	2500
500	700	750	3600	360	540	560	2500

Note: In Table 2, "Peak" means between 0400 and 0900 on Mondays to Fridays (not Bank Holidays)

3 Return and 7-day tickets will not be valid outside the Scheme Area unless the operator chooses to make them so on services that he operates.

4 Return and 7-day tickets will not be valid on bus services provided by other operators inside or outside the Scheme Area unless an agreement on ticket interavailability has been made between the operators or unless such a requirement is made by a local transport authority as part of a service subsidy agreement.

5 Participating Operators must provide full details of the fares they propose to charge on Local Services at the Commencement Date (if different to those in Tables 2 and 3) to the Authority 21 days before the Commencement Date and all subsequent changes to those fares to the Authority 21 days before they come into effect.

6 Participating Operators must participate in voluntary ticket schemes covering the Scheme Area including, but not exclusive to, PlusBus and Freedom Travelpass.

7 The annual adjustment to maximum fares to be introduced on 1 April each year will reflect cost changes in the bus industry during the 12 months up to 31 October of the preceding year using indices from the Monthly Digest of Statistics as set out in Table 4.

Table 4 – Formula for annual adjustment of maximum fares

<u>Expenditure</u>	<u>Weight (%)</u>	<u>Index/Source</u>
Fuel	8	Retail Prices Index Motoring Expenditure Petrol and oil
Depreciation	12	Index Numbers of Producer Prices Gross sector output prices, not seasonally adjusted (selected sub-sections of industry) Motor vehicles, trailers and semi-trailers
Maintenance	15	Retail Prices Index Motoring Expenditure Maintenance of Motor Vehicles:
Other (including wages)	65	Retail Prices Index All items

8 The maximum fares in Tables 2 and 3 will be adjusted upwards or downwards as necessary to achieve the overall percentage adjustment calculated from Table 4. Any adjusted fare values will be in 10p steps.

C - General

Real Time Information (RTI)

1 All Local Services in the Scheme Area must be covered by RTI from the Commencement Date. The Authorities or the West of England Partnership acting on their behalf and Participating Operators will enter into and implement a full legal agreement covering fitment, use, information and data sharing.

2 Participating Operators undertake to use all reasonable endeavours to ensure that RTI equipment is active and functions correctly and to report any defects to the Lead Authority within 48 hours. Further, the same operators warrant that in the event of a bus being transferred away from the area, any RTI equipment belonging to the Authorities will be returned to the Authorities in good condition as soon as possible thereafter.

Punctuality and reliability

3 Participating Operators undertake to provide punctual and reliable services in accordance with the particulars registered with the Traffic Commissioner and the undertaking they have given under s118(4) of the Transport Act 2000.

4 Participating Operators undertake to use all reasonable endeavours both to transfer passengers from a broken-down bus onto alternative services (including the provision of a replacement bus if necessary) within 30 minutes of that breakdown unless the service interval is less than every 30 minutes in which case it should be replaced at the start of its next scheduled journey and also to give priority to the removal of a broken-down bus within 60 minutes of that breakdown should it be blocking or impeding traffic flow.

5 Any bus provided to replace a broken-down bus will not have to meet all the accessibility requirements in Paragraph 6 below but as a minimum it must have a low floor and it must be replaced by a vehicle meeting all the accessibility requirements as soon as practicable thereafter but not later than the next working day.

Network Stability

6 Participating Operators undertake to make changes to routes and timetables of Local Services within the limitations of Schedule 1 (A) in accordance with the Code of Conduct on Bus Service Stability for the West of England Partnership Area as attached in Annex 1. Notwithstanding this, it is recognised that circumstances may arise under which it may be necessary for Participating Operators to seek approval from the Traffic Commissioner to make variations at short notice and in such cases the Authorities and Participating Operators will work together to ensure as much advance notice as possible is given to passengers if such approval be given by the Traffic Commissioner.

Accessibility

7 All buses using the Facilities will conform to the requirements of the Public Service Vehicle Accessibility Regulations 2000 and subsequent amendments, will be equipped with a fully-functioning wheelchair ramp access facility and will have step-free access to the priority seating for disabled passengers.

Emissions

8 All buses using the Facilities will comply with Euro III emission standards in respect of particulates from the Commencement Date.

9 Drivers must switch off engines if stationary for more than four minutes in the Scheme Area.

Capacity

10 Notwithstanding the minimum service level requirements, Participating Operators will ensure that sufficient capacity is provided on their buses such that no passengers should be left standing at a bus stop on a regular basis because a bus is full, save in cases of exceptional demand caused by service disruption or other events beyond the operators' control. Participating Operators will provide duplicate vehicles as necessary to meet predictable seasonal demand.

Communication and Service Control

11 All buses using the Facilities will be equipped with a means of communication at all times between the operator's control centre and the driver either by means of the RTI system, two-way radio or hands-free mobile telephone.

Passenger Security

12 All buses using the Facilities will be capable of having on-board Closed Circuit Television (CCTV) monitoring systems fitted, to give clear views of passenger saloons, entrances and exits and the driver's view of the highway. Any such system fitted to buses using the Facilities must meet the standards in the CCTV Operational Requirements Manual 2009 (published by the Home Office) and must be capable of interfacing with Police and the Authority's CCTV systems. Participating Operators will use all reasonable endeavours to ensure that any such CCTV equipment is in continuous operation.

Passenger Information

13 Participating Operators will co-operate with the Authorities in providing information in accordance with the Authorities' Bus Information Strategies.

14 Buses using the Facilities will display internally up-to-date, accurate route, timetable and promotional information appropriate to the route(s) being operated. The scope and content of such information will be agreed with the Lead Authority. Any out-of-date information must be removed as soon as it ceases to be current. Notices

including contact numbers for lost property, customer comment and Passenger Focus must also be displayed.

15 Participating Operators undertake to display notices on each saloon of all vehicles using the Facilities announcing forthcoming service and fare changes relevant to the Scheme Area, at least 14 days in advance of the date on which changes will take effect.

16 Participating Operators undertake to inform Traveline and the Lead Authority in advance wherever possible of any known disruptions, substantial delays or cancellations to bus services in the Scheme Area.

17 Participating Operators will pay Traveline call cost invoices promptly and in full provided that they are accurate.

Heating and Ventilation

18 Buses using the Facilities will have functioning in normal working order a climate control system or another type of heating and ventilation system operating to maintain passenger comfort.

Route and Destination Displays

19 Buses using the Facilities must display accurate route and destination indicators at all times. These must comply with the standards set out in Schedule 2, section 8 of the PSV Accessibility Regulations 2000.

20 Temporary destination and number displays must comply with paragraphs 8 (3) (a) and (b) of Schedule 2 of the PSV Accessibility Regulations 2000 and must only be used as substitute for normal destination equipment in the event of emergency.

Lighting and Ancillary Equipment

21 All vehicles using the Facilities must be well lit internally during hours of darkness and poor daylight. All internal equipment such as bell pushes must be fully functioning.

Presentation

22 All vehicles using the Facilities must be kept in a clean and tidy condition externally without damage to panels, windscreen, windows or doors. The exteriors should be complete in finished livery and free of damage, grime and graffiti. Further requirements for dealing with damage to windows are shown at paragraph 23 in this Schedule. Timescales for rectification are shown at paragraph 29 in this Schedule.

23 Any windows with etching on more than 50% of the window should be replaced. Badly scratched or blown double glazed windows which impair visibility should be replaced at the earliest practical opportunity. All windows, windscreens and other glass or polycarbonate panels must be in a clean condition at the start of service each day. Timescales for rectification are shown at paragraph 29 in this Schedule.

24 All vehicles using the Facilities must be kept in a clean and tidy condition internally, particularly panels, windows, floors, ventilation panels and grilles. The interior should be as free as reasonably practical of litter, debris, damage, contamination, grime, graffiti or unauthorised stickers. All buses must enter service at the start of each day in a clean condition. Timescales for rectification are shown at paragraph 29 in this Schedule.

25 Any free newspapers made available to passengers on the buses that are discarded on the buses must be tidied from seats and floors at least every 3 hours.

26 Any racist, obscene or abusive graffiti must be removed as soon as reasonably practical and in any case before the bus next enters service on a subsequent day.

27 All seat cushions, backs, bases and materials must be maintained in a clean and tidy condition such that passenger clothing does not become soiled.

28 Participating Operators undertake to inform the Lead Authority of any problems that may affect their ability to maintain vehicles in a clean and tidy condition.

29 The timescales for rectification of reported vehicle defects are:

- Immediately as practical or, if parts need to be ordered, as soon as they become available:
 - CCTV, radio or telephone communication equipment, all internal equipment including lighting, bus stopping signs, destination displays, bells and electronic ticket machines.
- Within 24 hours or 5 working days if parts need to be ordered:
 - Climate control or heating and ventilation systems, leaks from roofs or windows entering the saloon, recurrent minor defects from chassis, engine, gearbox including suspension knocks, snatching brakes or retarders and screeching belts.
- Within 5 working days:
 - Minor body defects including all repairs to glazing specified in paragraph 23 of this Schedule.

Driver Training, Conduct and Appearance

30 Participating Operators undertake to fully brief drivers on the terms and objectives of the Scheme before they operate Local Services using the Facilities and hold a training log that is available for inspection by the Lead Authority.

31 Participating Operators undertake to ensure that drivers drive in a safe and professional manner, are polite and are trained in disability awareness. All drivers driving on Local Services in the Scheme Area will attain or be working towards the Driver Certificate of Professional Competence by 12 months from the Commencement Date. Operators will ensure that drivers receive training updates at least every 3 years and will hold a training log that will be available for inspection by the Lead Authority.

32 Drivers of buses using the Facilities must dock buses correctly at stopping places, parallel and adjacent to raised kerbs wherever practical.

33 Drivers of buses using the Facilities must provide assistance when requested for boarding or alighting by those passengers who are elderly or have disabilities and, if requested to do so, must remain stationary until boarding passengers are seated. Drivers must be aware of elderly or disabled passengers who can remain seated following a bus stop request until the bus has come to a stop. Drivers must assist

passengers in wheelchairs by lifting the ramp and if requested offer assistance in accordance with PSV (Conduct of Drivers, Inspectors, Conductors and Passengers) (Amendment) Regulations 2002. Drivers must have regard to their safety and security, and the safety and security of passengers, in following these behaviours.

34 Drivers must not smoke at any time while on board a bus or at any time while on duty in uniform except during designated breaks. Drivers must leave the vehicle if they wish to smoke. Drivers must not use mobile phone handsets or consume food or drink while the vehicle is in motion.

35 Operators of buses using the Facilities will provide their drivers with a uniform and will take all reasonable steps to ensure that this is worn on duty.

Customer Behaviour Code

36 Drivers will use all reasonable endeavours to stop any passengers from smoking on board vehicles and to prevent any passengers who are smoking from boarding.

37 Participating Operators will operate a policy that addresses behaviour that could cause an annoyance to other passengers. This includes the prohibition of passengers from consuming alcohol or hot food on board buses, and a request for passengers using personal electronic equipment and mobile telephones to exercise consideration for others.

Customer Care Policy

38 Participating Operators will operate a Customer Charter Scheme to include compensation equivalent to the cost of the journey to passengers for journeys on Local Services in the Scheme Area in cases where:

- A bus on a high frequency service (i.e. where the service interval is ten minutes or less) has experienced a delay of more than double the scheduled service headway; or
- A bus on any other service has departed a registered timing point more than 1 minute early or more than 10 minutes late.

39 The Customer Charter Scheme will cover the whole Greater Bristol Bus Network and will be set up after all the Quality Partnership Schemes for the Network have been made. It will be administered jointly by the authorities making the Quality Partnership Schemes and Participating Operators. Compensation costs will be reimbursed by the relevant operator unless the delay is proven to be outside his control. In cases such as severe weather and flooding, no compensation will be payable.

Customer Satisfaction

40 Participating Operators will:

- Undertake six-monthly attitudinal surveys to establish passengers' aspirations and reactions to the Scheme; and
- Monitor and seek to improve and maintain customer satisfaction levels amongst all passenger groups at a minimum of six-monthly intervals.

The survey results will be made available to the Lead Authority at no charge.

Branding

41 Participating Operators' vehicles that use the Facilities shall display the recognised logo and branding for the Scheme as notified by the Lead Authority.

Contracted Services

42 Services secured by the Authorities under a service subsidy agreement that complement the services specified in Schedule 1 (A), such as evening and Sunday services, will comply with the standards in this Schedule with effect from the start date of the next service subsidy agreement after the Commencement Date unless they are designated as Excluded Services.

Ticketing equipment

43 Participating Operators will equip their vehicles operating on Local Services in the Scheme Area with ITSO-compliant ticketing equipment that shall be compatible with the Host Operator Processing System ("HOPS") procured by the West of England Partnership and meet the RTIGT022 specification for interface with RTI by 1 March 2012. The "smart" element of the ticket machines must be switched on at all times whilst buses are operating on Local Services in the Scheme Area. The Authorities or the West of England Partnership acting on their behalf will enter into and implement a full legal agreement to govern the use of the West of England Partnership HOPS if Participating Operators choose to use that one.

