

Democratic Services

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Date: 1 May 2012

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To: All Members of the Council

Chief Executive and other appropriate officers

Press and Public

Dear Member

Annual and Ordinary meeting of the Council: Thursday, 10th May, 2012

You are invited to attend the Annual and Ordinary meeting of the **Council** to be held on **Thursday, 10th May, 2012 at 6.30 pm** in the **Council Chamber - Guildhall, Bath.**

The agenda is set out overleaf.

Sandwiches and fruit and tea/coffee/cold drinks will be available for Councillors from 5pm in the Aix-en-Provence Room (next to the Banqueting Room) on Floor 1.

Yours sincerely

Jo Morrison

Democratic Services Manager

for Chief Executive

Please note the following arrangements for pre-group meetings:

Conservative

Brunswick Room, Ground Floor

Liberal Democrat

Kaposvar Room, Floor 1

Labour

Small Meeting Room, Floor 1

Independent

Performance and Improvement Team Office, Floor 1

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

This Agenda and all accompanying reports are printed on recycled paper

NOTES:

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

Public Access points – Guildhall – Bath, Riverside – Keynsham, 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' Libraries.

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

7. 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.

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

A G E N D A

1. EMERGENCY EVACUATION PROCEDURE

The Chairman will draw attention to the emergency evacuation procedure as set out under Note 7.

2. ELECTION OF CHAIRMAN

It is a legal requirement that the first formal business at the Annual General Meeting shall be the election of a Councillor to be the Chair(man) of the Council. The term of office of the Chair(man) expires on the election of his/her successor at the Annual Meeting of the Council in 2013.

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

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

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

3. ELECTION OF VICE CHAIR(MAN)

The Council will be invited to appoint a Councillor to be the Vice-Chair(man) of the Council. The term of office of the Vice-Chair(man) expires on the election of his successor at the Annual Meeting of the Council in 2013.

Once the new Vice-Chair(man) is elected, he will make and sign the Declaration of Acceptance of Office, and receive the Badge of Office from the Chair(man), after which he may thank the Council for the appointment.

4. MINUTES - 14TH FEBRUARY 2012 AND 28TH MARCH 2012 (Pages 7 - 20)

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

5. APOLOGIES FOR ABSENCE

6. DECLARATIONS OF INTEREST

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

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

(b) The nature of their interest.

(c) Whether their interest is **personal and prejudicial** or **personal**.

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Solicitor to the Council and Monitoring Officer before the meeting to expedite dealing with the item during the meeting.

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

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

8. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

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

9. REPORT OF URGENT DECISION - TREASURY MANAGEMENT STRATEGY

In accordance with the rules within the Constitution concerning Chief Officer's action (Urgency - Part 4 (G) rule 3), it is reported that the Chief Executive took a decision in February 2012 to support the early implementation of the 2012/13 Treasury Management strategy to enable current treasury activity with the Nat West Bank (the Council's appointed main bankers) to be maintained, following the downgrading alert for its parent company, Royal Bank of Scotland plc.

This decision was deemed as urgent and as falling within Council policy and was taken following consultation with Political Group Leaders.

10. APPOINTMENT OF COMMITTEES AND PANELS AND OTHER ANNUAL BUSINESS (Pages 21 - 74)

This report invites Council to consider its non-executive and regulatory committee arrangements for the Council year May 2012 to May 2013 and associated annual business.

11. THE COUNCIL'S VISION AND VALUES (Pages 75 - 80)

Following the Cabinet resolution in February 2012 to refresh the Vision, replace the eight priorities with three objectives and create a series of outcomes and values to help determine the kind of organisation the Council wants to be, these developments are now presented to Council for adoption.

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

The Democratic Services Manager will announce any submissions received under the arrangements set out in note 5 above. The Council will be invited to decide what action

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

13. QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS

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

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

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BATH AND NORTH EAST SOMERSET COUNCIL

MINUTES OF COUNCIL MEETING

Tuesday, 14th February, 2012

Present:- **Councillors** Simon Allen, Patrick Anketell-Jones, Rob Appleyard, Sharon Ball, Tim Ball, Colin Barrett, Gabriel Batt, Cherry Beath, David Bellotti, Sarah Bevan, Mathew Blankley, Lisa Brett, John Bull, Neil Butters, Bryan Chalker, Anthony Clarke, Nicholas Coombes, Paul Crossley, Gerry Curran, Sally Davis, Douglas Deacon, David Dixon, Peter Edwards, Michael Evans, Paul Fox, Andrew Furse, Charles Gerrish, Ian Gilchrist, Francine Haeberling, Alan Hale, Katie Hall, Malcolm Hanney, Liz Hardman, Nathan Hartley, Steve Hedges, Eleanor Jackson, Les Kew, Dave Laming, Malcolm Lees, Marie Longstaff, Barry Macrae, David Martin, Loraine Morgan-Brinkhurst MBE, Robin Moss, Paul Myers, Douglas Nicol, Bryan Organ, June Player, Vic Pritchard, Manda Rigby, Caroline Roberts, Nigel Roberts, Dine Romero, Will Sandry, Brian Simmons, Kate Simmons, Jeremy Sparks, Ben Stevens, Roger Symonds, Martin Veal, David Veale, Geoff Ward, Tim Warren and Brian Webber

Apologies for absence: **Councillors** Chris Watt

57 EMERGENCY EVACUATION PROCEDURE

The Chairman drew attention to the emergency evacuation procedure, as set out on the agenda.

58 MINUTES - 10TH NOVEMBER 2011

On a motion from Councillor Paul Crossley, seconded by Councillor Francine Haeberling, it was

RESOLVED that the minutes of 10th November be approved as a correct record and signed by the Chairman.

59 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Chris Watt.

60 DECLARATIONS OF INTEREST

The Council's Monitoring Officer gave specific advice regarding declaration of interests in relation to the budget report.

Councillor Eleanor Jackson declared a personal, non-prejudicial interest in agenda item 8 as Secretary of Radstock in Bloom, and a member of the Victoria Hall Committee.

Councillor Loraine Morgan-Brinkhurst MBE declared a personal, non-prejudicial interest in agenda item 8 as the Council's representative on Sirona Care and Health in a non-executive Directors role.

61 ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE

The Chairman;

1. Expressed condolences on behalf of the Council for the recent death of former Councillor Chris Cray and asked the Council to stand in silence as a mark of respect;
2. Congratulated Councillor Manda Rigby on being named as Bath Chronicle Woman of the Year, and Councillor June Player as being named Bath Chronicle Politician of the Year;
3. Indicated that he proposed to waive Council Rule 37 so as not to permit Councillors seconding motions or amendments being able to reserve their right to speak until later in the debate, but to require all seconders, if they wished to speak, to do so when they seconded the motion or amendment. The Council indicated its agreement; and
4. Informed Council that he proposed to announce a 10 minute comfort break at an appropriate point if the meeting continued beyond 8.00pm

62 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There were no items of urgent business.

63 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC

Nick Brailey made a statement (a copy of which is held on the Council's minute book and available online) expressing concern about the state of the B&NES area, and in particular Bath city centre. He invited Members to walk the city centre with him to see and discuss the issues. The statement was referred for consideration to the Cabinet Members for Neighbourhoods, Transport and Sustainable Development.

Alex Schlesinger made a statement (a copy of which is held on the Council's minute book and available online) in support of the proposed funding for regeneration of London road, asking for it to be recognised as a community in its own right and a key factor in the perception of Bath's role as a heritage venue. The statement was referred to the Cabinet Member for Sustainable Development.

David Dunlop made a statement also in support of the regeneration of the London road area. He referred to the Core Strategy and its reference to the London road area as an area of deprivation. He welcomed the Placemaking plan as playing a key role in addressing this and hoped that future Administrations would continue to support regeneration of the area. The statement was referred to the Cabinet Member for Sustainable Development.

David Redgewell made a statement (a copy of which is held on the Council's minute book and available online) regarding rail and bus transport issues. He stressed the

importance of protecting Bath's interests in the work being done by the West of England partnership. He specifically requested that bus tender contracts should require all vehicles to be disabled accessible. Councillor Paul Crossley commended David on his persistence and commitment to campaigning on transport issues and deferred his question to Councillor Roger Symonds who asked if David had any evidence to support his assertion that WEP interests didn't go beyond Bath. David responded that the mapping in the Evening post had demonstrated this. In response to a question from Eleanor Jackson enquiring how his comments related to bus services to Midsomer Norton and Radstock, and the perceived value of the Radstock/Frome railway, David referred to a feasibility study which was welcomed and might raise some options. The statement was referred for consideration to the Cabinet Member for Transport.