General

44 Participating Operators must comply with the Standard of Services in Schedule 1C from the Commencement Date with the exception of the following:

- Paragraph 43 (Smart ticketing equipment) from 1 March 2012
- Paragraphs 38 & 39 (Customer Care Policy) from 1 April 2012

SCHEDULE 2 Excluded Services

1 The registered local bus services listed in Table 5 or any successors thereto that operate in the Scheme Area are Excluded Services:

Table 5 – List of Excluded services

Registered number	Service number(s)	Route	Operator
PH0000132/41	14, 14A	Odd Down - Weston	First Somerset & Avon Ltd
PH0004798/10	14	Bus Station - Weston	J. V. Pickford
PH0000132/40	17	Kingsway - Upper Weston	First Somerset & Avon Ltd
PH1066711/50	20A, 20C	Bath Circular	Flights Hallmark Ltd
PH0000132/113	21	Newbridge - City Centre	First Somerset & Avon Ltd
PH0007208/13	36	Centre - Withywood	First Bristol Ltd
PH5662/21	42	Odd Down – Royal United Hospital	Abus Ltd
PH1094121/2	57, 67	Stockwood – City Centre	Abus Ltd
PH0007208/71	318	Keynsham – Cribbs Causeway	First Bristol Ltd
PH0000132/10	318, 319	Bath – Cribbs Causeway	First Somerset & Avon Ltd
PH0000132/9	332	Bath – Bristol	First Somerset & Avon Ltd
PH1066711/37	532, 533	Keynsham – Mangotsfield	Flights Hallmark Ltd
PH1066711/14	558, 559	Knowle - Brislington	Flights Hallmark Ltd
PH0005373/12	636	Whitchurch – Keynsham	Somerbus Ltd
PH0005373/4	640	Bishop Sutton - Keynsham	Somerbus Ltd
PH0004798/31	684	Keynsham - Wick	J. V. Pickford
PH0006784/2	665	Keynsham & Salford Local Service	Bath & North East Somerset Council
PH0007180/7	665	Keynsham & Salford Local Service	S. K. Young
PH0005373/11	668	Midsomer Norton - Bristol	Somerbus Ltd
PH0004798/34	716	Bath – Newbridge	S. K. Young
PH0006784/3	752	Hinton Blewett – Bath	Bath & North East Somerset Council
PH000633/1	City Tour	Bath City Tour	Bath Bus Company Ltd
PH1066711/85	N4	City Centre - Stockwood	Flights Hallmark Ltd
PH0000132/281	SPA1, SPA2	City Centre – Bath Spa University	First Somerset & Avon Ltd

2 The following categories of public transport services are excluded from the Scheme:

- Bus services that operate for the primary purpose of carrying schoolchildren or students between their home and an academic establishment at the start or finish of the academic day;
- Bus services operating with a frequency of one service per day or less, on any day(s) of the week;
- Bus services that operate in the Scheme Area but which are not registered to operate along a route whereby any of the Facilities would be available to them;
- Community Transport or Dial-a-Ride services which are restricted to use by pre-registered passengers only;
- Scheduled express bus or coach services not eligible for Bus Service Operators Grant;
- Other scheduled coach services operated, marketed and branded as part of the National Express, Megabus or Greyhound coach networks or any successors thereto; and
- Any Excursion or Tour service as defined in s137 of the 1985 Act.

SCHEDULE 3

The Facilities

1 The Authorities confirm that all the Facilities will be ready for use at the Commencement Date except for those marked otherwise in Tables ? and ? and that the Facilities will continue to be available for the duration of the Scheme unless the Scheme be varied or revoked under s120(1) of the 2000 Act.

2 The Authorities confirm that RTI and the infrastructure ancillary to it will be operational on the Commencement Date.

3 The following standards and specifications will apply to upgraded infrastructure wherever reasonably possible and subject *inter alia* to cost and limitations of the site:

Shelters

- The steel work will be 316 Grade Stainless Steel for urban shelters
- The glazing manifestations will be 8mm polycarbonate or 10mm glass for urban shelters and 6mm polycarbonate for rural shelters
- All shelters will include seating provision
- Any exceptions will be assessed by the Authorities
- All shelters with RTI displays will be illuminated
- Electricity connections will not be taken from a street light supply
- All electricity connections exceeding the cost threshold will be referred to the Authority for approval
- The overall size of new shelter installations will be determined by the result of an evaluation carried out by the Authorities
- New shelters will be installed with standard glazed panels
- Potential requirements for solid blocks, privacy screens and polycarbonate panels will be identified by the Authorities
- The Authorities' current approved contractor will install all shelters

Footway Widths

- For shelter installation at the rear of a footway, a minimum width of 1950mm will be required for a quarter end panel shelter, 2150mm for a half end panel and 2750mm for a full end panel
- For shelter installation at the kerb edge of a footway, a minimum width of 2110mm will be required for a quarter end panel shelter, 2600mm for a half end panel and 3200mm for a full end panel
- For a pole installation at the rear of a footway, a minimum width of 1500mm will be required
- For a pole installation at the kerb edge of a footway, a minimum width of 1800mm will be required
- If footway width is not a restricting factor then the location of the shelter will be determined by the direction of the prevailing (winter) wind
- The location, orientation and size of end panels will be determined by the Authorities

Footway

- There will be a section of raised kerb at a height of at least 180mm at all stops to allow level access to vehicles.
- All stops to be wheelchair accessible with a 2m x 2m-boarding/alighting zone to be kept clear of street furniture & other obstructions
- There will be a minimum area of hardstanding for 5 passengers at every stop

- The recommended ramp gradient on footways on quality corridors is 1:20 and the maximum acceptable gradient is 1:12 provided this is over a short distance

Carriageway

- A 24-hour bus stop clearway will be provided at all stops of a minimum 27 metres or, where appropriate, 30 metres. The procedure to deal with specific locations where this is not achievable will be determined by the Authorities, including the option to relocate the stop
- Contiguous with the above all stops on route will have a Bus Stop Cage marking in yellow on the carriageway
- Optional surfacing up to 0.5m wide to further reinforce the bus box may be provided
- Full depth lay-bys will not be provided at bus stops in the Scheme Area unless they are there already

Service Information

- Static bus service information (timetables) will be provided at all significant stops along routes and will be updated to reflect service changes at the agreed service change dates by the party separately identified as responsible.
- All stops will be visited periodically for general cleaning, maintenance and to ensure the information is provided and visible.

Local Information

- Where space permits, local area maps and local information will be displayed at bus stops in the Scheme Area.

Interchange Points

- Where the stop is an interchange point with other bus services or modes, information will be available in the immediate area and signage will be provided to assist interchange.

- 4 The bus stop improvements that form part of the Facilities are listed in Table 6. These will be available from the Commencement Date.

Table 6 - Improvements to bus stops in the Scheme Area

Ref. no.	NaPTAN Code	Stop Name	Location	Direction	Facilities
2	0100BRA10442	Totterdown Bridge	A4 Bath Road		C, D, F, S, K, R
4	0100BRA10443	Paintworks	A4 Bath Road	Outbound	C, D, F, S, K, R
6	0100BRA10445	Arno's Court c	A4 Bath Road	Outbound	C, D, F, S, K, R, L
8	0100BRA10932	Tramway Road	A4 Bath Road	Outbound	C, D, F, S, K, R
11	0100BRA10193	Eagle Road	A4 Bath Road	Outbound	C, D, F, S, K, R
12	0100BRA10229	Brislington Sq c	A4 Bath Road	Outbound	C, D, F, S, K, R, L
13	0100BRA10190	Flowers Hill	A4 Bath Road	Outbound	C, D, F, S, K, R
14	0100BRA10189	Emery Road	A4 Bath Road	Outbound	C, D, F, S, K, R, L
15	0100BRA10888	Brislington House	A4 Bath Road	Outbound	C, D, F, S, K, R, L
16	0100BAC30685	Hicks Gate	A4 Bath Road	Outbound	B, C, D, F, K
17	0100BRA10188	Stockwood Road	A4 Bath Road	Outbound	C, D, F, S, K, R
18	0100BRA10187	Stockwood Road	A4 Bath Road	Inbound	C, D, F, S, K, R
19	0100BAC30684	Hicks Gate	A4 Bath Road	Inbound	C, D, F, S, K, R
20	0100BRA10889	Brislington House	A4 Bath Road	Inbound	B, C, D, F, K
21	0100BRA10890	Emery Road	A4 Bath Road	Inbound	C, D, F, S, K, R
22	0100BRA10191	Flowers Hill	A4 Bath Road	Inbound	C, D, F, S, K, R
23	0100BRA53398	Brislington Sq	A4 Bath Road	Inbound	C, D, F, S, K, R, L
24	0100BRA10930	Eagle Road	A4 Bath Road	Inbound	C, D, F, S, K, R
25	0100BRA10931	Tramway Road	A4 Bath Road	Inbound	C, D, F, S, K, R
26	0100BRA10933	Arno's Court b	A4 Bath Road	Inbound	C, D, F, S, K, R, L
27	0100BRA10439	Arno's Court d	A4 Bath Road	Inbound	C, D, F, S, K, R
28	0100BRA10440	Paintworks	A4 Bath Road	Inbound	C, D, F, S, K, R
29	0100BRA10441	Totterdown Bridge	A4 Bath Road	Inbound	C, D, F, S, K, R
1	0180BAC30683	Keynsham after Leo's R-A-B to Bath	Keynsham after Leo's R-A-B to Bath	Northbound	D, F, R, S
2	0180BAC30682	Keynsham op Norton-Radstock College	Keynsham op Norton-Radstock College, from Bath	Northbound	D, F, K, R, S
3	0180BAC30680	Keynsham op Texaco, from Bath	Keynsham op Texaco, from Bath	Northbound	D, F, S
4	0180BAC30681	Keynsham Texaco, to Bath	Keynsham Texaco, to Bath	Southbound	D, F, S
5	0180BAC30679	A4 op Copse Rd, to Bath	A4 op Copse Rd, to Bath	Southbound	D, F, K, S
6	0180BAC30678	A4 nr Copse Rd, from Bath	A4 nr Copse Rd, from Bath	Northbound	D, F, K, S
7	0180BAC30676	Saltford op Norman Rd, from Bath	Saltford op Norman Rd, from Bath	Northbound	D, F, R, S
8	0180BAC30677	Saltford - Norman Rd, to Bath	Saltford - Norman Rd, to Bath	Southbound	D, F, R, S
9	0180BAC30675	Saltford op Lansdown Rd, from Bath	Saltford op Lansdown Rd, from Bath	Northbound	D, F, R, S
10	0180BAC30674	Saltford shops, to Bath	Saltford shops, to Bath	Northbound	F, R
11	0180BAC30673	Saltford OS The Crown, from Bath	Saltford OS The Crown, from Bath	Southbound	D, F, R, S
12	0180BAC30672	Speed Camera, to Bath	Speed Camera, to Bath	Northbound	B, D, F
13	0180BAC30671	The Glenn, from Bath	The Glenn, from Bath	Southbound	F
14	0180BAC30669	op Avonmead Cottage	op Avonmead Cottage	Northbound	B, D, F, K
15	0180BAC30668	Corston Lane, from Bath	Corston Lane, from Bath	Northbound	B, C, D, F, K
16	0180BAC30667	Corston Lane, to Bath	Corston Lane, to Bath	Southbound	B, D, F, K
17	0180BAC30666	A4/A39 RAB to Bath	A4/A39 RAB to Bath	Northbound	B, D, F, RB
18	0180BAC30665	A4/A39 RAB from Bath	A4/A39 RAB from Bath	Southbound	B, D, F, RB
19	0180BAC30664	junction of A39 to Bath	junction of A39 to Bath	Southbound	B, D, F
19A	0180BAC30664	junction of A39 from Bath	junction of A39 from Bath	Northbound	B, D, F, K
20	0180BAC30661	Newbridge Rd, Old Newbridge Hill, from	Newbridge Rd, Old Newbridge Hill, from Bath	Southbound	C, F, K, R
21	0180BAC30368	Newbridge Rd, Newbridge Gardens, to	Newbridge Rd, Newbridge Gardens, to Bath	Northbound	F, K, R
22	0180BAC30369	Newbridge Rd, Homelea Park West, fro	Newbridge Rd, Homelea Park West, from Bath	Northbound	D, F, K, R, S
23	0180BAC30371	Newbridge Rd, op Homelea Pk east, to	Newbridge Rd, op Homelea Pk east, to Bath	Southbound	F, K, R
24	0180BAC30372	Newbridge Rd, op Apsley Rd, from Bath	Newbridge Rd, op Apsley Rd, from Bath	Southbound	C, D, F, K, R, S
25	0180BAC30373	Newbridge Rd, Charmouth Rd to Bath	Newbridge Rd, Charmouth Rd to Bath	Northbound	F, K, R
26	0180BAC30374	Newbridge Rd, Osborne Rd from Bath	Newbridge Rd, Osborne Rd from Bath	Southbound	B, D, F, K, RB
27	0180BAC30375	Newbridge Rd, Station Rd, from Bath	Newbridge Rd, Station Rd, from Bath	Northbound	B, D, F, K, RB
28	0180BAC30376	Newbridge Rd, op Station Rd, to Bath	Newbridge Rd, op Station Rd, to Bath	Northbound	F, K, R
30	0180BAC30358	Newbridge Rd/Newbridge Hill, from Bath	Newbridge Rd/Newbridge Hill, from Bath	Northbound	B, D, F, RB
31	0180BAC23435	Newbridge Rd/Newbridge Hill, to Bath	Newbridge Rd/Newbridge Hill, to Bath	Southbound	F, K, R
32	0180BAC30357	Upper Bristol Rd, Windsor Bridge Rd to	Upper Bristol Rd, Windsor Bridge Rd to Bath	Northbound	F, K, R
33	0180BAC30356	Upper Bristol Rd, Windsor Bridge Rd fro	Upper Bristol Rd, Windsor Bridge Rd from Bath	Southbound	C, D, F, K, R, S
34	0180BAC30355	Upper Bristol Rd, Park Ln from Bath	Upper Bristol Rd, Park Ln from Bath	Northbound	B, D, F, RB

35	0180BAC30352	Upper Bristol Rd, Park Ln to Bath	Upper Bristol Rd, Park Ln to Bath	Southbound	F, K, R
36	0180BAC30353	Upper Bristol Rd, Victoria Park from Bath	Upper Bristol Rd, Victoria Park from Bath	Southbound	B, D, F, K
37	0180BAC30351	Upper Bristol Rd, Victoria Park to Bath	Upper Bristol Rd, Victoria Park to Bath	Northbound	B, D, F, K
38	0180BAC30347	Upper Bristol Rd, Marlborough Lane to Bath	Upper Bristol Rd, Marlborough Lane to Bath	Southbound	F, K, R
39	0180BAC30348	Upper Bristol Rd, Nile Street from Bath	Upper Bristol Rd, Nile Street from Bath	Northbound	D, F, K, R, S
40	0180BAC30348	James St West, (Gc) Charles St to Bath	James Street West, Bath	Eastbound	F, D, K
41	0180BAC30349	Monmouth Place, (Gd) from Bath	Monmouth Place, (Gd) from Bath	Southbound	B, C, D, F, K, RB
44	0180BAC30341	Westgate Buildings (Wc) from Bath	Westgate Buildings (Wc) from Bath	Northbound	F, K, R
46	0180BAC30688	Keynsham Cemetry	Keynsham Cemetry	Eastbound	B, D, F, K
47	0180BAC30689	opp Keynsham Cemetry	opp Keynsham Cemetry	Westbound	B, D, F, K
48	0180BAC30688	op Keynsham Football club	op Keynsham Football club	Eastbound	D, F, R, S
49	0180BAC30690	Keynsham Football club	Keynsham Football club	Westbound	B, D, F
50	0180BAC30691	Keynsham op Church	Keynsham op Church	Eastbound	F, R
51	0180BAC30696	Keynsham Church	Keynsham Church	Westbound	F, K, R
52	0180BAC30701	Keynsham Post Office	Keynsham Post Office	Eastbound	F, K, R
52A	0180BAC30760	Keynsham, Peacocks	Keynsham, Peacocks	Westbound	B, D, F, RB
53	0180BAC30780	Keynsham, Bath Hill	Keynsham, Bath Hill	Westbound	F, K, R
54	0180BAC30760	op Keynsham Police Station	op Keynsham Police Station	Eastbound	C, F, K, R
55	0180BAC30702	Keynsham os Talbot	Keynsham os Talbot	Eastbound	D, F, K, R, S
56	0180BAC30706	Keynsham, Unity Rd	Keynsham, Unity Rd	Westbound	D, F, K, S
57	0180BAC30703	Keynsham, op Unity Rd	Keynsham, op Unity Rd	Eastbound	D, F, K, S

Notes: RTI installations are subject to site testing. In particular, the display type (R or RB) may have to be varied.

KEY	
B - Bus stop pole	K - Raised kerb
C - Bus stop clearway	L - Lay-by
D - Information display	P - Path
F - Bus stop flag	R - RTI display
H - Hardstanding	RB - RTI display within flag
S - Shelter	

5 The Traffic Regulation Orders that form part of the Facilities are listed in Table 7. These will be in place by the Commencement Date, except where indicated otherwise.

Table 7 - Traffic Regulation Orders

Task Order	TRO Number	Notice of Intent	Bus priority measures	Direction	Length	Hours of operation
2017	TBC	TBC	A4 Bath Road- Three Lamps to Totterdown Bridge	Outbound	430m	24 hours
2017	TBC	TBC	A4 Bath Road- Totterdown Bridge to Three Lamps	Inbound	290m	24 hours
2017	TBC	TBC	A4 Bath Road- Paintworks to Chatsworth Road	Outbound	205m	Mon - Fri 1630 to 1830
2017	TBC	TBC	A4 Bath Road- Sandy Park Road to Eagle Road	Inbound	660m	Mon - Fri 0700 to 1000 & 1630 to 1830
2017	TBC	TBC	A4 Bath Road- Tramway Road (War memorial) to Church Hill	Outbound	445m	24 hours
2016	TBC	TBC	A4 Bath Road- Church Hill to Bonville Road	Outbound	480m	24 hours
2016	TBC	TBC	A4 Bath Road- Stockwood Road to West Town Lane	Inbound	245m	24 hours
2016	TBC	TBC	A4 Bath Road- Park & Ride entrance/exit bus gate	Inbound	15m	24 hours
1004	0925		A4 Keynsham Bypass - East of Hicks Gate roundabout	westbound	84m	24 hours
1004	0926		Hicks Gate roundabout	westbound	17m	24 hours

6 The traffic signal junction priorities that form part of the Facilities are listed in Table 8 and other improvements are listed in Table 9. These will be available from the Commencement Date, except where indicated otherwise.

Table 8 - Traffic Signal Priorities

Junction	Place	Type of installation
A4 Callington Road to Stockwood Road (Bath Road/Emery Road/Stockwood Road)	Bristol	Selective vehicle detection
A4 Totterdown Bridge to Three Lamps (Totterdown Bridge Signals)	Bristol	Selective vehicle detection
A4 Totterdown Bridge to Three Lamps (Three Lamps junction)	Bristol	Selective vehicle detection
Bath Road/Park & Ride	Bristol	Selective vehicle detection
Bath Road/Flowers Hill	Bristol	Selective vehicle detection
Bath Road/West Town Lane	Bristol	Selective vehicle detection
Bath Road/Tramway Road	Bristol	Selective vehicle detection
Bath Road/St Philip's Causeway/Sandy Park	Bristol	Selective vehicle detection
A4 Bristol Road / A36 Lower Bristol Road	Bath	Selective vehicle detection
A4 Upper Bristol Road / Windsor Bridge Road	Bath	Selective vehicle detection
A 36 Lower Bristol Road / Windsor Bridge Road	Bath	Selective vehicle detection

Table 9 - Other Improvements to corridor 3

Task Order	Location	Improvement	Date of Installation
1005	A4 Bristol Road / A36 Lower Bristol Road	CCTV Camera installed	Dec-11
	A4 Upper Bristol Road / Windsor Bridge Road	CCTV Camera installed	Dec-11
	A 36 Lower Bristol Road / Windsor Bridge Road	CCTV Camera installed	Dec-11
1004	Hicks Gate junction	signalise traffic lights	commencement date

7 The Authorities shall make any necessary modifications to the Facilities as soon as reasonably practicable and use all reasonable endeavours to complete them by a date to be agreed in writing. Furthermore, the Authorities shall use all reasonable endeavours to ensure that the timing for carrying out modifications to the Facilities follows the programme determined by mutual agreement between the Authorities and Participating Operators.

8 The Authorities will implement the Facilities or any modifications to the Facilities in such a manner so as to minimise the impact on Local Services in the Scheme Area. The Authorities will provide information on the Facilities, in particular but not only construction activities, including estimated traffic delays broken down by time period or where such estimates are not practical confirmation that such estimates will not be provided (particularly but not only in respect of road closures or significant width restriction). The Authorities shall provide such information to all bus operators affected by works carried out by or on behalf of the Authorities with at least 8 weeks prior written notice. The Authorities shall provide public relations and publicity support in advance of and during any modifications to the Facilities and any other works which might impair the provision of bus services in the Scheme Area, to explain to the public the reason for the works, forecast duration and the long term benefits of the Scheme.

9 The Authorities, following completion of the Facilities or any modifications thereto, shall notify Participating Operators as soon as possible thereafter of any event or circumstance of which they are aware which will or might adversely affect the delivery of the expected benefits.

10 The Authorities shall use all reasonable endeavours to ensure the repair, upkeep, maintenance and management of the Facilities to the standard specifications of maintenance and management set out in the Maintenance and Management Programme below.

11 The Authorities shall use all reasonable endeavours to promote and enforce, both directly and indirectly, the Traffic Regulation Orders made as part of the Scheme as specified below.

12 The Authorities shall use all reasonable endeavours to provide their highest standards of maintenance of the Facilities including but not limited to the following:

- (a) Signs, lines and lane colouring of the Facilities will be inspected bi-annually by the Authorities and replaced or repaired if they show signs of deterioration by the Authorities at their cost and expense. In the case of lines and lane colouring, the Authorities shall, at their cost and expense, renew these within seven years of the date of their installation if they show signs of significant deterioration but in any event, within seven years of the date of their installation;
- (b) the Authorities will notify Participating Operators of all programmed maintenance works prior to undertaking them;
- (c) the Authorities shall use all reasonable endeavours to ensure that Participating Operators are allowed access to the Facilities and ensure that all maintenance work takes place outside peak hours wherever possible, notwithstanding the provisions of Clause 5.4 of the Scheme;
- (e) in instances where Participating Operators cannot be provided with access to any part of the Facilities for the duration of any maintenance work or such works take longer than expected to complete, the Authorities shall develop jointly with the Participating Operators work programmes to minimise bus service disruption and shall provide the Participating Operators with estimates of the time delays caused by such works to their services.
- (f) Detailed standards are as specified below:
 - (i) Street Lighting: Rectification of faulty lamp within five days of notification on average;
 - (ii) Drainage: On average between one and four inspections/gulley cleans per year; also in response to notification;
 - (iii) Illuminated signs: Average outage between 2% and 10%;
 - (iv) Footways: Safety inspections undertaken between monthly and 6 monthly. The Authorities will use all reasonable endeavours to repair defects greater than 20mm within 24 hours of notification by the public;
 - (v) Overhanging trees on bus lanes: to be dealt with as a priority;
 - (vi) Street and footway sweeping: frequency to vary according to requirements of specific location;
 - (vii) Verge cutting: minimum of twelve times per year in urban locations and minimum of twice per year in rural locations;
 - (viii) Winter maintenance: Scheme Area to be given highest level of priority for salting; and
 - (ix) Statutory Undertakers' Activity: Scheme Area to be classified as "traffic sensitive."
- (g) The Authorities shall use all reasonable endeavours to ensure that all bus shelters provided as part of the Facilities are cleaned at least every 3 months unless marked with racist, obscene or abusive graffiti in which case the Authorities shall use all reasonable endeavours to ensure that cleaning is carried out within 24 hours of such graffiti being reported.
- (h) The Authorities shall use all reasonable endeavours to ensure that damage to shelters is repaired within 7 days of notification, subject to parts being available from the manufacturer, including glazing damage. Any dangerous defect shall be made safe within 24 hours if reported during normal working hours.
- (i) Faults on traffic signals provided as part of the Facilities shall be attended as follows:-

- (i) all Urgent Faults are attended within two hours and repaired as soon as possible thereafter
- (ii) all Non-Urgent Faults are attended with twenty-four hours and repaired as soon as possible thereafter
- (iii) The Authorities shall ensure that, in relation to all faults, confirmation of fault clearance is sent to Participating Operators by e-mail or fax within the following time periods:
- (iv) For the purpose of this paragraph, "Urgent Fault" means any of the following faults occurring on a traffic signal:
 - all lamps out;
 - multiple lamp failure;
 - any road traffic accident or damage to equipment on site where the equipment is rendered unsafe or inoperative;
 - sticking amber, red/amber etc;
 - signals failing to change;
 - signals ignoring demands and running to minimum on any stage/phase;
 - short minimum green; and
 - short inter-green.
- (j) For twenty-four hours a day, seven days a week, the Authorities will provide a two hour response on site for traffic signal emergencies and make safe or repair as soon as possible thereafter. In any event the Authorities shall ensure that all dangerous defects affecting the Facilities are made safe within twenty-four hours of being reported to the Authorities.

13 Notwithstanding the maintenance obligations in paragraph 6 of this Schedule, the Authorities shall ensure that any defects in the Facilities are given a high priority for repair.

14 The Authorities shall use the powers available to them (and any extension of those powers subsequently obtained) in respect of enforcement of parking and traffic regulations made as part of the Facilities

15 Waiting and loading restrictions provided as part of the Facilities will be enforced daily.

16 The Authorities will use all reasonable endeavours to ensure that enforcement patrols will be targeted to coincide with peak periods, with additional targeted enforcement of known problem areas.

17 The Authorities will continue such levels of enforcement throughout the period of this Scheme.

18 The Authorities will use the powers available to them under Part 6 of the Traffic Management Act 2004 to ensure that the scope of enforcement of the Facilities is as comprehensive as possible. The scope of this will include all offences described in the Traffic Management Act 2004, including moving traffic offences within bus lanes, for which both fixed-position and on-board vehicle cameras may be used, other moving traffic offences such as banned turns at junctions, and parking and waiting restrictions.

19 The Authorities shall be responsible for procuring the design, construction, completion, testing and commissioning of the Facilities or any modifications thereto.

- 20** The Authorities shall comply with all legal requirements in connection with the procurement of the Facilities or any modifications thereto.
- 21** The Authorities will act as employer under any contract.
- 22** The Authorities shall have all powers necessary or required for the implementation or modification of the facilities and shall exercise all rights in terms of and to enforce any necessary contract.
- 23** The Authorities shall be responsible for ensuring that all consents, licences, approvals, permissions or authorisations of any government department, authority or agency that are necessary for the implementation or modification of the facilities have been obtained or will be obtained prior to any material expenditure on the relevant part of the implementation or modification to the Facilities being incurred and have not been withdrawn.
- 24** The Authorities shall provide Participating Operators with a written monthly report update as to the progress of implementation or modification of the Facilities and the timescales for completion of such works and the estimated timescale for completion of such works that have yet to commence.
- 25** The Authorities shall notify Participating Operators in writing as soon as practicable thereafter, in the event of any material alteration to the implementation or modification to the Facilities (including, but not limited to, any change in the quality and level of the specification of the facilities) or any event which might adversely affect the Authorities' ability to carry out the required works in accordance with any timescales notified to Participating Operators pursuant to the paragraphs above.
- 26** The Authorities shall provide Participating Operators with such information in connection with the Facilities or modifications or variations thereto as the Participating Operators shall request from time to time.

SCHEDULE 4
Form of Undertaking in accordance with s118 (4) of the
Transport Act 2000

Name (in BLOCK CAPITALS) in which licence is held

Licence number

Quality Partnership Scheme Name / Reference

Relevant Authorities

Should you wish to use the facilities provided under the above Quality Partnership Scheme and the service you wish to operate is not excluded from the scheme, you must undertake to provide the service to the standard specified in the Scheme. You may not use the facilities unless you give this undertaking.