Mike Clarkson made a statement in support of a petition which he submitted, signed by nearly 900 residents against the closure of the Mobile library service. (A copy of the statement is held on the Council's minute book and available online.) The statement and petition was referred for consideration to the Cabinet Member for Neighbourhoods.

The Chairman thanked all the speakers for their statements and asked Councillors to take their comments into account when considering the budget papers.

64 MEDIUM TERM SERVICE & RESOURCE PLANNING 2012/13 - 2014/15, & BUDGET AND COUNCIL TAX 2012/13

The Council considered a report setting out the Cabinet's draft medium term financial plan, and revenue and capital budgets for the 2012/13 financial year, together with a proposal for a Council Tax level for 2012/13 (Report 8).

In addition to the reports circulated with the agenda, all Councillors received a copy of the draft minute of the Resources Policy Development and Scrutiny (PDS) Panel meeting held on 6th February with the Panel's comments on the Budget proposals. Councillors also received Appendix 5 – Formal Council Tax Setting resolutions (incorporating precepts from Parishes, Fire and Police).

On a motion from Councillor Paul Crossley, seconded by Councillor Francine Haeberling, it was **RESOLVED** that the Council suspends Council Rule 42, Content and Length of Speeches, for the duration of this debate to enable variations to be permitted to the length of the speeches by the Cabinet Member for Community Resources, the Conservative, Labour and Independent Groups and the Chair of the Resources Policy Development & Scrutiny Panel.

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

RESOLVED

1. To approve:

- a. The General Fund net revenue budget for 2012/13 of £120.156m with no increase in Council Tax.

- b. That no Special Expenses be charged other than Town and Parish Council precepts for 2012/13.
 - c. The adequacy of reserves at Appendix 1, Table 9 of the report, with a risk-assessed level of £10.5m.
 - d. The individual service cash limits for 2012/13 summarised at Appendix 1, Table 5 and detailed in Annex 1 of the report, subject to the removal of the proposal to discontinue the mobile library service and the adjustment of the cash limit by an additional £50,000 to be allocated from the £381,000 to be transferred to Revenue Budget contingency to provide for emerging priorities in the year ahead, to enable the continuation of the mobile library service
 - e. That the specific arrangements for the governance and release of reserves, including invest to save proposals, be delegated to the Council's Section 151 Officer, in consultation with the Cabinet Member for Community Resources and the Chief Executive.
2. To include the precepts set and approved by other bodies including the Local Precepts of Town Councils, Parish Councils and the Charter Trustees of the City of Bath, and those of the Fire and Police Authorities in its Council Tax setting.
 3. To acknowledge the Section 151 officer's report on the robustness of the proposed budget and the adequacy of the Council's reserves (Appendix 1, Annex 2 of the report) and approves the conditions upon which the recommendations are made as set out throughout Appendix 1 of the report.
 4. That, in relation to the capital budget, the Council:
 - a. approves a capital programme of £37.471m for 2012/13 and notes items for provisional approval in 2012/13 and the programme for 2013/14 to 2016/17 as shown at Appendix 1, Annex 3 of the report including the planned sources of funding;
 - b. approves the Minimum Revenue Provision Policy as shown at Appendix 1, Annex 4 of the report;
 - c. approves the Capital Prudential Indicators as set out in Appendix 1 Table 7 of the report.
 5. To note the Policy Development & Scrutiny review of Medium Term Service and Resource Plans and 2012/13 Service Action Plans and instructs the relevant officers to finalise and publish their Medium Term Service and Resource Plans and Service Action Plans by end of March 2012, in consultation with the relevant Cabinet Member and in light of feedback from the PD&S reviews, and in line with the approved cash limits.
 6. To agree the Council's proposed pay policy statement, as set out at Appendix 4 to the report.

7. To approve the technical resolutions that are derived from the budget report, and all figures in that report including the precepts for towns, parishes and other precepting bodies as set out in Appendix 5 of the report.

THE COUNCIL APPROVES THE BUDGET AND COUNCIL TAX FOR 2012/2013 AS INDICATED ABOVE AND ACCORDINGLY RESOLVES:

8. That the 2012/13 expenditure is funded as follows:

	Total £
2012/13 Gross Expenditure	316,741,984
2012/13 Income (service income and specific grants)	195,455,389
Formula Grant*	
Revenue Support Grant = £788,809	41,481,012
Redistributed Business Rates = £40,692,203	
2012/13 Council Tax Freeze Grant	1,936,183
Collection Fund Surplus	422,000
2012/13 Gross Income	239,294,584
Council Tax Requirement (excluding Parish Precepts)	77,447,400

* Includes 2011/12 recurring Council Tax Freeze Grant

9. a) That it be noted that on 21st December 2011, the Divisional Director of Finance (as authorised section 151 officer) agreed **64,440.11** Band D property equivalent as the Council Tax Base for the year 2012/13 in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 made under Section 35(5) of the Local Government Finance Act 1992.

b) The amounts calculated by the Council, in accordance with Regulation 6 of the Regulations, as the amount of its Council Tax Base for the year for dwellings in those parts of its area to which one or more special items relate is given as Annex 1 (1).

[Annex 1 (1) gives Band D Tax base by parish]

10. That the following amounts be now calculated by the Council for the 2012/13 financial year in accordance with Sections 31 to 36 of the Local Government and Finance Act 1992, as amended:

- a. **£318,908,481** (=£316,741,984 (gross expenditure including contribution to reserves) +£2,166,497 (Parish precepts)) being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.

[This is the gross expenditure incurred in performing functions and charged to the revenue account, contingencies for revenue, any financial reserves to be raised, financial reserves to meet prior year deficit not yet provided for, any amounts transferred from its general fund to its collection fund in accordance with section 97(4) of the 1988 Act, and any amounts transferred from general fund to collection fund under section 98(5) of 1988 Act.]

- b. **£239,294,584** (gross income) being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
[This is the income estimated to accrue which will be credited into the revenue account for the year in accordance with proper practices, any amounts transferred in the year from the collection fund to the general fund in accordance with section 97(3) of the 1988 Act, any amounts which will be transferred from the collection fund to the general fund pursuant to a direction under section 98(4) of the 1988 Act and will be credited to the revenue account for the year, and financial reserves used to provide for items in Section 31A(2)]
- c. **£79,613,897** being the amount by which the aggregate at 5(a) above exceeds the aggregate at 5(b) above calculated by the Council in accordance with Section 31A(4) of the Act as its **Council Tax requirement** for the year.
- d. **£1,235.47** being the amount at 5(c) above divided by the amount at 4(a) above, calculated in accordance with Section 31B of the Act, as the basic amount of Council Tax for the year.
[This is the average Council tax including B&NES and parish precepts]
- e. **£2,166,497** being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act.
[This is the total of parish precepts]
- f. **£1,201.85** being the amount at 5(d) above less the result given by dividing the amount at 5(e) above by the amount at 4(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no special item relates.
[This is the B&NES Council tax only excluding parish precepts]
- g. The amounts given by adding to the amount at 5(f) above the amounts of special items or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 4(b) above, calculated by the Council, in accordance with section 34(3) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate are given at Annex 1 (3).
*[Annex 1 (3) gives the Band D Council tax for each area **including** the parish precepts]*
- h. The amounts given by multiplying the amounts at 5(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in

respect of categories of dwellings listed in different valuation bands are given in Annex 1 (4).

[Annex 1 (4) shows the B&NES and parish Council Tax for all bands.]

Precepting Authorities

11. That it be noted that for the year 2012/13 Avon and Somerset Police Authority met on 8 February 2012 to determine the amount in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of the dwellings shown below:-

12. Avon and Somerset Police Authority
Valuation Bands

A	B	C	D	E	F	G	H
£112.02	£130.69	£149.36	£168.03	£205.37	£242.71	£280.05	£336.06

13. That it be noted that for the year 2012/13 Avon Fire Authority met on 10 February 2012 to determine the amounts in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of the dwellings shown below:-

14. Avon Fire Authority
Valuation Bands

A	B	C	D	E	F	G	H
£41.85	£48.82	£55.80	£62.77	£76.72	£90.67	£104.62	£125.54

15. That, having calculated the aggregate in each case of the amounts 7, 9 and 5(h) above, the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992 hereby sets the following amounts as the amounts of Council Tax for the 2012/13 financial year for each of the categories of dwellings shown, as listed in Annex 1 (5).