In accordance with Section 118 of the Transport Act 2000, as amended, I hereby undertake to provide all local services to the standard specified in the Quality Partnership Scheme referred to above when using the facilities provided under that Scheme.

I understand that failing to provide local services to the standard specified in the Scheme whilst using the facilities provided in the Scheme could lead to the consideration of regulatory action by the Traffic Commissioner.

Signed.....

Name (BLOCK CAPITALS)

Position in business.....

Date.....

Daytime telephone number on which you can be contacted.....

Once signed, forward to Deborah Kavanagh at the Office of the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds LS9 6NF.

SCHEDULE 5

Baseline patronage, journey time punctuality and passenger satisfaction information

1 The figures in Tables 10A and 10B are the total passenger boardings on all local bus services in Bristol and Bath & North East Somerset, as reported to the Department for Transport for National Indicator 177.

Table 10A – Total bus passenger boardings in Bristol

2005/6	2006/7	2007/8	2008/9	2009/10
25,859,000	27,772,000	27,101,000	27,450,653	27,907,592

Table 10B – Total bus passenger boardings in Bath & North East Somerset

2005/6	2006/7	2007/8	2008/9	2009/10
10,303,228	11,716,603	11,562,743	11,753,204	11,279,704

Passenger boarding data on individual services in the Scheme Area is commercially confidential. The Authorities anticipate that Participating Operators will be willing to share such data with the Authorities under the terms of a data sharing agreement and that they will work with the Authorities through Voluntary Partnership Agreements to increase passenger boardings.

2 The figures in Table 11 are the normal scheduled journey times on Local Services as at June 2011. Participating Operators are responsible for operating their services punctually and must form their own views on the appropriate running times for their services. The Authorities anticipate that Participating Operators will work with each Authority through a Punctuality Improvement Partnership to reduce scheduled journey times where possible.

Table 11 – Baseline journey time data

GBBN Corridor 3 –baseline journey time data – June 2011								
	Bristol (Bus Station) to Bath (Bus Station) via Keynsham Town Centre	Bristol (Bus Station) to Bath (Bus Station) via Keynsham by-pass	Bristol (Union Street) to Keynsham (Temple Street)	Keynsham Church to Bath (Bus Station)	Bath (Bus Station) to Bristol (Bus Station) via Keynsham Town Centre	Bath (Bus Station) to Bristol (Bus Station) via Keynsham by-pass	Bath (Bus Station) to Keynsham (Temple Street)	Keynsham Church to Bristol (Union Street)
Mondays to Fridays (not Bank Holidays)								
Before 0700	49	-	-	-	50	-	28	25
0700 to 0930	-	60	33	35	-	54	30	32
0930 to 1500	-	51	31	34	-	55	30	26
1500 to 1900	-	60	38	35	-	54	28	25
After 1900	45	-	24	28	47	-	-	20
Saturdays								
Before 0700	49	-	-	31	48	-	23	22
0700 to 1900	-	51	33	34	-	55	30	24
After 1900	45	-	24	-	47	-	-	22
Sundays & Bank Holidays								
Until 1900	49	-	-	-	51	-	-	-
After 1900	45	-	-	-	51	-	-	-

3 The figures in Table 12 show the punctuality of all bus services on GBBN Corridor 3 in May 2011, which forms a composite part of the data reported to the Department for Transport for National Indicator 178. The Authorities anticipate that Participating Operators will co-operate with the Authorities to measure punctuality specifically on Local Services in the Scheme Area and work with each Authority through a Punctuality Improvement Partnership to improve punctuality.

Table 12 – Bus punctuality on GBBN Corridor 3

	May 2011
% of buses starting on time	88.06
% of buses on time at timing points	71.62

*Note * - For the purposes of Table 12, "on time" means "no more than 1 minute early and no more than 5 minutes late." Based on surveys carried out in May 2011*

4 The figures in Table 13 show passenger satisfaction with Local Services in the Scheme Area as at September 2007. Further surveys will be carried out prior to the Commencement Date. The Authorities anticipate that Participating Operators will work with the Authorities through Voluntary Partnership Agreements to improve passenger satisfaction.

Table 13 – Passenger satisfaction with bus services in the Scheme Area

	Very satisfied	Satisfied	Adequate	Dissatisfied	Very dissatisfied
The overall quality of the service	22%	26%	26%	18%	8%
The frequency of buses	23%	26%	23%	18%	10%
The journey time to your destination	23%	27%	23%	17%	10%
Whether buses arrive on time	18%	26%	26%	19%	11%
How easy buses are to get on and off	42%	18%	10%	13%	17%
The quality of the bus stops	20%	26%	28%	19%	7%
The provision of public transport information	16%	26%	31%	18%	9%

Based on 1,035 responses on bus services 337, 349 and X39 in September 2007

SCHEDULE 6

Process of review for requirements in Schedule 1 (A and B)

- 1** A review of the requirements in Schedule 1 (A and B) will be carried out by the Authority if:
 - (a) in its opinion there has been a change in market conditions which materially affects the ability of Participating Operators, acting in a competent and efficient manner, to secure an appropriate rate of return from continuing to operate existing Local Services in accordance with the requirements in Schedule 1 (A and/or B) including (but not exclusive to) the registration of a new Local Service in the Scheme Area by an operator who is not a Participating Operator; or
 - (b) the requirements are no longer consistent with its local transport policies.

- 2** A review of the requirements in Schedule 1 (A and B) may be requested by three or more Participating Operators whose services are affected by a particular set of requirements (or 50% of such operators, if fewer).

- 3** The operator(s) making any request for such a review must:
 - (a) specify to which requirement(s) the request relates;
 - (b) submit representations and evidence in support of the request; and
 - (c) propose revised requirements as to frequencies and timings.

- 4** On receipt of a request, the Authority will consider whether or not, in its opinion, there has been a change in market conditions which materially affects the ability of Participating Operators, acting in a competent and efficient manner, to secure an appropriate rate of return from continuing to operate existing services in accordance with the requirements in Schedule (A and B).

- 5** If it is of the opinion that there has not been a material change in market conditions, the Authority will notify the operator(s) who made the request of its opinion within 7 days.

- 6** If it is of the opinion that there has been a material change in market conditions, or if the existing requirements are no longer consistent with its transport policies, the Authority will draft a proposal to amend the requirements and send details in a review notice to all Participating Operators within 28 days, although the Authority will use all reasonable endeavours to send such notice within 7 days.

- 7** Participating Operators will be given at least 28 days but not more than 42 days to consider and respond to any proposal to amend the requirements.

- 8** The Authority will consider the responses and, within 35 days of the end of the consultation period, will send a notice to Participating Operators informing them of its decision, although the Authority will use all reasonable endeavours to send such notice within 7 days.

- 9** If that decision is to amend the requirements in Schedule 1 (A and/or B), such changes will be introduced as soon as possible, consistent with any statutory or voluntary notice period.

10 Participating Operators have a right of appeal to the Traffic Commissioner against any revised requirements in Schedule 1 (A and B) in accordance with the statutory process set out in the Regulations.

ANNEX 1

Code of Conduct on Bus Service Stability for the West of England Partnership area

1 Introduction

1.1 This document is based on the Code of Conduct produced by the Bus Partnership Forum in 2003. That document was supported by Government, the Traffic Commissioners and the Office of Fair Trading. Proposals in the Department for Transport's document titled *Improving Bus Passenger Services through the Regulatory Framework* that was put out to consultation in March 2010 have been incorporated in this Code of Conduct.

1.2 Consultation on a draft Code of Conduct was carried out in August 2010 with local bus operators, the Traffic Commissioner for the Western Area, Passenger Focus, Travelwatch Southwest and neighbouring transport authorities.

1.3 Bath & North East Somerset Council, Bristol City Council, North Somerset Council and South Gloucestershire Council (known jointly as the West of England Partnership) will adopt this Code of Conduct and will invite all operators of local bus services in the area to adopt it too.

1.4 Notwithstanding its voluntary status, this Code of Conduct will form an annex to all Quality Partnership Schemes made under the Transport Act 2000 in the West of England Partnership area. Compliance will be a requirement in respect of all local bus services operating in the defined Scheme Area of each Quality Partnership Scheme unless they are designated as Excluded Services.

2 Aims and objective

2.1 The aims of this Code of Conduct are:

- to reduce the number of days of the year on which network or timetable changes take place;
- to reduce the number of changes to individual bus services;
- to ensure that councils have sufficient notice of forthcoming commercial service changes so that they can complete the tendering process and issue publicity in sufficient time for the implementation of the service changes;
- to ensure that operators have sufficient notice of tenders and tender awards so that any consequential operational changes to other services can be implemented from the same date that new contracts come into effect;
- to allow operators and councils to reflect important changes in passenger demand, including education and employment needs, and the needs of operational reliability (including the Traffic Commissioner's performance standards);
- to improve the punctuality of all registered local bus services;
- to introduce a minimum period of operation for newly-registered services;
- to support the expansion of real-time information both at on-street displays and through web-based applications.

2.2 The overall objective is to increase customer confidence in bus service provision, thereby contributing to passenger growth and making bus services more sustainable.

3 Start date and scope

3.1 This Code of Conduct will take effect on 1 January 2012. It will apply to local bus services operating within and across the boundaries of the West of England Partnership area.

4 Fixed Change Dates

4.1 Four Fixed Change Dates will be set in each calendar year for changes to local bus services. They will be:

1. The second Sunday in January,
2. The Sunday that falls 1 week before Easter Sunday,
3. The Sunday before the start of School Term 1 unless the following day is the Late Summer Bank Holiday, in which case the previous Sunday shall be used,
4. The Sunday before the start of School Term 2.

4.2 Specific dates for the next few years are shown in section 10, except where they relate to School Term dates that have not been decided yet.

4.3 Timetables may vary during the period between each Fixed Change Date to reflect seasonal changes or the requirements of educational establishments. However, such changes will be determined on one of the Fixed Change Dates for the entire period until the next Fixed Change Date, covering all such changes in that period. Publicity will reflect this arrangement and show appropriate qualifying codes to describe the variations, unless the council or operator responsible for producing publicity material chooses to reprint the publicity to coincide with the introduction of such variations.

4.4 It should be noted that any timetable change will require a reconfiguration of the Real Time Information system and will incur separate costs.

5 Operators' obligations

5.1 Operators will register changes to local bus services to take effect on one of the Fixed Change Dates.

5.2 Operators will give the relevant council(s) at least 3 weeks notice prior to registration of proposed bus route changes that involve broken or revised network links or withdrawals which will leave sections of road uncovered by services (either as a whole or by time of day).

5.3 Operators will give the relevant council(s) at least 2 weeks notice prior to registration of proposed bus timetable changes that involve re-timings, reduced or increased frequencies.

5.4 Operators will advise the relevant council(s) of the degree of confidentiality applicable to each notification and whether or not the relevant council(s) may consult bus users and other stakeholders.

5.5 Operators will not make changes to a newly-registered commercial service for at least 90 days after its start. Any changes will be registered to take effect on a Fixed Change Date. This provision may be relaxed in genuinely exceptional or unforeseen circumstances.

5.6 Operators will give the Traffic Commissioner and the relevant council(s) 56 days notice of variations to local bus services at Bank Holiday times.

5.7 Operators will avoid changing an individual local bus service more than twice in any twelve month period (not including seasonal or education term variations).

6 Councils' obligations

6.1 Councils will make changes to tendered bus services (including start and finish of contracts) on one of the Fixed Change Dates.

6.2 Councils will invite tenders for new contracts at least 15 weeks before the start date, except in the case of emergency contracts.

6.3 Councils will award new contracts at least 11 weeks before the start date, except in the case of emergency contracts.

6.4 Councils will seek to award contracts for a period of at least one year, except in the case of emergency contracts.

6.5 Councils will not make changes to a newly-registered tendered service for at least 90 days after its start. This provision may be relaxed in genuinely exceptional or unforeseen circumstances.

6.6 Councils will treat advance information from operators in accordance with the degree of confidentiality demanded by the operator. Any consultation with bus users or other stakeholders will only be carried out with permission of the operator.

7 Exceptions

7.1 Operators and councils will endeavour to observe the Fixed Change Dates but it is recognised that such action may not be possible if exceptional circumstances arise, such as:

- where an operator needs to make a commercial response to a competitive initiative by another operator;
- where an operator needs to modify a service to take account of changing road traffic conditions of either a temporary nature (e.g. for the duration of road works) or to reflect an indeterminate change (e.g. a worsening of traffic congestion and, hence, traffic speeds);
- where an operator or council needs to address a problem that has arisen which is having an adverse impact on particular customers;

- where an operator needs to modify a service to take account of the unexpected opening or closure of a major educational, retail, employment or health facility in the vicinity of the route.

7.2 Two Optional Change Dates (on the Sunday that falls 8 days before the Spring Bank Holiday and on the second Sunday in December) will be available for changes to bus services that have timetabled connections with specific rail services - if the relevant rail service timetable changes on that date.

8 Co-operation

8.1 Regular liaison should take place between operators and councils to co-ordinate bus service planning.

8.2 As soon as possible after each Fixed Change Date, issues pertinent to the next but one Fixed Change Date should be identified and discussed.

8.3 Punctuality Improvement Partnership processes will be co-ordinated with this Code of Conduct.

8.4 In respect of Fixed Change Date 1, operators and councils should take account of the Christmas & New Year holiday period and allow extra time for registration and advance notification if possible.

8.5 Discussion should take place between operators and the relevant council(s) to identify those bus services whose timetables are co-ordinated with rail services and may, therefore, change on the Optional Change Dates referred to in paragraph 7.2. Changes to such services should be planned at the time of consultation by the train operator on changes to the rail timetable.

9 Failure to comply

9.1 If an operator fails to comply with one of the Fixed Change Dates, the relevant council(s) will decide upon the most appropriate action. Information and publicity will be provided in accordance with the normal practice of the relevant council(s) but a charge may be made to the operator commensurate with the work involved in producing and displaying the information. This will be in addition to any other local charging arrangements.

9.2 If failure to comply is for any of the reasons listed in paragraph 7.1 other than where an operator makes a commercial response to a competitive initiative by another operator, the provisions of paragraph 9.1 shall not apply.

9.3 In respect of any Quality Partnership Schemes that may be made by councils, failure to comply with this Code of Conduct by an operator of a local bus service operating in the defined Scheme Area will be considered a breach of that operator's obligations under the Quality Partnership Scheme.

10 Change Dates 2012 to 2015

Type	Definition	2012	2013	2014	2015
Fixed 1	Second Sunday in January	8 January	13 January	12 January	11 January
Fixed 2	Sunday before Easter Sunday	1 April	24 March	13 April	29 March
Optional 1	National Rail timetable change	20 May	19 May	18 May	16 May
Fixed 3	Sunday before start of Term 1	2 September	<i>1 September</i>	<i>31 August</i>	<i>23 August</i>
Fixed 4	Sunday before start of Term 2	4 November	<i>3 November</i>	<i>2 November</i>	<i>1 November</i>
Optional 2	National Rail timetable change	9 December	8 December	14 December	13 December

Notes

- The optional dates in May and December will be available for bus services that have timetable connections with specific rail services if the relevant rail service changes
- The National Rail timetable changes take place on the Sunday that falls eight days before the Spring Bank Holiday and on the second Sunday in December
- School Term dates are generally published eighteen months before the start of the academic year
- Dates in italics are provisional and will be determined when the School Term dates for the relevant academic year are published
- There will be a minimum of 8 weeks between Fixed Change Dates
- If the Sunday before the start of Term 1 falls on the day before the Late Summer Bank Holiday (as is likely in 2015), then Fixed Date 3 shall be on the preceding Sunday

Bath & North East Somerset Council		
MEETING:	Cabinet	
MEETING DATE:	10 August 2011	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2294
TITLE:	Determination of the Statutory Notice to Alter the Lower Age Limit at St. Mary's Church of England Primary School (Writhlington)	
WARD:	All but specifically Radstock.	
AN OPEN PUBLIC ITEM		
<p>List of attachments to this report:</p> <p>Appendix 1 Equalities Impact Assessment</p> <p>Appendix 2 Consultation Document</p> <p>Appendix 3 Complete Proposal</p> <p>Appendix 4 Statutory Notice</p>		

1 THE ISSUE

1.1 The Governing Body of St. Mary's C of E Primary school (Writhlington) has consulted on and published a proposal to alter the lower age limit of the school from age 4 to age 3 by the addition of Early Years provision that would be run by the school. At the end of the six week statutory notice representation period (26 July 2011) a decision is required to determine the proposal.

2 RECOMMENDATION

The Cabinet agrees that:

2.1 The lower age limit of St. Mary's C of E Primary school should be altered from age 4 to age 3 by the addition of Early Years provision to commence on 1 September 2011.

3 FINANCIAL IMPLICATIONS

3.1 The school Governing Body has a carry-forward sum of £9,000 to invest in re-furbishing the Early Years accommodation at the school. The revenue implications for staff will be paid from the Dedicated Schools Grant. There are no financial implications for the Council.

4 CORPORATE PRIORITIES

- Building communities where people feel safe and secure
- Improving life chances of disadvantaged teenagers and young people

5 THE REPORT

- 5.1 Writhlington Pre-School is currently managed by the Writhlington Pre –School Committee who lease a temporary building on the St. Mary’s C of E primary school site. The committee has decided it will cease to operate from the end of term in July 2011.
- 5.2 In order to ensure that the provision can continue, the governing body of St. Mary’s Church of England primary propose to incorporate the pre-school into the school with the aim of ensuring quality pre-school provision for the Writhlington community.
- 5.3 The Governing Body aim to build on the successful ethos of St. Mary’s (recently graded as “Good” by Ofsted), and continue to raise achievement for all in the Writhlington community: Under the St. Mary’s “umbrella”, the school will be able to ensure children have access to a broad, balanced curriculum within a learning environment in which children can be healthy and stay safe. Children would be taught by appropriately trained staff, with specialist advice, leadership and administrative support.
- 5.4 St. Mary’s Class 1 is a dedicated Reception class (judged by Ofsted to be “Outstanding”) operating under the leadership of a specialist teacher. They follow the Early Years Foundation Stage Framework. The inclusion of the pre-school as a nursery class will improve opportunities for children to access wider educational opportunities, make appropriate progress and achieve their potential. One whole phase of transition will be eliminated as children will enter the school at pre-school age.

6 RISK MANAGEMENT

- 6.1 The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.
- 6.2 If the proposal is not approved, the provision will have to close and valuable Early Years places in Radstock ward will be lost. Radstock is identified as an area of childcare insufficiency, meaning that there is already insufficient childcare to meet demand. The provision is well used and is needed in the area.

7 EQUALITIES

- 7.1 A proportionate equalities impact assessment has been carried out using corporate guidelines.
- 7.2 This proposal is not expected to have an impact on the equality areas of gender, transgender, race, sexual orientation or rural communities.
- 7.3 The proposal is expected to have a positive impact on the equality areas of:
- Age - the provision will ensure that good quality provision for Early Years age children is continued on this site.
 - Disability - the provision will be fully inclusive and children with disabilities and SEN will be able to access the provision.

- Religion - the Early Years provision will be at a Christian school. The school is Voluntary Controlled not Voluntary Aided and the Christian ethos is not a factor or a requirement for entry into the Early Years provision which will admit children of all religions and beliefs and those with no religious beliefs.
- Socio-economic disadvantaged – there is evidence of a higher than average level of socio-economic disadvantage in this area of the Authority. Access to good quality Early Years provision is likely to lead to enhanced life chances and improved educational outcomes for children who are socio-economically disadvantaged.

7.4 The proposal is not expected to have a negative impact on any of the above equality areas.

8 RATIONALE

8.1 The proposal is for the school to take over running an existing pre-school provision currently run on a voluntary basis by a management committee. Therefore capacity and sustainability in the local area should not be an issue as no new places are being created that might have a negative effect on the viability of other provision locally.

8.2 It is anticipated that the proposal will ensure that this age group of children have access to high quality education, and a seamless transition into school.

8.3 St. Mary's C of E Primary school benefits from excellent liaison and links with the Local Authority, a host of outside agencies and support, as well as strong links with a wide range of educational networks

8.4 Other than a response from the NUT who had no objections to the proposal, no responses were received during the six week representation period following publication of the statutory notice. No objections to the proposal were raised during the consultation period and there was one response from the local MP offering his assistance if required.

9 OTHER OPTIONS CONSIDERED

9.1 The school and the Early Years team did consider whether a replacement voluntary management committee could be identified to continue to run the provision but there has been no interest from the local community. Also the inclusion of the pre-school as part of the school is expected to improve educational outcomes for children and allow one whole phase of transition – from pre-school into school - to be eliminated.

10 CONSULTATION

10.1 Ward Councillors; Parish Council; Trades Unions; Staff; Other B&NES Services; Service Users; Local Residents; Community Interest Groups; Stakeholders/Partners; Section 151 Finance Officer; Chief Executive; Monitoring Officer.

10.2 The school circulated the consultation document to all staff and governors at the school, the pre-school staff and management committee, families of pupils at the school the Church of England Diocese, the local MP, the local parish council, other local schools in Radstock ward, the Local Authority, unions representing all

staff at the school – teaching and non-teaching, the local library, the local GP surgery, local shops, Radstock Children’s Centre and the local community Stay and Play group. The document contained details of how people could respond to the consultation.

10.3 The statutory notice was published in a local newspaper serving the area, posted in a local shop and outside the school gates, outlining the proposal and explaining how interested parties could comment on the proposal.

11 ISSUES TO CONSIDER IN REACHING THE DECISION

11.1 Social Inclusion; Customer Focus; Human Resources; Property; Young People; Corporate; Impact on Staff; Other Legal Considerations.

12 ADVICE SOUGHT

12.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	Helen Hoynes 01225 395169
Sponsoring Cabinet Member	Councillor Nathan Hartley
Background papers	None
Please contact the report author if you need to access this report in an alternative format	

Appendix 1

Equality Impact Assessment / Equality Analysis

Title of service or policy	Determination of the Statutory Notice to Alter the Lower Age Limit at St. Mary's C of E Primary School (Writhlington)
Name of directorate and service	Children's Services
Name and role of officers completing the EIA	Helen Hoynes, Children's Services and School Organisation Manager
Date of assessment	4 July 2011

Equality Impact Assessment (or 'Equality Analysis') is a process of systematically analysing a new or existing policy or service to identify what impact or likely impact it will have on different groups within the community. The primary concern is to identify any discriminatory or negative consequences for a particular group or sector of the community. Equality Impact Assessments (EIAs) can be carried out in relation to service delivery as well as employment policies and strategies.

This toolkit has been developed to use as a framework when carrying out an Equality Impact Assessment (EIA) or Equality Analysis on a policy, service or function. It is intended that this is used as a working document throughout the process, with a final version including the action plan section being published on the Council's and NHS Bath and North East Somerset's websites.

1. Identify the aims of the policy or service and how it is implemented.	
Key questions	Answers / Notes
<p>1.1 Briefly describe purpose of the service/policy including</p> <ul style="list-style-type: none"> ● How the service/policy is delivered and by whom ● If responsibility for its implementation is shared with other departments or organisations ● Intended outcomes 	<p>The Governing Body of St. Mary's Church of England Primary school is proposing to alter the lower age limit of the school from age 4 to age 3 by the addition of Early Years provision that would be run by the school and the Local Authority is required to determine the statutory notice.</p> <p>Delivered by St. Mary's C of E primary school</p> <p>Implemented by St. Mary's C of E Primary school</p> <p>Provision of good quality Early Years provision to improve opportunities for children to access wider educational opportunities, make appropriate progress and achieve their potential. Also to remove one whole phase of transition for any children who enter the school at pre-school age and then stay on at the school to go into Reception</p>
<p>1.2 Provide brief details of the scope of the policy or service being reviewed, for example:</p> <ul style="list-style-type: none"> ● Is it a new service/policy or review of an existing one? 	<p>The pre-school provision already exists but is currently run by a separate management committee. The proposal is for the provision to be run by the</p>

	<ul style="list-style-type: none"> ● Is it a national requirement?). ● How much room for review is there? 	<p>school as part of the school.</p> <p>Not a national requirement</p> <p>Unknown as it will be provision at a Voluntary Controlled school with the responsibility for delivery resting with the Governing Body.</p> <p>The Early Years team has a remit to ensure the provision of sufficient good quality Early Years provision within the Authority to meet demand for 3 and 4 year old children to access their Early Years Entitlement.</p> <p>The Council has a responsibility to provide sufficient school places to meet demand. Falling pupil numbers at the school in the past meant that a spare classroom could be leased to the pre-school provider. If school age pupil numbers at the school were to increase significantly, the spare classroom might be required to accommodate school children once again. Should this happen, the school has a contingency plan to create more places in another space within the school.</p>
<h2>2. Consideration of available data, research and information</h2>		
<p>Monitoring data and other information should be used to help you analyse whether you are delivering a fair and equal service. Please consider the availability of the following as potential sources:</p> <ul style="list-style-type: none"> ● Demographic data and other statistics, including census findings ● Recent research findings (local and national) ● Results from consultation or engagement you have undertaken ● Service user monitoring data (including ethnicity, gender, disability, religion/belief, sexual orientation and age) ● Information from relevant groups or agencies, for example trade unions and voluntary/community organisations ● Analysis of records of enquiries about your service, or complaints or compliments about them ● Recommendations of external inspections or audit reports 		

	Key questions	Data, research and information that you can refer to
2.1	What is the equalities profile of the team delivering the service/policy?	Unknown - delivered by the staff and Governing Body of St. Mary's C of E Primary school
2.2	What equalities training have staff received?	Unknown
2.3	What is the equalities profile of service users?	October 2010 School Census: age, ethnicity, gender, Special Educational Needs, eligibility for free school meals.
2.4	What other data do you have in terms of service users or staff? (e.g results of customer satisfaction surveys, consultation findings). Are there any gaps?	None.
2.5	What engagement or consultation has been undertaken as part of this EIA and with whom? What were the results?	The school circulated the consultation document to all staff and governors at the school, the pre-school staff and management committee, families of pupils at the school the Church of England Diocese, the local MP, the local parish council, other local schools in Radstock, the Local Authority, unions representing all staff at the school – teaching and non-teaching, the local library, the local GP surgery, local shops, Radstock Children's Centre and the local community Stay and Play group. Only one response from the local MP.
2.6	If you are planning to undertake any consultation in the future regarding this service or policy, how will you include equalities considerations within this?	None planned.
3. Assessment of impact: 'Equality analysis'		
	Based upon any data you have considered, or the results of consultation or research, use the spaces below to demonstrate you have analysed how the service or policy: <ul style="list-style-type: none"> • Meets any particular needs of equalities groups or helps promote equality in some way. • Could have a negative or adverse impact for any of the equalities groups 	Examples of actual or potential