16. To note that, on average (for a Band D, 2 adult household), the Council Tax for 2012/13 will be as follows:

<i>Reference Band D 2011/12 £</i>		£ Band D 2012/13	% Increase on 2011/12
1,201.85	Bath and North East Somerset Council	1,201.85	0.00
31.37	Average Parish Precept	33.62	7.17
60.38	Avon Fire Authority	62.77	3.96
168.03	Avon and Somerset Police Authority	168.03	0.00
1,461.63	Total Tax charged	1,466.27	0.32

[Overall annual increase in average Band D Council Tax is £4.64]

17. To agree that the Council's basic amount of Council Tax for 2012/13 is not determined to be excessive in accordance with principles approved under section 52ZB Local Government Finance Act 1992.

(Notes:

1. *The above motion was carried with 36 Councillors voting in favour, 28 Councillors voting against and no Councillors abstaining from voting. An amendment to the wording was suggested on behalf of the Conservative group by Councillor Martin Veal, seconded by Councillor Les Kew, which was accepted by the mover and seconder of the motion under Rule 35 of the Council procedure rules. This wording is incorporated and underlined in paragraph 1 d. of the resolution above. The General Fund net revenue budget figure in Paragraph 1 a. of the resolution above reflects the adjustment.*
2. *An amendment was moved on behalf of the Conservative Group by Councillor Francine Haerberling, seconded by Councillor Tim Warren, to move the recommendations as printed subject to the amendment to paragraph 4 a. above to add the words “subject to the deletion of the provisionally approved proposal concerning gypsy and traveller sites and an allocation of £1.8 million for provisional approval to enable the delivery of new affordable housing and consideration given to developing initiatives to support first time buyers onto the housing ladder.” A named vote was taken on the amendment which was not carried, with 36 Councillors voting against and 28 Councillors voting in favour and no absentions: **For** - Councillors Patrick Anketell-Jones, Colin Barrett, Gabriel Batt, Matthew Blankley, Bryan Chalker, Tony Clarke, Sally Davis, Peter Edwards, Michael Evans, Charles Gerrish, Francine Haerberling, Alan Hale, Malcolm Hanney, Lew Kew, Dave Laming, Malcolm Lees, Marie Longstaff, Barry Macrae, Paul Myers, Bryan Organ, Vic Pritchard, Brian Simmons, Kate Simmons, Martin Veal, David Veale, Geoff Ward, Tim Warren, Brian Webber. **Against** – Councillors Simon Allen, Rob Appleyard, Sharon Ball, Tim Ball, Cherry Beath, David Bellotti, Sarah Bevan, Lisa Brett, John Bull, Neil Butters, Nicholas Coombes, Paul Crossley, Gerry Curran, Doug Deacon, David Dixon, Paul Fox, Andrew Furse, Ian Gilchrist, Katie Hall, Liz Hardman, Nathan Hartley, Steve Hedges, Eleanor Jackson, David Martin, Loraine Morgan-Brinkhurst MBE, Robin Moss, Doug Nicol, June Player, Manda Rigby, Caroline Roberts, Nigel Roberts, Dine Romero, Will Sandry, Jeremy Sparks, Ben Stevens, Roger Symonds.*
3. *A number of concerns were raised by Members during the debate about comments made by other Members. The Chief Executive advised that such concerns should be dealt with as Code of Conduct complaints through the established procedures.*

65 2012/13 LTP TRANSPORT IMPROVEMENT SCHEMES - CAPITAL PROGRAMME

The Council considered a report, supplementary to the budget report, seeking approval for consultation on the Local Transport Plan Transport Improvement Schemes.

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

RESOLVED

1. To agree that the 2012/12 LTP Transport Improvement Capital Programme in Appendix 1 to the report be approved for consultation; and
2. That the Group Manager, Transport and Planning Policy, be given delegated authority to alter the programme, in consultation with the Cabinet Member for Transport, following consultation, and as may prove necessary during 2012/13 within the overall approved capital budget allocation.

66 TREASURY MANAGEMENT STRATEGY STATEMENT AND ANNUAL INVESTMENT STRATEGY 2012/13

The Council considered a report which fulfils the Council's legal obligation under the Local Government Act 2003 to have regard to both the CIPFA Code and the CLG Guidance in approving the Treasury Management Strategy Statement and the Investment Strategy.

The report had also been scrutinised by the Corporate Audit Committee (7th February 2012) and the Cabinet (8th February 2012).

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

RESOLVED to agree that

1. The actions proposed within the Treasury Management Strategy Statement (Appendix 1 of the report) be approved;
2. The Investment Strategy, as detailed in Appendix 2 of the report, be approved;
3. The changes to the authorised lending lists, detailed in Appendix 2 and highlighted in Appendix 3 to the report, be approved;
4. CIPFA's revised Code of Practice on Treasury Management, as detailed in paragraph 5.5 of the report, be adopted; and
5. The revised Treasury Management Policy Statement, as detailed in Appendix 4 to the report, be approved.

67 ANNOUNCEMENT OF CHAIR(MAN) DESIGNATE FOR 2012/13

This report allows Council to indicate which Councillor is likely to take over as Chair(man) from the Annual General meeting in May. This allows advance planning of the Chair(man)'s diary but will still require a formal election to take place at the May meeting.

On a motion from Councillor John Bull, seconded by Councillor Paul Crossley, it was

RESOLVED that Councillor Rob Appleyard be named as Chair(man) Designate for the 2012/13 Council year and Councillor Neil Butters be named as Vice-Chair(man) Designate for the 2012/13 Council year.

68 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS

There were none.

The meeting ended at 9.20 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

BATH AND NORTH EAST SOMERSET COUNCIL

MINUTES OF COUNCIL MEETING

Wednesday, 28th March, 2012

Present:- **Councillors** Simon Allen, Patrick Anketell-Jones, Rob Appleyard, Colin Barrett, Gabriel Batt, Cherry Beath, David Bellotti, Sarah Bevan, Mathew Blankley, Lisa Brett, John Bull, Neil Butters, Anthony Clarke, Paul Crossley, Gerry Curran, Sally Davis, Douglas Deacon, Peter Edwards, Michael Evans, Andrew Furse, Charles Gerrish, Ian Gilchrist, Francine Haerberling, Katie Hall, Liz Hardman, Nathan Hartley, Steve Hedges, Eleanor Jackson, Dave Laming, Malcolm Lees, Marie Longstaff, Barry Macrae, David Martin, Loraine Morgan-Brinkhurst MBE, Robin Moss, Paul Myers, Bryan Organ, June Player, Vic Pritchard, Manda Rigby, Caroline Roberts, Nigel Roberts, Dine Romero, Will Sandry, Brian Simmons, Kate Simmons, Jeremy Sparks, Ben Stevens, Roger Symonds, Martin Veal, David Veale, Tim Warren, Chris Watt and Brian Webber

Apologies for absence: **Councillors** Sharon Ball, Tim Ball, Bryan Chalker, Nicholas Coombes, David Dixon, Paul Fox, Alan Hale, Malcolm Hanney, Les Kew, Douglas Nicol and Geoff Ward

69 EMERGENCY EVACUATION PROCEDURE

The Chair(person) drew attention to the emergency evacuation procedure as set out on the agenda.

70 DECLARATIONS OF INTEREST

There were no declarations of interest made.

71 ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE

The Chairman proposed to defer the consideration of the minutes of the last meeting until May Council. This was accepted.

The Chairman announced that the Chief Executive had given his apologies for this meeting due to needing to represent the Council at a Central Government event in Downing Street.

The Chairman asked everyone to turn their mobile phones to off/silent.

72 MINUTES - 14TH FEBRUARY 2012

This item was deferred.

73 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There were no items of urgent business.

74 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE

PUBLIC

Statements were made by the following people;

- George Bailey, on behalf of the South West Transport network. The statement was referred for consideration to the Cabinet Member for Transport. [A copy of the statement is available on the Council's minute book.]
- Amanda Leon, on behalf of Radstock Action group. The statement was referred for consideration to Councillor Paul Crossley. [A copy of the statement is available on the Council's minute book.]