		Examples of what the service has done to promote equality	negative or adverse impact and what steps have been or could be taken to address this
3.1	Gender – identify the impact/potential impact of the policy on women and men. (Are there any issues regarding pregnancy and maternity?)	NA	None
3.2	Transgender – identify the impact/potential impact of the policy on transgender people	NA	None
3.3	Disability - identify the impact/potential impact of the policy on disabled people (ensure consideration of a range of impairments including both physical and mental impairments)	According to the October 2010 School census, the average of pupils with Special Educational Needs in all primary schools in the LA is 17.6%. At St. Mary's it is 25%, indicating a higher than average number of pupils with special needs, either stated or non-stated. The provision will be fully inclusive and children with disabilities and SEN will be able to access the provision.	The provision will continue to be inclusive when it is run by the school.
3.4	Age – identify the impact/potential impact of the policy on different age groups	The provision will ensure good quality provision for Early Years age children.	If the school run the provision, access to good quality provision for pre-school age children living in the local community and nearby will be secured.
3.5	Race – identify the impact/potential impact on different black and minority ethnic groups	According to the October 2010 School Census the average of pupils who are other than non-white British in all primary schools in the LA is 13.4%. At Mary's it is 11.2%, indicating lower than average ethnic	None

		diversity.	
3.6	Sexual orientation - identify the impact/potential impact of the policy on lesbians, gay, bisexual & heterosexual people	NA	None
3.7	Religion/belief – identify the impact/potential impact of the policy on people of different religious/faith groups and also upon those with no religion.	The Early Years provision will be at a Christian school. The school is Voluntary Controlled not Voluntary Aided and the Christian ethos is not a factor or a requirement for entry into the Early Years provision.	The provision will admit children of all religions and beliefs and those with no religious beliefs.
3.8	Socio-economically disadvantaged – identify the impact on people who are disadvantaged due to factors like family background, educational attainment, neighbourhood, employment status can influence life chances	According to the October 2010 School Census the average eligibility for free school meals in all primary schools in the LA is 10.60%. At St. Mary's Primary it is 30%, indicating a higher than average level of socio-economic disadvantage. Access to good quality Early Years provision is likely to lead to enhanced life chances and improved educational outcomes for children who are socio-economically disadvantaged	None
3.9	Rural communities – identify the impact / potential impact on people living in rural communities	Radstock ward is a predominantly built up area.	None

4. Bath and North East Somerset Council & NHS B&NES Equality Impact Assessment Improvement Plan

Please list actions that you plan to take as a result of this assessment. These actions should be based upon the analysis of data and engagement, any gaps in the data you have identified, and any steps you will be taking to address any negative impacts or remove barriers. The actions need to be built into your service planning framework. Actions/targets should be measurable, achievable, realistic and time framed.

Issues identified	Actions required	Progress milestones	Officer responsible	By when
None	None	NA	NA	NA

5. Sign off and publishing

Once you have completed this form, it needs to be 'approved' by your Divisional Director or their nominated officer. Following this sign off, send a copy to the Equalities Team (equality@bathnes.gov.uk), who will publish it on the Council's and/or NHS B&NES' website. Keep a copy for your own records.

Signed off by:

Date:

(Divisional Director or nominated senior officer)

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Appendix 2

St Mary's Church of England Primary School

Old Road, Writhlington, Radstock, BA3 3NG
Telephone 01761 434548
email: stmaryswrithlington_pri@bathnes.gov.uk



Deputy Head : Cathie Lampert
Executive Head : Sue Jones

7th April 2011

Consultation on the proposed alteration of the lower age limit at St. Mary's Church of England Primary School, Writhlington from age 4 to age 3 by the addition of Early Years Provision.

Dear Consultee,

The Governing Body of St. Mary's Church of England Primary School is proposing to alter the lower age limit at the school from age 4 to age 3 by the addition of Early Years provision that would be run by the school. The school is required to carry out a statutory process of consultation with individuals and organisations that may have an interest in this proposal before any changes can be made.

Evidence shows that access to high quality Early Years provision helps children to achieve higher standards of attainment throughout their later education. The current Writhlington Pre-School committee has agreed to the dissolution of their group, from the end of term in July, and St. Mary's governors are proposing to incorporate the provision in the school, to meet the needs of all pre-school children in our community. Making this change requires a formal consultation process which takes some considerable time, so we need to start the process now, to be ready by September.

The provision will remain, to all intents and purposes, the same as now, with the current staff. The Early Years Entitlement has increased to 15 hours, and demand is high for quality local provision. The facility at St. Mary's Primary School will continue to ensure a broad, balanced curriculum within a learning environment in which children can be healthy and stay safe, led by a specialist Early Years qualified teacher in our Foundation Stage class (Reception).

The Governing Body at St. Mary's Primary School believes that this proposal offers a positive opportunity for the local community and for families with young children in the Writhlington area. The school already hosts "Stay and Play" for the Writhlington community and has established good links with representatives from other local agencies.



Inspiring Learning Together



How you can comment on this proposal

We value your views on this proposal and welcome your feedback. If you would like to comment on this proposal, you can do so by sending an email or letter to governors, via the school, as detailed in our letterhead. If there are a lot of responses, governors may call a public meeting, which will be posted on our school noticeboard with at least a week's notice.

The final date for submission of comments to St. Mary's Primary School is **mid-day on Friday 13th May 2011**.

The school is committed to listening to the views of local families as we shape the exact nature of this new provision, putting the needs of young children at the centre of all we do.

What happens next

At the end of the consultation period the governors will consider any feedback that has been received and will then decide whether to proceed to publish a statutory notice for the proposed change as above. If it does decide to go ahead, the proposal will be published in a local newspaper and posted at the main entrance to the school, in the week commencing 16th May 2011. There will then be a further six week 'representation period', during which interested stakeholders will have a final opportunity to comment on the proposal.

At the end of six weeks, BANES Council will consider any comments or objections received during the representation period and decide whether to go ahead with the proposed change. If the decision is made to go ahead with the proposal, the implementation date will be 1st September 2011.

In the mean time, both prospective and current pre-school parents are warmly invited to come and look round our friendly small school - we will be holding an "open morning" on Thursday 7th July 9.30 - 11.30. You would also be very welcome at our Summer Fayre on Friday 16th June 3.30 onwards.

Yours sincerely,

Sue Jones



Inspiring Learning Together



Appendix 3

PROPOSALS FOR PRESCRIBED ALTERATIONS OTHER THAN FOUNDATION PROPOSALS: Information to be included in a complete proposal

Extract of Part 1 of Schedule 3 and Part 1 of Schedule 5 to The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended):

In respect of a Governing Body Proposal: School and governing body's details

1. The name, address and category of the school for which the governing body are publishing the proposals.

St. Mary's Church of England Primary School
Old Rd.
Writhlington
Radstock, BA3 3NG

Category of the school: Local Authority (Bath & NE Somerset) maintained
Voluntary Controlled
4 - 11 Primary school

In respect of an LEA Proposal: School and local education authority details

1. The name, address and category of the school .

Implementation and any proposed stages for implementation

2. The date on which the proposals are planned to be implemented, and if they are to be implemented in stages, a description of what is planned for each stage, and the number of stages intended and the dates of each stage.

Proposal to incorporate the current Writhlington Pre-School as part of St. Mary's Primary: nursery class to start as from 1st September 2011

Objections and comments

3. A statement explaining the procedure for making representations, including —
- (a) the date prescribed in accordance with paragraph 29 of Schedule 3 (GB proposals)/Schedule 5 (LA proposals) of The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), by which objections or comments should be sent to the local education authority; and
 - (b) the address of the authority to which objections or comments should be sent.

Any comments / objections to the proposal should be received in writing before 27th July, addressed to:

Mr. P. Frankland

Bath and North East Somerset Council

Riverside

Temple Street

Keynsham, BS31 1LA.

Alteration description

4. A description of the proposed alteration and in the case of special school proposals, a description of the current special needs provision.

The governing body of St. Mary's Church of England primary propose to incorporate Writhlington Pre-School as an integral part of the school, with the aim of ensuring quality pre-school provision for the Writhlington community. The pre-School, currently managed by a third party, leases a temporary building on the school site, and the public perception may assume that it is part of the school now. We aim to build on the successful ethos of St. Mary's (recently graded as "Good" by Ofsted), and continue to raise achievement for all in the Writhlington community: "*Inspiring Learning Together*". Under the St. Mary's "umbrella", we will be able to ensure children have access to a broad, balanced curriculum within a learning environment in which children can be healthy and stay safe. They would be taught by appropriately trained staff, with specialist advice, leadership and administrative support.

School capacity

5.—(1) Where the alteration is an alteration falling within any of paragraphs 1 to 4, 8, 9 and 12-14 of Schedule 2 (GB proposals)/paragraphs 1-4, 7, 8, 18, 19 and 21 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), the proposals must also include —

- (a) details of the current capacity of the school and, where the proposals will alter the capacity of the school, the proposed capacity of the school after the alteration;

The current capacity of St. Mary's Primary is based on an admission number of 20. The reality is that year groups range from six (in Year 6) to our largest cohorts of 14 in Years 5, 1 and expected Reception intake 2011.

Writhlington Pre-School, the Primary's main feeder, is based on an admission number of 16 / session. Their reality is they have a total of 17 three- and four-year olds on their roll, with two under three years old.

For the future, it would be logical to align these figures, enabling St. Mary's to plan strategically for future provision for Writhlington children.

The current capacity of the school is 119 and the proposed capacity will remain at 119.

- (b) details of the current number of pupils admitted to the school in each relevant age group, and where this number is to change, the proposed number of pupils to be admitted in each relevant age group in the first school year in which the proposals will have been implemented;

Current 2010 Reception Planned Admission Number (PAN) 20

Proposed September 2011 Reception PAN 20; Early Years nursery unit: 15

- (c) where it is intended that proposals should be implemented in stages, the number of pupils to be admitted to the school in the first school year in which each stage will have been implemented;

N/A

- (d) where the number of pupils in any relevant age group is lower than the indicated admission number for that relevant age group a statement to this effect and details of the indicated admission number in question.

Reception 2011: Indicated Admission Number: 16

Reception 2010 Number on Roll: 11

(2) Where the alteration is an alteration falling within any of paragraphs 1, 2, 9, 12 and 13 of Schedule 2 (GB proposals) /paragraphs 1, 2, 8, 18 and 19 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), a statement of the number of pupils at the school at the time of the publication of the proposals.

At the time of publication of the proposals there were 80 pupils at the school. (taken from the October 2010 pupil census)

Implementation

6. Where the proposals relate to a foundation or voluntary controlled school a statement as to whether the proposals are to be implemented by the local education authority or by the governing body, and, if the proposals are to be implemented by both, a statement as to the extent to which they are to be implemented by each body.

The proposal is to be implemented by the governing body

Additional Site

7.(1) A statement as to whether any new or additional site will be required if proposals are implemented and if so the location of the site if the school is to occupy a split site.

There needs to be no changes to the site.

(2) Where proposals relate to a foundation or voluntary school a statement as to who will provide any additional site required, together with details of the tenure (freehold or leasehold) on which the site of the school will be held, and if the site is to be held on a lease, details of the proposed lease.

N/A

Changes in boarding arrangements

8.—(1) Where the proposals are for the introduction or removal of boarding provision, or the alteration of existing boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

- (a) the number of pupils for whom it is intended that boarding provision will be made if the proposals are approved;

[Empty box]

(b) the arrangements for safeguarding the welfare of children at the school;

[Empty box]

(c) the current number of pupils for whom boarding provision can be made and a description of the boarding provision; and

[Empty box]

(d) except where the proposals are to introduce boarding provision, a description of the existing boarding provision.

[Empty box]

(2) Where the proposals are for the removal of boarding provisions or an alteration to reduce boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

(a) the number of pupils for whom boarding provision will be removed if the proposals are approved; and

[Empty box]

(b) a statement as to the use to which the former boarding accommodation will be put if the proposals are approved.

[Empty box]

Transfer to new site

9. Where the proposals are to transfer a school to a new site the following information—

(a) the location of the proposed site (including details of whether the school is to occupy a single or split site), and including where appropriate the postal address;

[Empty box]

[Empty box]

(b) the distance between the proposed and current site;

[Empty box]

(c) the reason for the choice of proposed site;

[Empty box]

(d) the accessibility of the proposed site or sites;

[Empty box]

(e) the proposed arrangements for transport of pupils to the school on its new site; and

[Empty box]

(f) a statement about other sustainable transport alternatives where pupils are not using transport provided, and how car use in the school area will be discouraged.

[Empty box]

Objectives

10. The objectives of the proposals.

Our objective is to integrate Writhlington Pre-School into St. Mary's Primary. Our mutually-agreed key aim is to ensure continued quality pre-school provision for the Writhlington community.

We aim to build on the successful ethos of St. Mary's (recently graded as "Good" by Ofsted), and continue to raise achievement for all in the Writhlington community: "*Inspiring Learning Together*". Under the St. Mary's "umbrella", we will be able to ensure children have access to a broad, balanced curriculum within a learning environment in which children can be healthy and stay safe. They would be taught by appropriately trained staff, with specialist advice, leadership and administrative support.

Consultation

11. Evidence of the consultation before the proposals were published including—
- (a) a list of persons who were consulted;
 - (b) minutes of all public consultation meetings;
 - (c) the views of the persons consulted;
 - (d) a statement to the effect that all applicable statutory requirements in relation to the proposals to consult were complied with; and
 - (e) copies of all consultation documents and a statement on how these documents were made available.

1. St. Mary's Church of England Primary full governing body & staff
2. Writhlington Pre-School staff & management committee
3. BANES Strategic Capital Organisation (Fiona Randle) & Early Years (Philip Frankland) Teams
4. Diocese adviser - Suzanne McDonald
5. Families of all pupils on roll
6. MP - Jacob Rees-Mogg
7. Parish Council - Rev. Sue Greatorex & Rev. Andrew Pottage
8. Local schools - Writhlington, St. Nicholas's & Trinity
9. Community: Stay & Play; Radstock Children's Centre; Radstock Library; Hope House Surgery; Radco; Jones's
10. Unions representing all St. Mary's staff - teaching and non-teaching: NUT; NASUWT; UNISON

The MP, Mr. Jacob Rees-Mogg, offered his assistance if required. The NUT had no objections.