75 APPOINTMENT OF CHIEF EXECUTIVE AND DESIGNATION AS HEAD OF PAID SERVICE

The Council considered a report seeking approval of the appointment of Dr Jo Farrar as the new Chief Executive and designation of the post holder as Head of Paid Service.

Group Leaders welcomed the appointment and commended the inclusive recruitment process which had been undertaken to lead to Dr Farrar's appointment. Members commended the quality of the candidates and looked forward to Dr Farrar bringing her strong skills and experience to the role.

On a motion from Councillor Paul Crossley, seconded by Councillor Francine Haeberling, it was

RESOLVED

1. To agree the appointment of Chief Executive be offered to Jo Farrar on a spot salary of £150,000 pa within the approved range subject to;
 - a. Satisfactory completion of necessary checks and in accordance with other advertised terms and conditions;
2. To agree the designation of the postholder as Head of Paid Service under Section 4 of the Local Government & Housing Act 1989; and
3. To note that Councillor Crossley, Leader of the Council, in consultation with Members of the Restructuring Implementation Committee, has agreed a start date of 1st August 2012.

76 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS

There were no items from Councillors.

The meeting ended at 6.50 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

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Bath & North East Somerset Council	
MEETING:	Council
MEETING DATE:	10 th May 2012
TITLE:	Appointment of Committees and Panels and other Annual Business
WARD:	ALL
AN OPEN PUBLIC ITEM	
<p>List of attachments to this report:</p> <p>Appendix 1 - Current political proportionality and committee chairing arrangements</p> <p>Appendix 2 - Terms of Reference of Panels, Committees and other bodies in the Council's Constitution</p> <p>Appendix 3 – Terms of Reference for Shadow Health & Wellbeing Board</p> <p>Appendix 4 – Minutes of Council September 2011 concerning the new Standards regime</p>	

1 THE ISSUE

1.1 This report invites the Council to consider its non-executive and regulatory Committee arrangements for the Council Year May 2012 to May 2013 and associated annual business.

2 RECOMMENDATION

Council is asked to:

- 2.1 Approve the structure for non-executive and regulatory decision making and Policy Development & Scrutiny working as set out in the Constitution and identified in its current form in this report at Appendix 2;
- 2.2 Note the current political proportionality as set out in Appendix 1 on the basis that there has been no change to the political composition of the Council since the proportionality was last reviewed in May 2011;
- 2.3 Appoint the Committees, Panels and other bodies as set out in Appendix 2 with the membership, terms of reference and delegated powers as set out in the Appendix;
- 2.4 Approve the addition of three new powers within the Public Rights of Way delegation scheme, as set out in section 12;

- 2.5 Approve the allocation of seats on the Committees and Panels as set out in Appendix 1, such seats to be filled in accordance with the nominations made by the political groups;
- 2.6 Appoint to chair each committee and panel those Councillors as may from time to time be nominated by the political group to whom the chairmanship of the body is allocated (current arrangements are as set out in Appendix 1);
- 2.7 Authorise the Monitoring Officer to fill any casual vacancies in membership of all the bodies constituted and vacancy in the office of Chair of such bodies in accordance with the wishes of the political groups;
- 2.8 Determine the bodies on which the independent members are to have seats as either voting or non-voting members and appoint such members accordingly (current arrangements are set out in Appendix 1);
- 2.9 Authorise the Monitoring Officer, in consultation with the Chairs of the Policy Development & Scrutiny Panels, to constitute and support any required Panel joint working as outlined in paragraph 6.1;
- 2.10 Approve the addition of the Crime & Disorder Reduction Strategy and the Health & Wellbeing Strategy into the Council's Policy & Budget framework, as set out in section 13;
- 2.11 Appoint Councillors to be Member Champions for the interests identified in Section 8 or such other interest areas as may be decided by the meeting;
- 2.12 Consider any recommendations arising from the Standards Committee meeting on 26th April 2012 (section 9 refers);
- 2.13 Note the calendar of meeting dates that has been prepared up to May 2015 which is available on the Council's website;
- 2.14 Authorise the Monitoring Officer, in consultation with Group Leaders, to make appointments on such outside bodies as are for the Council (rather than Cabinet) such to fill;
- 2.15 Authorise the Monitoring Officer to make and publicise any amendment to the Council's Constitution required, or take any other necessary action, as a result of decisions taken at this meeting on this and other reports within the agenda, or otherwise as required by law;
- 2.16 Note the arrangements for the conduct of Cabinet business as set out in section 14; and
- 2.17 Note the agreed Terms of Reference for the Shadow Health & Wellbeing Board as determined by the Leader at Appendix 3 and consider whether it wishes to offer any comment.

3 FINANCIAL IMPLICATIONS

3.1 None.

4 CORPORATE OBJECTIVES

4.1 Collectively, the business of the Committees, Panels and partnership bodies contributes to developing all of the Council's corporate priorities;

- *Promoting independence and positive lives for everyone*
- *Creating neighbourhoods where people are proud to live*
- *Building a stronger economy*

5 APPOINTMENT OF COMMITTEES AND PANELS AND THEIR CHAIRS AND MEMBERS

5.1 The Council's Constitution sets out the approved executive, non-executive and regulatory decision making structure and the Council's overview and scrutiny arrangements (known as Policy Development & Scrutiny). The size, terms of reference and delegated powers of those bodies are set out in the Constitution and attached as Appendix 2 to this report. Appendix 1 to this report lists the relevant Committees etc, the present allocation of seats to political groups in accordance with the agreed political proportionality and the approved nomination rights for chairing those bodies.

5.2 Nominations are invited from the political groups for the appointment by the Council of Members to the bodies listed in Appendix 1 and for the Chairs of the Policy Development and Scrutiny Panels and the regulatory, non-executive committees (excluding the Standards Committee).

6 ARRANGEMENTS CONCERNING OVERVIEW AND SCRUTINY BUSINESS

6.1 The trend towards collective scrutiny by West of England Councils and participation in a wider range of scrutiny activity on a regional basis is likely to continue. For this reason, it is proposed that any Panel should be able to participate in informal joint working with other Councils when it is expedient and cost-effective for there to be a collective approach.

7 PROPORTIONALITY

7.1 The law gives detailed guidance on the principles to be applied in calculating the allocation of seats on Committees and Sub Committees but the basic principles are:-

- a) not all the seats on the body shall be allocated to one particular party;
- b) the majority of the seats on the body shall be allocated to a particular political group if the number of persons belonging to that group is a majority of the Authority's membership;
- c) Subject to paragraphs (a) and (b) above, the number of seats on the ordinary Committees of the Authority which are allocated to a political group shall bear the same proportion to the total of all the seats on the ordinary Committees of that Authority as is borne by the number of members of that group to the membership of that Authority;

- d) subject to paragraphs (a) to (c) above, the number of seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the Authority.

7.2 Notwithstanding (a) to (d) above the Act does not restrict the ability of the Council, or Committees where they are authorised by the Council, to decide on the size and number of seats on Committees and Sub Committees, and to make the actual appointments. A Committee or Sub Committee must, however comprise at least two voting members.

The law also deals with the allocation of committee places to members who do not belong to any political group. It indicates that, where there are members of the Council who do not belong to a political group, a proportion of seats on each body to which appointments are made, equal to the proportion of authority members who do not belong to a political group, will be allocated to the Member(s) concerned. Thus, if there were sixty five seats on Committee/Panels and two independent members, two seats would be available to them. Council will decide which of the available seats will be so allocated and to whom and a provisional allocation is included in Appendix 1.

8 MEMBER CHAMPIONS

8.1 The Council currently appoints 9 Member champions to the following roles; Heritage/Historic Environment, Member Development, Energy/Climate Change, Human Rights, The River, Cycling, Small Businesses, Graduate Retention & Apprenticeships, Vulnerable People, and Regulatory Services.

9 STANDARDS REGIME/NEW CODE OF CONDUCT

9.1 Appendix 4 (attached) contains the view taken by Council at its September meeting.

9.2 The Standards Committee met on the 26th April and their views will be included in an update report. The matters that will require the decision of Council are the establishment of Committee arrangements (including terms of reference and membership) and, in due course, the content of a Code of Conduct.

9.3 It is not possible at this stage to adopt a Code as the Code must contain provisions that will be specified in Regulations that have not, at the time of writing the report, been issued by Government.

10 HEALTH & WELLBEING BOARD GOVERNANCE ARRANGEMENTS

10.1 Under the provisions of the Health and Social Care Act 2012, the Council is required to establish a Health & Wellbeing Board by April 2013. Interim 'shadow' arrangements have been devised and the Council is invited to comment on the interim arrangement as set out in Appendix 4.

11 AVAILABLE METHODS OF GOVERNANCE

11.1 The Localism Act 2011 offers Councils such as Bath and North East Somerset the opportunity to adopt a committee system of government rather than its current arrangements. Any such change can only be made at an annual meeting of the Council and takes effect from either that date or the next

AGM. Practice elsewhere has been for an 'in principle' decision to be taken followed by a detailed report on the steps necessary to implement such a change if a Council is minded to proceed thus.

12 PUBLIC RIGHTS OF WAY DELEGATION SCHEME

12.1 An amendment is sought to the Regulatory Access Committee's Terms of Reference and Public Rights of Way delegation scheme to include three new powers as set out below;

- a) The power to discharge, and acquire from other authorities, functions relating to Definitive Map Modification Orders and Public Path Orders (section 101 of the Local Government Act 1972)
- b) The power to enter into agreements relating to compensation and the execution of works on a public right of way (sections 119(5) and 278 of the Highways Act 1980)
- c) The power to enter into Parish Agency Agreements for the clearance of vegetation on public rights of way within specific parishes

12.2 These powers would be delegated to the Team Leader, Highway Maintenance and the Senior Rights of Way Officer in line with the remainder of the scheme.

13 POLICY & BUDGET FRAMEWORK

13.1 The Crime and Disorder Reduction strategy and the Health & Wellbeing Strategy need to be included in the list of plans and strategies that form the Council's Policy & Budget framework. This framework specifies which major policies require the approval of full Council before their implementation is passed to Cabinet.

14 CABINET WORKING

14.1 Council is reminded that the arrangements for the discharge of executive (Cabinet) functions are the sole responsibility of the Leader of Council. The arrangements he has approved are incorporated within the Council's Constitution.

15 APPOINTMENTS ON OUTSIDE BODIES

15.1 Currently, appointments are made by full Council (through delegation to the Monitoring Officer in consultation with nominated members) for Council functions and the Leader for Cabinet ones.

15.2 Council is asked to approve the delegations outlined in paragraph 15.1 for Council functions and note that a full list of appointments is published on the Council's website.

16 RISK MANAGEMENT

16.1 No risk assessment related to the issue and recommendations has been undertaken as the Council needs to put in place the arrangements contained in this report.

17 EQUALITIES

17.1 Equalities Impact Assessments have been carried out on the Access to the Democratic process and the Scrutiny function and are available for public inspection.

18 ADVICE SOUGHT AND CONSULTATION

18.1 The Council's Chief Executive, 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.

18.2 Group Leaders have been consulted on relevant aspects of this report.

Contact person	Jo Morrison, Democratic Services Manager
Background papers	The Council's Constitution
Please contact the report author if you need to access this report in an alternative format	

PROPORTIONALITY AS AT MAY 2012

Compulsory cumulative proportionality	# on Cttee	Conservative (C) 29 = 44.6%	Liberal Democrats (LD) 29 = 44.6%	Labour (LAB) 5 = 7.7%	Independent (I) 2 = 3.1%	Chair Allocation	Vice Chair Allocation	Co-opted members
Proportionality:	77	35	34	6	2			
Housing & Major Projects PD&S	7	3	3	1		LAB	LD	
Economic & Community Development PD&S	7	3	3	1		LAB	LD	
Resources PD&S	7	4	2	1		LAB	LD	
Wellbeing PD&S	10	4	4	1	1	C	LD	
Early Years, Children and Youth PD&S	7	3	3	1		C	LD	4
Planning, Transport & Environment PD&S	7	3	4			C	LD	
Development Control	12	5	6	1		LD		
Regulatory access	5	2	2		1	IND		
Corporate Audit	7	4	3			LD		1
Penalties	5	2	3			LD		7 voting, 4 non voting
Employment Committee	3	2	1			C		
TOTALS	77	35	34	6	2			
Compulsory individual proportionality								
Gambling and Licensing Sub-Committee	3	1	2			LD		
Taxis, Street Trading and Misc.Licensing Sub Committee	3	2	1			LD		
Investment panel	3	2	1			C		3
Optional proportionality								
Standards Committee	3	1	1	1		--		6
Licensing Committee	12	5	5	1	1	LD		

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TERMS OF REFERENCE

Policy Development and Scrutiny Panels - General Terms of Reference

Role of Overview and Scrutiny¹ Panels

Overview and Scrutiny Panels allow citizens to have a greater say in Council matters by holding public inquiries into some matters of local concern. These lead to reports and recommendations to the Cabinet and the Council as a whole on its policies, budget and service delivery.

Overview and scrutiny bodies also monitor the decisions of the Cabinet and other executive persons/bodies. They may of their own volition, or be asked to, ‘call-in’ a decision which has been made by the Cabinet but not yet implemented. The “call-in” rules and procedure are set out in Part 4D-1 of this Constitution.

Overview and Scrutiny bodies may also be consulted by the Cabinet or by the Council on forthcoming decisions and on the development of policy.

The proceedings of all overview and scrutiny bodies will be conducted in accordance with the Overview and Scrutiny Procedure Rules set out in this Constitution.

Within their allocated remits, each Panel

- (i) has broad-based responsibility for Overview and Scrutiny in its particular area of responsibility, in line with the Council's objectives
- (ii) scrutinises Performance Management information for the allocated performance areas on a scheduled basis and advises the Cabinet accordingly
- (iii) receives and carries out work as allocated, including
 - (a) determination of Call-Ins of executive decisions made but not yet implemented,
 - (b) carrying-out of in-depth reviews, as set out in their Overview and Scrutiny Work Plan
 - (c) undertaking scrutiny of particular Key Decisions and other aspects of Cabinet activity
 - (d) offering overview advice and reports of policy development issues
 - (e) evaluating the impact of Council and Cabinet decisions and policies
 - (f) undertaking scrutiny of agreed Action Plans and Policies, to ensure compliance (including those required by the District Auditor)
 - (g) reviewing and/or scrutinising decisions made or actions taken in connection with the discharge of any of the Council’s functions;
 - (h) dealing with any relevant Councillor Call for Action

¹ Overview and Scrutiny is the legal and generic term for the function carried out by Policy Development and Scrutiny Panels

- (i) carries out its roles within the Council's petition scheme.
- (iv) may send communications and reports directly to other Overview and Scrutiny Panels, Cabinet and Council, and provide them to any member of the Council, subject to provisions regarding confidential and exempt information;
- (v) may invite persons to be co-opted non-voting members (excepting those statutory co-optees with voting rights)
- (vi) may invite participants to give evidence, either verbally or in writing, on any issue contained within their Overview and Scrutiny Work Plan, giving a minimum of two weeks notice unless mutually agreed otherwise
- (viii) may require officers of the Council and members of the Cabinet to attend to give evidence, subject to the provisions of the Overview and Scrutiny Procedural Rules
- (ix) may form discretionary joint bodies with other Councils for the purpose of enabling joint scrutiny of bodies/activities beyond the remit of Bath and North East Somerset, without delegation of any responsibilities or powers

All Overview and Scrutiny Panels may also:

- **on scrutiny issues**

- i) review and scrutinise the decisions made by and performance of the Cabinet and Council Officers both in relation to individual decisions and over a period of time;
- ii) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- iii) question members of the Cabinet and Officers about their decisions and performance*, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects (*this does not relate to the performance review ("appraisal") process which is a staff managerial responsibility);
- iv) make recommendations to the Cabinet arising from the outcome of the scrutiny process;
- v) invite any person to give evidence and answer questions (subject to the Overview and Procedure Rules)

- **on overview issues**

- (i) assist the Council and the Cabinet in the development of its budget and policy framework by in-depth analysis of policy issues
- (ii) conduct research, community and other consultation in the analysis of policy issues and development of possible options for the future
- (iii) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
- (iv) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.

- (v) carry out in-depth reviews of key local issues, subject to the provisions of the Overview and Scrutiny Work Plan.
- (vi) request reports from Officers and Cabinet Members.

Meeting Frequency:

Panels will determine their own frequency relevant to the requirements of the Overview and Scrutiny Work Plan, and within resources allocated to them.