All applicable statutory requirements in relation to the proposals to consult were complied with.

Project costs

12. A statement of the estimated total capital cost of the proposals and the breakdown of the costs that are to be met by the governing body, the local education authority, and any other party.

The governing body has a carry-forward (£9 000) for investing in refurbishing the Nursery.

13. A copy of confirmation from the Secretary of State, local education authority and the Learning and Skills Council for England (as the case may be) that funds will be made available (including costs to cover any necessary site purchase).

Age range

14. Where the proposals relate to a change in age range, the current age range for the school.

4 - 11

Early years provision

15. Where the proposals are to alter the lower age limit of a mainstream school so that it provides for pupils aged between 2 and 5—

- (a) details of the early years provision, including the number of full-time and part-time pupils, the number and length of sessions in each week, and the services for disabled children that will be offered;

Initially, proposal for 15 pupils, five mornings / week, 9.00 - 12.00, to tie in with the school day, making it accessible to parents.

- (b) how the school will integrate the early years provision with childcare services and how the proposals are consistent with the integration of early years provision for childcare;

St. Mary's Class 1 is a dedicated Reception class, operating under the leadership of a specialist teacher (judged by Ofsted to be "Outstanding"). They follow the Early Years Foundation Stage Framework. The inclusion of the Pre-School as a nursery class will improve opportunities for children to access wider educational opportunities, make appropriate progress and achieve their potential. One whole phase of transition will be eliminated.

St. Mary's benefits from excellent liaison and links with the LA, a host of outside agencies and support, as well as strong links with a wide range of educational networks.

- (c) evidence of parental demand for additional provision of early years provision;

Our proposed provision is not additional, rather a change of management. The Pre-School is currently well used, providing for 17 Early Years age children.

- (d) assessment of capacity, quality and sustainability of provision in schools and in establishments other than schools who deliver the Early Years Foundation Stage within 3 miles of the school; and

This proposal is not for new provision – Writhlington Pre-School is already in existence. Therefore capacity and sustainability should not be an issue. It is the quality of provision that will be affected - St. Mary's Early Years provision will ensure this age group have access to high quality education, and a seamless transition into school.

- (e) reasons why such schools and establishments who have spare capacity cannot make provision for any forecast increase in the number of such provision.

Changes to sixth form provision

16. (a) Where the proposals are to alter the upper age limit of the school so that the school provides sixth form education or additional sixth form education, a statement of how the proposals will—

- (i) improve the educational or training achievements;
- (ii) increase participation in education or training; and
- (iii) expand the range of educational or training opportunities for 16-19 year olds in the area;

(b) A statement as to how the new places will fit within the 16-19 organisation in an area;

(c) Evidence —

- (i) of the local collaboration in drawing up the proposals; and
- (ii) that the proposals are likely to lead to higher standards and better progression at the school;

(d) The proposed number of sixth form places to be provided.

17. Where the proposals are to alter the upper age limit of the school so that the school ceases to provide sixth form education, a statement of the effect on the supply of 16-19 places in the area.

Special educational needs

18. Where the proposals are to establish or change provision for special educational needs—

- (a) a description of the proposed types of learning difficulties in respect of which education will be provided and, where provision for special educational needs already exists, the current type of provision;

- (b) any additional specialist features will be provided;

- (c) the proposed numbers of pupils for which the provision is to be made;

- (d) details of how the provision will be funded;

- (e) a statement as to whether the education will be provided for children with special educational needs who are not registered pupils at the school to which the proposals relate;

- (f) a statement as to whether the expenses of the provision will be met from the school's delegated budget;

- (g) the location of the provision if it is not to be established on the existing site of the school;

- (h) where the provision will replace existing educational provision for children with special educational needs, a statement as to how the local education authority believes that the new provision is likely to lead to improvement in the standard, quality and range of the educational provision for such children; and

- (i) the number of places reserved for children with special educational needs, and where this number is to change, the proposed number of such places.

19. Where the proposals are to discontinue provision for special educational needs—

- (a) details of alternative provision for pupils for whom the provision is currently made;

- (b) details of the number of pupils for whom provision is made that is recognised by the local education authority as reserved for children with special educational needs during each of the 4 school years preceding the current school year;

- (c) details of provision made outside the area of the local education authority for pupils whose needs will not be able to be met in the area of the authority as a result of the discontinuance of the provision; and

- (d) a statement as to how the proposer believes that the proposals are likely to lead to improvement in the standard, quality and range of the educational provision for such children.

20. Where the proposals will lead to alternative provision for children with special educational needs, as a result of the establishment, alteration or discontinuance of existing provision, the specific educational benefits that will flow from the proposals in terms of—

- (a) improved access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the local education authority's Accessibility Strategy;
- (b) improved access to specialist staff, both educational and other professionals, including any external support and outreach services;
- (c) improved access to suitable accommodation; and
- (d) improved supply of suitable places.

Sex of pupils

21. Where the proposals are to make an alteration to provide that a school which was an establishment which admitted pupils of one sex only becomes an establishment which admits pupils of both sexes—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single sex-education in the area;

(b) evidence of local demand for single-sex education; and

(c) details of any transitional period which the body making the proposals wishes specified in a transitional exemption order (within the meaning of section 27 of the Sex Discrimination Act 1975).

22. Where the proposals are to make an alteration to a school to provide that a school which was an establishment which admitted pupils of both sexes becomes an establishment which admits pupils of one sex only—

(a) details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area; and

(b) evidence of local demand for single-sex education.

Extended services

23. If the proposed alterations affect the provision of the school's extended services, details of the current extended services the school is offering and details of any proposed change as a result of the alterations.

Need or demand for additional places

24. If the proposals involve adding places—

(a) a statement and supporting evidence of the need or demand for the particular places in the area;

- (b) where the school has a religious character, a statement and supporting evidence of the demand in the area for education in accordance with the tenets of the religion or religious denomination;

- (c) where the school adheres to a particular philosophy, evidence of the demand for education in accordance with the philosophy in question and any associated change to the admission arrangements for the school.

25. If the proposals involve removing places—

- (a) a statement and supporting evidence of the reasons for the removal, including an assessment of the impact on parental choice; and

- (b) a statement on the local capacity to accommodate displaced pupils.

Expansion of successful and popular schools

25A. (1) Proposals must include a statement of whether the proposer considers that the presumption for the expansion of successful and popular schools should apply, and where the governing body consider the presumption applies, evidence to support this.

(2) Sub-paragraph (1) applies to expansion proposals in respect of primary and secondary schools, (except for grammar schools), i.e. falling within:

(a) (for proposals published by the governing body) paragraph 1 of Part 1 to Schedule 2 or paragraph 12 of Part 2 to Schedule 2;

(b) (for proposals published by the LA) paragraph 1 of Part 1 to Schedule 4 or 18 of Part 4 to Schedule 4

of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended).



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Appendix 4

Alteration of the lower age limit of St. Mary's Church of England Primary School from age 4 to age 3, by adding a nursery unit.

Notice is given in accordance with section 19(3) of the Education and Inspections Act 2006 that St Mary's Writhlington Church of England Primary School intends to make a prescribed alteration to St. Mary's Church of England Primary School (Voluntary Controlled), Old Rd., Writhlington, Radstock, BA3 3NG from 01 September 2011.

The current Writhlington Pre-School committee has agreed to the dissolution of their group at the end of term in July 2011. St. Mary's Primary School governing body is proposing to incorporate the provision in the school by adding a nursery unit, to meet the needs of all pre-school children in our community. The provision will remain, to all intents and purposes, the same as now, and will continue to ensure a broad, balanced curriculum within a learning environment in which children can be healthy and stay safe, led by a specialist Early Years qualified teacher in our Foundation Stage (Reception).

To be implemented 01/09/2011.

The proposed alteration will make provision for 15 part time nursery pupils.

The current capacity of the school is 119 and the proposed capacity will remain 119. The current admission number for the school in 2011 is 20 and the proposed admission number will remain at 20.

The governing body will implement the proposal, with guidance from the LA.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from: St. Mary's Church of England Primary School, Old Rd., Writhlington, Radstock,

BA3 3NG or via email: stmaryswrithlington_pri@bathnes.gov.uk

Within six weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to:

Mr. P. Frankland

Bath and North East Somerset Council

Riverside

Temple Street

Keynsham, BS31 1LA

Signed: the governing body of St. Mary's Church of England Primary

Publication Date: 15/06/11

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Bath & North East Somerset Council		
MEETING:	Cabinet	
MEETING DATE:	10th August 2011	
TITLE:	Treasury Management Monitoring Report to 30th June 2011	EXECUTIVE FORWARD PLAN REFERENCE: E 2286
WARD:	All	
AN OPEN PUBLIC ITEM		
<p>List of attachments to this report:</p> <p>Appendix 1 – Performance Against Prudential Indicators Appendix 2 – The Council’s Investment Position at 30th June 2011 Appendix 3 – Average monthly rate of return for 1st 3 months of 2011/12 Appendix 4 – The Council’s External Borrowing Position at 30th June 2011 Appendix 5 – Sterling Consultant’s Economic & Market Review 1st 3 months of 2011/12 Appendix 6 – Interest & Capital Financing Budget Monitoring 2011/12</p>		

1 THE ISSUE

1.1 In February 2010 the Council adopted the 2009 edition of the CIPFA Treasury Management in the Public Services: Code of Practice, which requires the Council to approve a Treasury Management Strategy before the start of each financial year, review performance during the year, and approve an annual report after the end of each financial year.

1.2 This report gives details of performance against the Council’s Treasury Management Strategy and Annual Investment Plan 2011/12 for the first three months of 2011/12.

2 RECOMMENDATION

The Cabinet agrees that:

2.1 the Treasury Management Report to 30th June 2011, prepared in accordance with the CIPFA Treasury Code of Practice, is noted

2.2 the Treasury Management Indicators to 30th June 2011 are noted.

3 FINANCIAL IMPLICATIONS

3.1 The financial implications are contained within the body of the report.

4 CORPORATE PRIORITIES

4.1 This report is for information only and is therefore there are no proposals relating to the Council's Corporate Priorities.

5 THE REPORT

Summary

- 5.1 The average rate of investment return for the first three months of 2011/12 is 0.63% above the benchmark rate.
- 5.2 The Councils Prudential Indicators for 2011/12 were agreed by Council in February 2011 and performance against the key indicators is shown in **Appendix 1**. All indicators are within target levels.

Summary of Returns

- 5.3 The Council's investment position as at 30th June 2011 is given in **Appendix 2**. The balance of deposits as at 31st March 2011 & 30th June 2011 is also set out in the pie charts in this appendix.
- 5.4 Gross interest earned on investments for the first three months totalled £271k. Net interest, after deduction of amounts due to West of England Growth Points, PCT and schools, is £211k. **Appendix 3** details the investment performance, the average rate of interest earned over this period was 1.13%, which is 0.63% above the benchmark rate of average 7 day LIBID +0.05% (0.50%).

Summary of Borrowings

- 5.5 No new borrowing has taken place in the first quarter of 2011/12. The Council's total borrowing is currently £90 million. The Council's Capital Financing Requirement (CFR) as at 31st March 2011 was £112.7 million with a projected total of £151 million by the end of 2011/12 based on the capital programme approved at February 2011 Council. This represents the Council's need to borrow to finance capital expenditure, and demonstrates that the borrowing taken to date relates to funding historical capital spend.
- 5.6 Following Local Government Reorganisation in 1996, Avon County Council's residual debt is administered by Bristol City Council. All successor Unitary Authorities make an annual contribution to principal and interest repayment, for which there is a provision in the Council's revenue budget. The amount of residual debt outstanding as at 31st March 2011 apportioned to Bath & North East Somerset Council is £16.43m. Since this borrowing is managed by Bristol City Council and treated in the Council's Statement of Accounts as a deferred liability, it is not included in the borrowing figures referred to in paragraph 5.5.
- 5.7 The current borrowing portfolio is shown in **Appendix 4**.

Strategic & Tactical Decisions

- 5.8 As shown in the charts in **Appendix 2**, investments continue to be focussed on UK banks & Building Societies that have either already or are likely to receive support from the UK Government should they experience financial difficulties. £14m has been invested with other Local Authorities in the first quarter of 2011/12 to increase diversification whilst maintaining strong counterparty rating. The amount invested with the Debt Management Office continues to remain between 0-10% of total investments.
- 5.9 Due to concerns related to the current Eurozone debt situation, the Council does not currently hold any investments with banks in countries within the Eurozone. The Council's investment counterparty list does not include any banks from the countries most affected by the debt situation in the Eurozone (Portugal, Ireland, Greece, Spain and Italy).

Future Strategic & Tactical Issues

- 5.10 Our treasury management advisors economic and market review for the first quarter 2011/12 is included in **Appendix 5**.
- 5.11 The Bank of England base rate has remained constant at 0.50% since March 2009.

Budget Implications

- 5.12 A breakdown of the revenue budget for interest and capital financing and the forecast year end position based on the period April to June is included in **Appendix 6**. This is currently forecast to be on target by the end of 2011/12.

6 RISK MANAGEMENT

- 6.1 The Council's lending & borrowing list is regularly reviewed during the financial year and credit ratings are monitored throughout the year. All lending/borrowing transactions are within approved limits and with approved institutions. Investment & Borrowing advice is provided by our Treasury Management consultants Sterling.
- 6.2 The 2009 edition of the CIPFA Treasury Management in the Public Services: Code of Practice requires the Council nominate a committee to be responsible for ensuring effective scrutiny of the Treasury Management Strategy and policies. In May 2010, the Council's treasury advisors provided training to the Corporate Audit Committee to carry out this scrutiny.
- 6.3 In addition, the Council maintain a risk register for Treasury Management activities, which is regularly reviewed and updated where applicable during the year.