Policy Development and Scrutiny Panel Remits

HOUSING AND MAJOR PROJECTS

Panel remit is –

- Housing, Housing delivery and travellers
- Housing choices for vulnerable people
- Projects (Development and Major Projects)
- West of England Partnership

Membership: 3 Conservative Members; 3 Liberal Democrat Members; 1 Labour Member

Chair is nominee of Labour Group, Vice Chair is nominee of Liberal Democrat Group

RESOURCES

Panel remit is –

- Revenues & Benefits and Council Connect
- Risk and assurance
- Property
- Finance
- Improvement and performance; Legal and democratic services
- Policy and partnerships
- Change Programme
- Public Sector Partnerships

Membership: 4 Conservative Members; 2 Liberal Democrat Members and 1 Labour Member

Chair is nominee of Labour Group, Vice Chair is nominee of Liberal Democrat Group

EARLY YEARS, CHILDREN AND YOUTH

(Designated Curriculum Complaints Panel)

(Designated Panel for determining appeals for transport to school/college for post 16 Learners with learning difficulties and/or disabilities)

Panel remit is –

- Learning and inclusion
- Children, young people and family support

- Safeguarding children
- Primary, secondary and further education
- Improving environment and opportunities for disadvantaged teenagers
- Corporate Parenting, including transition of vulnerable/looked after children to Adult care
- Health, commissioning and planning (Children)²

Membership: 3 Conservative Members, 3 Liberal Democrat Members, 1 Labour Member

Chair is nominee of Conservative Group, Vice Chair is nominee of Liberal Democrat Group

PLANNING TRANSPORT AND ENVIRONMENT

(Designated Flood Risk Management scrutiny Panel)

Panel remit is –

- Planning
- Transport Development (transport planning/policy, major transport infrastructure)
- Major Transport Schemes
- Highways, Parking and Transport
- Environmental Services
- Natural Environment/Green Infrastructure

Membership: 3 Conservative Members and 4 Liberal Democrat Members

Chair is nominee of Conservative Group, Vice Chair is nominee of Liberal Democrat Group

ECONOMIC AND COMMUNITY DEVELOPMENT

(Statutory Crime and Disorder Panel)

Panel remit is –

- Economic Enterprise and Business Development
- Tourism (Heritage Services, Destination Management, Arts & Festivals including the film office)
- World Heritage Management
- Community Safety
- Leisure and Culture (Sport & Active Lifestyles, Libraries)
- Big Society/3rd Sector Funding Initiatives
- Improve the quality of life of the communities (older people and of children, young people and families) at risk and narrow the gap between the worst performing wards / neighbourhoods and other areas across the district.

Membership: 3 Conservative Members, 3 Liberal Democrat Members and 1 Labour Member

Chair is nominee of Labour Group, Vice Chair is nominee of Liberal Democrat Group

In addition to General Terms of Reference

Further to the Police and Justice Act 2006 (and associated regulations), the designated

² When relevant, issues will also be referred to the Wellbeing Panel

Crime and Disorder Panel in relation to responsible authorities (or co-operating bodies or persons) may

- a. review the decisions and performance at least once per year;
- b. with reasonable notice, require the attendance of an officer or employee to answer questions;
- c. require a response in writing to reports and recommendations of the Panel within 28 days, or as soon as reasonably possible

WELLBEING

(Designated Panel for statutory health scrutiny)

Panel remit is –

- Adult health and social care
- Public Health (Improving health and reducing health inequalities)
- Health Scrutiny
- LINK
- *[When relevant - Health, commissioning and planning (Children)].³*

Health Scrutiny - The Health and Social Care Act 2001 requires local authorities with social services responsibilities to have in place arrangements to scrutinise health services. Councillors on the Wellbeing Panel therefore have a role, as representatives of the public, to hold to account local Health organisations when they are making big decisions about the future of health care provision in Bath & North East Somerset.

Membership: 4 Conservative Members, 4 Liberal Democrat Members; 1 Labour Member, 1 Independent Member

Chair is nominee of Conservative Group, Vice Chair is nominee of Liberal Democrat Group

In Addition to General Terms of Reference

Further to the Local Government and Public Involvement in Health Act 2007 (and associated regulations), the designated Health Scrutiny Panel may

- a. receive referrals from the Local Involvement Network (LINK) relating to the Council's social care services and acknowledge receipt,
- b. decide which if any of its powers are exercisable in relation to the matter and whether to exercise them, and
- c. keep the referrer informed of the panel's actions and decisions in relation to the matter.

HEALTH SCRUTINY: Background

Local Authorities with social services powers are required to ensure that their overview and scrutiny function has the power to scrutinise the planning, provision and operation of health services. This power relates to reviewing, scrutinising and reporting on NHS

³ Principal responsibility rests with Early Years, Children and Youth Panel – Wellbeing Panel to be involved when relevant

services and institutions, and helps the Council build on existing health partnerships and other work to tackle causes of ill-health and health inequalities.

The power does not relate to private health services and providers. Councils are not responsible for performance managing the NHS. In exercising this power, the designated health overview and scrutiny panel (Wellbeing Policy Development and Scrutiny Panel) will report in its own right, not on behalf of the Council.

Provisions of the Health Scrutiny Regulations

- The council's overview and scrutiny body can scrutinise any Strategic Health Authority, Primary Care Trust or NHS body that provides services for people in the council's area.
- Local NHS bodies must provide any information the council reasonably requires (excluding information about individuals), and NHS staff can be required to attend and provide information.
- Scrutiny reports can be made to the council and to NHS bodies. If requested, the NHS body must respond within 28 days.
- NHS bodies must consult the overview and scrutiny committee of the council about proposals for substantial development or variation of NHS services in the area. The overview and scrutiny committee can refer the matter to the Secretary of State for Health, if the local authority is not satisfied of the merits for change or if it considers there has been inadequate consultation on the proposals.
- Councils can set up joint health scrutiny committees with one or more other councils. Councils can delegate aspects of this role to another council's overview and scrutiny body.
- County councils can co-opt neighbouring authority council members onto their scrutiny committees dealing with health scrutiny, either for an indefinite time or for a particular project.

Reporting Arrangements

Following any health overview & scrutiny topic undertaken, the Panel will make a report with recommendations to NHS bodies and B&NES Council. Such reports will also be copied to key stakeholders including local MPs and the Strategic Health Authority.

JOINT HEALTH SCRUTINY COMMITTEE

Working across Local Authority Boundaries

Some health issues will be specific to the B&NES area whilst others (e.g. performance of large hospitals or regional health services with a wide catchment area) will extend beyond the B&NES local authority boundaries. In such cases, B&NES will adopt the following approach:

Protocols for a Joint Health Scrutiny Committee for cross-boundary overview and scrutiny of health issues and institutions have been established with the other Councils in the former Avon area (as agreed at Council November 2003).

Membership

The membership of each Joint Health Scrutiny Committee should be made up of not more than 3 Councillors from each Council participating in the review(s) being undertaken by that Committee.

The requirement to observe political proportionality in making appointments to these Joint Committees has been waived by all four Councils so as to give each Council maximum flexibility in making its appointments.

The three B&NES Councillors participating in the Joint Health Scrutiny will be agreed by the Panel designated as the health overview and scrutiny panel, as and when it is agreed to participate in a Joint Health Scrutiny Committee.

It is intended that these arrangements form the basis for constituting Joint Health Overview and Scrutiny Committees with other neighbouring local authorities e.g. Somerset or Wiltshire County Councils.

Terms of Reference

- 1) Where more than one local authority is consulted by a local NHS body in respect of any proposal that it has under consideration for the substantial development of the health service or the substantial variation of such service, to review and scrutinise such proposal jointly with any other local authority so consulted.
- 2) Where more than one local authority has an interest in the planning, provision and operation of health services which cross-geographical boundaries, to review and scrutinise any such matters jointly with any such other local authority.
- 3) To require the local NHS body to provide information about the proposal under consideration and where appropriate to require the attendance of a representative of the NHS body to answer such questions as appear to it to be necessary for the discharge of its function in connection with the consultation.
- 4) To prepare a report to the health body and the participating local authorities, setting out any comments and recommendations on any matter reviewed or scrutinised.
- 5) To report to the Secretary of State in writing where it is not satisfied that consultation on any proposal referred to in paragraph (1) has been adequate in relation to the content or time allowed.
- 6) To report to the Secretary of State in writing in any case where it considers that the proposal would not be in the interests of the health service in the area of the joint committees participating local authorities.

Health Services located within B&NES

E.g. Royal United Hospital (RUH), Bath.

B&NES Council will take the lead on any health overview & scrutiny activities based in its area and invite participation from neighbouring authorities that have an interest. Neighbouring authorities may provide a Member of their council for co-opted membership.

Health Services located elsewhere but used by B&NES residents

E.g. Bristol Royal Infirmary (BRI)

B&NES Council would expect that a 'host' local authority would take the lead on a major issue within its area, given that they are likely to have the majority of residents affected by the service. In such cases, B&NES could seek to have representative(s) from the health overview and scrutiny panel co-opted (on a reciprocal agreement, as above) to the host authority's own Health Overview & Scrutiny arrangements so that it may contribute and represent B&NES residents on the specific topic.

A Member of the B&NES Wellbeing Policy Development and Scrutiny Panel would attend such joint meetings, as are relevant, and report back to the rest of the Panel at B&NES' own Health Overview & Scrutiny meetings.

LOCAL ENTERPRISE PARTNERSHIP (LEP) OVERVIEW & SCRUTINY COMMITTEE

(For participation in the 4xUnitary Authority Joint Scrutiny Committee; no standing Chair)

Membership: 1 Liberal Democrat Member; 1 Conservative Member; 1 Labour Member

Background

The West of England Partnership comprised the 4 Councils that were previously Avon (Bristol, Bath and North East Somerset, South Gloucestershire, North Somerset), in order to jointly progress key infrastructure projects and funding bids. In 2011, this was changed to the statutorily based Local Enterprise Partnership.

There are no statutory powers to establish a joint overview and scrutiny committee, therefore each of the four Councils established their own politically balanced scrutiny body (September 2008) comprising three non-executive Councillors.

These meet together in public session, known as the Local Enterprise Overview and Scrutiny Committee. They may also meet individually in their own right and as and when necessary to consider their authority's position on a particular issue.

Each Council's scrutiny body comprises 3 members. Political makeup of each is at the discretion of each Council. Substitute members may be appointed where a designated member is unable to attend.

Bath and North East Somerset Council's Local Enterprise Partnership Overview and Scrutiny Panel

This comprises 3 non-executive Councillors with the politically proportionate balance of 1:1:1, being allocations for Liberal Democrat; Conservative; Labour. Each Group will also nominate a reserve Councillor. Substitutes to be allowed. For the avoidance of doubt, a substitute takes the place of the committee member for the entire meeting.

Reporting Arrangements

Members of the Bath and North East Somerset Local Enterprise Partnership Overview and Scrutiny Committee may be requested to provide a briefing to a B&NES Panel Chair, or to attend Panel with a related remit, to discuss the activities of the Local Enterprise Partnership Overview and Scrutiny Panel and Joint Scrutiny Committee.

Terms of Reference

3 members nominated to a West of England Scrutiny Committee by each authority, the West of England Joint Scrutiny Committee being the 4 Joint Scrutiny Committees meeting together to conduct business relating to the LEP.

The Committee shall be concerned with the aspects of the Local Enterprise Partnership that relate to public funding and resources. Within the LEP structure the Committee shall:

1. scrutinise any relevant proposals from the Joint Transport Executive Committee, Planning Housing and Communities Board and the Stakeholder Group in relation to the activities outlined in their terms of reference;
2. scrutinise other relevant proposals related to public funding and resources made from the Local Enterprise Partnership Board and the Skills Sub-Group;
3. review actions taken and decisions made by these bodies related to public funding and resources;
4. make reports or recommendations to these bodies, as appropriate and/or the constituent authorities' respective Overview and Scrutiny Committees or equivalent.
5. scrutinise the activities of private sector companies, recognising that the private sector is not under the same obligation to appear in public or have regard to recommendations made by a Scrutiny committee in the same way that public service providers are required to do so.

[NB : for the most part this Committee will hold its meetings "jointly" with the equivalent scrutiny committees of the 3 partner authorities].

As a general rule (taking account of the limited resources available), sub groups will only be contemplated where absolutely necessary and should be of a task and finish variety.

Where scrutiny is focussing on the activities of the Local Economic Partnership and/or executive committees/bodies, only those authorities involved in or affected by the executive committee activity should be involved in the scrutiny.

Work Programme

A work programme will be developed for approval by the Joint Scrutiny Committee

Chair/Vice Chair

The Chair and Vice Chair of the Committee will be agreed at the annual meeting.

Expert Witnesses

It shall be for the Joint Committee to decide whether expert witnesses are necessary. Expert witnesses will only be sought where it is clear that there is a significant gap in the expertise which is readily available to the committee. Expert witnesses can only be appointed in an advisory capacity and do not have voting rights.

Quorum and Voting Arrangements

As the Joint Scrutiny Committee is a combined meeting of the LEP scrutiny bodies of the 4 unitary authorities, a “quorum” will require that a minimum of 2 representatives per authority attend the meeting. In the event of one or more of the component scrutiny bodies not being quorate, a combined meeting may still take place but the minutes should indicate which scrutiny bodies were quorate and which were not.

Voting - meetings will aim for consensus. In the event of members considering it necessary to have a formal vote on a matter before them then each component authority's scrutiny body will vote separately, and the outcomes will be recorded in the minutes.

The Chair of the Joint Scrutiny Committee will not have a casting vote.

Where the Joint Scrutiny Committee is responding to consultation on proposals by a LEP executive committee/body, then the scrutiny report will make clear the outcome of any voting which took place.

Meeting Frequency:

The Committee will determine their own frequency relevant to the requirements of the Overview and Scrutiny Work Plan, and within resources allocated to them.

AVON PENSION FUND COMMITTEE

Functions and Duties

To discharge the responsibilities of Bath and North East Somerset Council in its role as the administering authority of the Avon Pension Fund. These include determination of investment policy objectives, ensuring appropriate investment management arrangements are in place including the appointment of investment managers and monitoring investment performance; commissioning actuarial valuations in accordance with the provisions of the Local Government Pension Scheme Regulations; considering requests from organisations wishing to join the Fund as admitted bodies; making representations to Government as appropriate concerning any proposed changes to the Local Government Pension Scheme; and all aspects of benefit administration. At all times, the committee must discharge its responsibility in the best interest of the Avon Pension Fund.

Membership

Voting Members (12)

5 Elected Members of Bath and North East Somerset Council in the political proportion of; 2 Conservative Members and 3 Liberal Democrat Members (with a Liberal Democrat Group nominee chairing the Committee).

2 Co-opted Independent Voting Members appointed following a competitive selection process.

3 Unitary Authority Elected Voting Members appointed by the Councils of Bristol City, North Somerset and South Gloucestershire

1 Voting representative appointed by the Higher and Further Education Institutions contributing to the Avon Pension Fund

1 Voting representative appointed by the Trade Unions representing employees contributing to the Avon Pension Fund

Non-Voting Members (4)

1 non-voting representative appointed by the Parish Councils in the former Avon area

3 non-voting representatives appointed by the Trade Unions representing employees contributing to the Avon Pension Fund

[An allowance to be paid to the independent voting members of the Avon Pension Fund Committee]

Meetings

Meetings will be held at least quarterly. Meetings will be held in public, though the public may be excluded from individual items of business in accordance with the usual exemption procedures.

Quorum

The quorum of the Committee shall be 3 voting members.

Substitution

Named substitutes to the Committee are allowed.

AVON PENSION FUND COMMITTEE - INVESTMENT PANEL

1. Functions and Purpose

1.1. The role of the Avon Pension Fund Committee (APFC) Investment Panel shall be to consider, in greater detail than the APFC is able, matters relating to the management and investment of the assets of the Avon Pension Fund and to advise the APFC on such matters.

1.2. Among other things, the Panel shall:

- recommend strategic investment objectives, policy and strategic asset allocation

- regularly review in detail and assess the performance of the investment managers, investment advisors, custodian and actuary
- recommend appointment and termination of investment managers and professional service providers as required
- review the Statement of Investment Principles and submit to APFC for approval
- make recommendations to the APFC on matters relating to investment strategy and management as the Panel considers appropriate. This will include issues of a more urgent nature, where the view of the Panel would be taken into consideration. (The section 151 Officer has delegated powers regarding urgent actions, and these would be exercised having consulted the Chair of the Panel).
- review any legislative changes which have implications for investment governance and make recommendations to the APFC as appropriate

1.3. The Panel has no delegated powers, but can only make recommendations to the APFC.

2. Membership

2.1. The Panel shall comprise a maximum of 6 voting Members of the APFC, 3 of whom shall be Bath and North East Somerset Councillors in the political proportion of 2 Conservative Members, 1 Liberal Democrat Member (with a Conservative Group nominee chairing the Panel). The membership shall include the Chairman of the APFC and /or the Vice- Chair and 4 other Members (or 5 if the Vice-Chairperson is not a member of the Panel). The appointment of Bath and North East Somerset Councillors to the Panel is subject to the rules of political proportionality of the Council.