7 EQUALITIES

- 7.1 This report provides information about the financial performance of the Council and therefore no specific equalities impact assessment has been carried out on the report.

8 RATIONALE

8.1 The Prudential Code and CIPFA's Code of Practice on Treasury Management requires regular monitoring and reporting of Treasury Management activities.

9 OTHER OPTIONS CONSIDERED

9.1 None.

10 CONSULTATION

10.1 Consultation has been carried out with the Deputy Leader of The Council & Cabinet Member for Resources, Section 151 Finance Officer, Chief Executive and Monitoring Officer.

10.2 Consultation was carried out via e-mail.

11 ISSUES TO CONSIDER IN REACHING THE DECISION

11.1 This report deals with issues of a corporate nature.

12 ADVICE SOUGHT

12.1 The Council's Monitoring Officer (Council Solicitor) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	<i>Tim Richens - 01225 477468 ; Jamie Whittard - 01225 477213</i> Tim_Richens@bathnes.gov.uk Jamie_Whittard@bathnes.gov.uk
Sponsoring Cabinet Member	<i>Councillor David Bellotti</i>
Background papers	<i>2011/12 Treasury Management & Investment Strategy</i>
Please contact the report author if you need to access this report in an alternative format	

APPENDIX 1

Performance against Treasury Management Indicators agreed in Treasury Management Strategy Statement

1. Authorised limit for external debt

These limits include current commitments and proposals in the budget report for capital expenditure, plus additional headroom over & above the operational limit for unusual cash movements.

	2011/12 Prudential Indicator	2011/12 Actual as at 30 th Jun. 2011
	£'000	£'000
Borrowing	201,000	90,000
Other long term liabilities	3,000	0
Cumulative Total	204,000	90,000

2. Operational limit for external debt

The operational boundary for external debt is based on the same estimates as the authorised limit but without the additional headroom for unusual cash movements.

	2011/12 Prudential Indicator	2011/12 Actual as at 30 th Jun. 2011
	£'000	£'000
Borrowing	150,000	90,000
Other long term liabilities	2,000	0
Cumulative Total	152,000	90,000

3. Upper limit for fixed interest rate exposure

This is the maximum amount of total borrowing which can be at fixed interest rate, less any investments for a period greater than 12 months which has a fixed interest rate.

	2011/12 Prudential Indicator	2011/12 Actual as at 30 th Jun. 2011
	£'000	£'000
Fixed interest rate exposure	204,000	70,000*

* The £20m of LOBO's are quoted as variable rate in this analysis as the Lender has the option to change the rate at 6 monthly intervals (the Council has the option to repay the loan should the rate increase)

4. Upper limit for variable interest rate exposure

While fixed rate borrowing contributes significantly to reducing uncertainty surrounding interest rate changes, the pursuit of optimum performance levels may justify keeping flexibility through the use of variable interest rates. This is the maximum amount of total borrowing which can be at variable interest rates less any investments at variable interest rates (this includes any investments that have a fixed rate for less than 12 months).

	2011/12 Prudential Indicator	2011/12 Actual as at 30 th Jun. 2011
	£'000	£'000
Variable interest rate exposure	0	-60,800

5. Upper limit for total principal sums invested for over 364 days

This is the maximum % of total investments which can be over 364 days.

	2011/12 Prudential Indicator	2011/12 Actual as at 30 th Jun. 2011
	%	%
Investments over 364 days	25	10

6. Maturity Structure of new fixed rate borrowing during 2011/12

	Upper Limit	Lower Limit	2011/12 Actual as at 30 th Jun. 2011
	%	%	%
Under 12 months	50	Nil	0
12 months and within 24 months	50	Nil	0
24 months and within 5 years	50	Nil	0
5 years and within 10 years	50	Nil	0
10 years and above	100	Nil	0

APPENDIX 2

The Council's Investment position at 30th June 2011

	Balance at 30 th June 2011
	£'000's
Notice (instant access funds)	17,800
Up to 1 month	19,000
1 month to 3 months	10,000
Over 3 months	44,000
Total	90,800

The investment figure of £90.8 million is made up as follows :

	Balance at 30 th June 2011
	£'000's
B&NES Council	73,290
West Of England Growth Points	4,623
Schools	12,887
Total	90,800

The Council had an average net positive balance of £97.7m (including Growth Points Funding) during the period April 2011 to June 2011.

Chart 1: Investments as at 30th June 2011 (£90.8m)

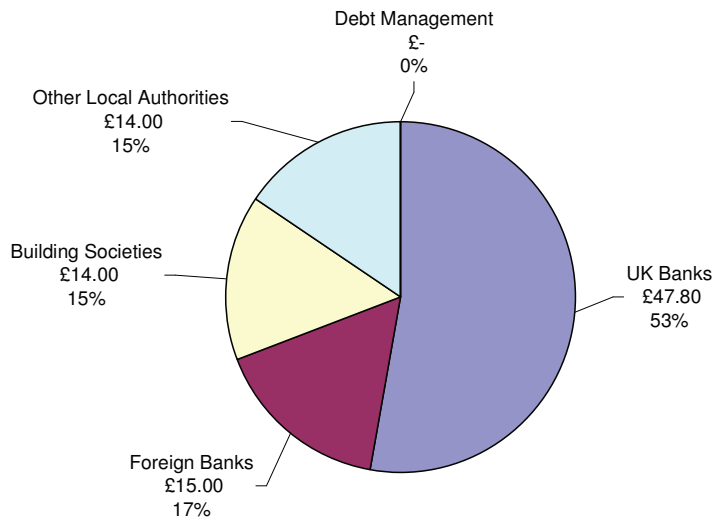


Chart 2: Investments as at 31st March 2011 (£64.0m)

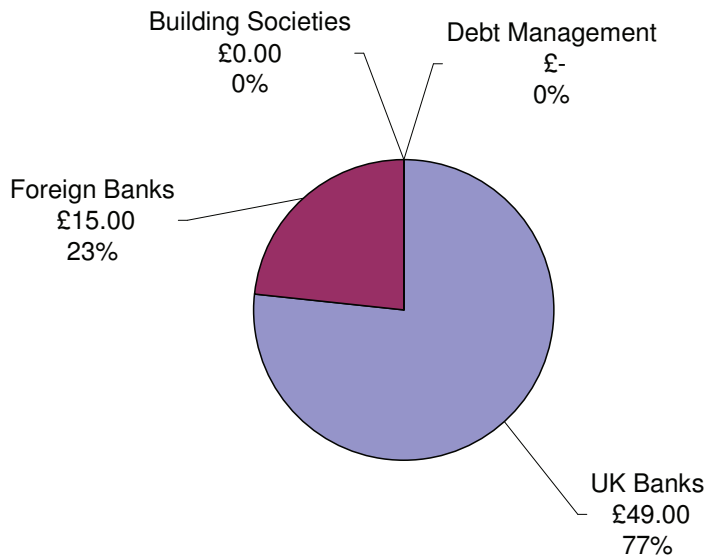


Chart 3: Investments per Lowest Equivalent Long-Term Credit Ratings (£90.8m) - 30th June 2011

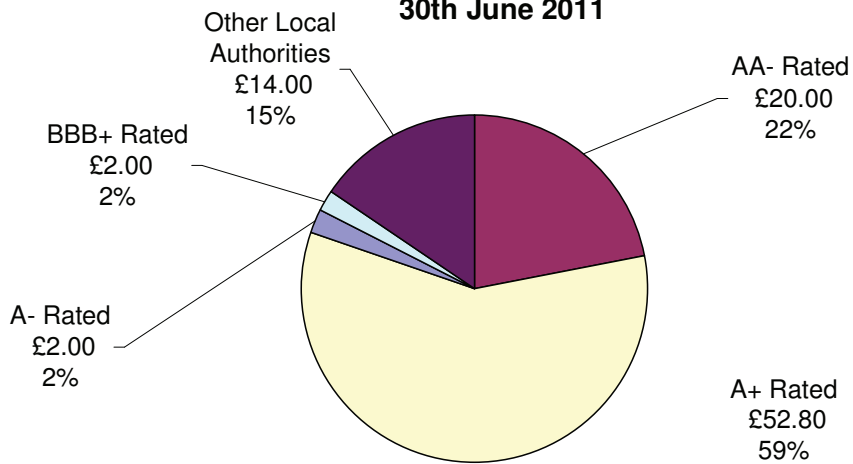
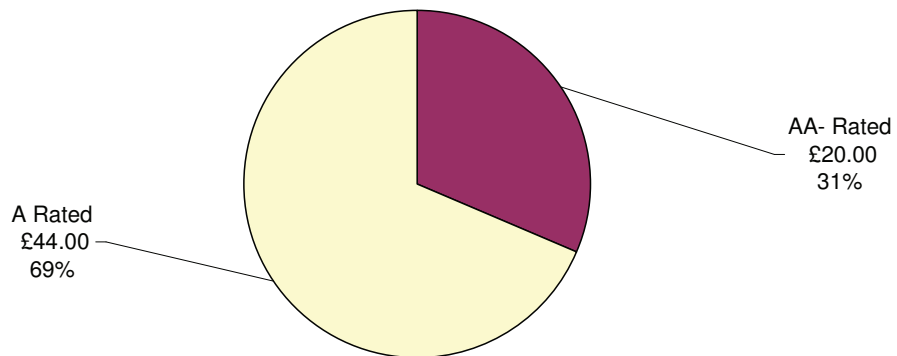


Chart 4: Investments per Lowest Equivalent Long-Term Credit Ratings (£64.0m) - 31st March 2011



APPENDIX 3

Average rate of return on investments for 2011/12

	April %	May %	June %	Average for Period
Average rate of interest earned	1.05%	1.13%	1.18%	1.13%
Benchmark = Average 7 Day LIBID rate +0.05% (source: Sterling)	0.50%	0.50%	0.50%	0.50%
Performance against Benchmark %	+0.55%	+0.63%	+0.68%	+0.63%

APPENDIX 4

Councils External Borrowing at 30th June 2011

LONG TERM	Amount	Fixed Term	Interest Rate	Variable Term	Interest Rate
PWLB	10,000,000	30 yrs	4.75%	n/a	n/a
PWLB	20,000,000	48 yrs	4.10%	n/a	n/a
PWLB	10,000,000	46 yrs	4.25%	n/a	n/a
PWLB	10,000,000	50 yrs	3.85%	n/a	n/a
PWLB	10,000,000	47 yrs	4.25%	n/a	n/a
PWLB	5,000,000	25 yrs	4.55%	n/a	n/a
PWLB	5,000,000	50 yrs	4.53%	n/a	n/a
KBC Bank N.V*	5,000,000	2 yrs	3.15%	48 yrs	4.50%
KBC Bank N.V*	5,000,000	3 yrs	3.72%	47 yrs	4.50%
Eurohypo Bank*	10,000,000	3 yrs	3.49%	47 yrs	4.50%
TOTAL	90,000,000				

*All LOBO's (Lender Option / Borrower Option) have reached the end of their fixed interest period and have reverted to the variable rate of 4.50%. The lender has the option to change the interest rate at 6 monthly intervals, however at this point the borrower also has the option to repay the loan without penalty.

APPENDIX 5

Economic and market review for the three months to June 2011 (Sterling Consultancy Services)

The UK economy has experienced a soft patch over the past six months. GDP growth barely recovered in Q1 from the last snow-hit quarter of 2010 and a range of economic indicators suggest it has slowed since. The weakness in growth stems primarily from reduced household spending, which is a consequence of low consumer confidence and a reduction in real disposable incomes. There have also been signs of softening global growth over the past few months, which has reduced demand for UK manufactured goods. Inflation, on the other hand, has risen further over the Bank of England's target; the CPI

rate was confirmed at 4.5% for May 2011. High commodity prices, the rise in the VAT rate and the continued effect from the past depreciation of sterling are the main drivers behind the current level. Commodity prices in particular increased sharply over the past three months due to a number of geo-political events, such as the unrest in North Africa and the Middle East and flooding in Australia. Oil prices have since stabilised at a relatively elevated level of around \$110 per barrel.

The May Bank of England (BoE) Inflation Report suggested a similar story for the rest of the year. GDP growth is expected to remain soft, with tighter fiscal policy depressing household and government spending. Business investment and net trade are projected to contribute more significantly to UK economic growth, with the current conditions helping to rebalance the economy away from domestic consumer spending. Despite softer growth, there is seen to be a risk of the CPI rate reaching 5% in the short term and remaining above target until early 2013.

The Monetary Policy Committee (MPC) at the BoE is currently split on the direction of monetary policy. Bank Rate has remained at 0.5% for the past 27 months to support stuttering economic activity and avoid the threat of deflation. But with inflation currently more than double the CPI target rate of 2%, and projected to remain so for the near future, two members of the MPC currently support tighter monetary policy to reduce the risk of high inflation expectations feeding into wage and price growth. For most of the remaining members the risk arising from high inflation expectations is also material, but is weighed against great uncertainty over the health of the economy. With indications of slowing economic activity, the current balance on the MPC appears weighted against a near-term rise in interest rates. Financial markets currently expect the first rise in Bank Rate around the start of 2012.

APPENDIX 6

Interest & Capital Financing Costs – Budget Monitoring 2011/12 (April to June)

April to June 2011	YEAR END FORECAST			ADV/FAV
	Budgeted Spend or (Income) £'000	Forecast Spend or (Income) £'000	Forecast over or (under) spend £'000	
Interest & Capital Financing				
- Debt Costs	4,840	4,840		
- Internal Repayment of Loan Charges	(3,188)	(3,188)		
- Ex Avon Debt Costs	1,491	1,491		
- Minimum Revenue Provision (MRP)	3,380	3,380		
- Interest of Balances	(460)	(460)		
Sub Total - Capital Financing	6,063	6,063		