2.2. Members shall be appointed to the Panel for a term of one year.

3. Meetings

3.1. Though called a "Panel", it is an ordinary sub-committee of the APFC. Accordingly, meetings must be held in public, though the public may be excluded from individual items of business in accordance with the usual exemption procedures.

3.2. The Panel shall meet at least quarterly ahead of the APFC meeting on dates agreed by Members of the Panel.

4. Quorum

4.1. The quorum of the Panel shall comprise 3 Members, who shall include at least one Member who is not a Bath & North East Somerset Councillor.

5. Substitution

5.1. Substitutes for the Panel must be members of APFC or their named APFC substitute.

6. Minutes

- 6.1. Minutes of Panel meetings (whether or not approved by the Panel) shall appear as an item on the next agenda of the meeting of the APFC that follows a meeting of the Panel.

CORPORATE AUDIT COMMITTEE

Powers and Duties

The Council has delegated to this Committee its powers and duties relating to the following matters:

The Council delegates to the Corporate Audit Committee the following responsibilities:

1. To approve on behalf of the Council its Annual Accounts, as prepared in accordance with the statutory requirements and guidance.
2. To approve the External Auditors' Audit Plan and to monitor its delivery and effectiveness during the year.
3. To approve the Internal Audit Plan within the budget agreed by the Council and to monitor its delivery and effectiveness (including the implementation of audit recommendations).
4. To consider, prior to signature by the Leader of the Council and Chief Executive, the Annual Governance Statement (including the list of significant issues for action in the ensuing year), as prepared in accordance with the statutory requirements and guidance; and to monitor progress on the significant issues and actions identified in the Statement.
5. To review periodically the Council's risk management arrangements, make recommendations and monitor progress on improvements.
6. To review periodically the Council's key financial governance procedures, i.e. Financial Regulations, Contract Standing Orders, Anti-Fraud & Corruption Policy and to recommend any necessary amendments.
7. To consider the annual Audit & Inspection Letter from the External Auditor and to monitor progress on accepted recommendations.
8. To monitor and promote good corporate governance within the Council and in its dealings with partner bodies and contractors, including review of the Council's Code of Corporate Governance and in any such other ways as the Committee may consider expedient (within the budget agreed by the Council).
9. To consider and make recommendations of any other matters relating to corporate governance which are properly referred to the Committee or which come to its attention.
10. To make an annual report to Council on the work [and findings] of the Committee, including (if necessary) any measures necessary to improve the effectiveness of the Committee.

In all of the above, the Committee will, as appropriate, wish to develop effective liaison with the following:

- A. the Standards Committee of the Council with regard to matters of ethical governance;
- B. the relevant Policy Development and Scrutiny Panel(s) - to complement but not to duplicate the exercise of their legitimate role in checking compliance with Council processes and policies and in reviewing policies and practice;

C. relevant Cabinet Members, in particular the Leader and the Cabinet Member for Resources, whose portfolios include executive functions related to the matters covered by these terms of reference

D. the Council when developing the Council's Code of Corporate Governance

Membership

The membership of the Committee shall be 7 Councillors (Conservative 4; Liberal Democrat 3) plus one independent voting co-opted Member.

Chairing nomination rights are allocated to the Liberal Democrat Group.

Frequency of Meetings

The Committee will hold 4 meetings each Council year in the months of June/July, September/October, December/January and March/April. Additional meetings may be arranged to deal with the volume of business if required.

DEVELOPMENT CONTROL COMMITTEE

Functions

1. The Committee will exercise all the Council's powers and duties in respect of Development Control (subject to the scheme of delegation set out in the Constitution and the provisions of Section 7 below).

The Committee will act in accordance with the Local Plan and Local Development Framework elements of the Council's Policy Framework.

2. The Committee is granted delegated authority to establish Development Control working practices and protocols for operation on a District-wide basis by this and all other area-based committees.

In exercising the above powers and duties, the Committee may also:

a. establish such sub committees and working parties as are considered helpful in exercising the above functions.

b. delegate any of its functions to a sub committee and to delegate any of its non-policy making functions to Officers (see delegation scheme).

3. To monitor service delivery and service trends and to make recommendations.

4. To be a body of influence across its geographical area of responsibility and with the community in its area.

5. To engage in consultation with the community and specifically with other bodies which have an interest in the span of responsibility of this Committee.

6. To participate with others in joint initiatives on planning.

Limitation on delegation

7. The exercise of this delegated authority is subject to the Divisional Director, Planning & Transport Development, or the Development Manager in consultation with the Committee Chair being authorised, in exceptional circumstances, to refer any decision or determination of the Development Control Committee which is clearly contrary to policy and against officer advice, to a subsequent meeting of the Development Control Committee. When such a decision or determination is referred, it shall be of no effect until the Committee has fully reconsidered the matter in the

light of all the information originally before the Committee plus such additional information and advice as the Divisional Director, Planning & Transport Development or the Development Manager considers necessary. Further to such reconsideration, the Committee shall be entitled to make such decision or determination as it sees fit

Frequency

Monthly

Membership

12 Members in the political proportion – 6 Liberal Democrat, 5 Conservative and 1 Labour Member, chaired by a Liberal Democrat Member.

The quorum for this Committee shall be 7 Members.

EMPLOYMENT COMMITTEE

To exercise all powers and duties of the Council under section 112 of the Local Government Act, 1972 relating to its role as an employer, except those reserved to the Restructuring Implementation Committee.

To hear staff appeals requiring Member level involvement, under accepted national or Council schemes of conditions of service.

To conduct investigatory hearings requiring Member level involvement under accepted national or Council schemes of conditions of service.

To determine on behalf of the Council its powers and duties as an employer relating to pensions.

The Committee's Span of Responsibility

All matters relating to the role of the Council as an employer except those reserved to the Restructuring Implementation Committee.

All appeals or investigatory hearings requiring Member consideration including those relating to disciplinary, capability, grievance, and redundancy matters for all staff, including teachers.

Membership

The Committee when meeting to consider ordinary business, or as a hearing will comprise 3 Members in the political proportion 2 Conservative Members and 1 Liberal Democrat Member, chaired by a Conservative Member.

LICENSING COMMITTEE

Status of the Committee

The Licensing Committee shall be a statutory committee of the Council appointed to perform the discharge of the local authority's licensing functions, except the approval of

licensing policies, the setting up of a Committee and the resolution not to issue casino licences.

Licensing policies shall be the responsibility of the Cabinet Members for Neighbourhoods and Transportation except where there is a statutory requirement for Full Council to determine policies.

The setting up of a Licensing Committee shall be the responsibility of Full Council.

Membership of the Committee

The Committee shall comprise 12 elected members of the authority in the political group proportion (5 Cons: 5 Lib Dem: 1 Labour: 1 Independent), or such other proportion agreed by the Council from time to time.

The Solicitor to the Council shall be authorised, by the Council, to fill vacancies on this Committee in accordance with the nominations of the relevant political group which holds the nomination rights to the vacancy.

The Committee shall be chaired by a nominee of the Liberal Democrat Group.

The Council's objectives on Licensing

In exercising its functions the Committee will have regard to the Council's visions of:-

- Where everyone fulfils their potential
- With lively, active communities
- Unique places with beautiful surroundings

In addition, the Committee will have regard to the statutory licensing objectives under the Licensing Act 2003, i.e.

- the prevention of crime and disorder ;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

The Committee will also have regard to the statutory licensing objectives under the Gambling Act 2005, i.e.

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- ensuring that gambling is conducted in a fair and open way, and
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

In addition the Committee will, where applicable, have regard to –

- (a) the Council's Statement of Licensing Policy, published under section 5 of the Licensing Act 2003;

- (b) the Council's Statement of Principles published under section 349 of the Gambling Act 2005;
- (c) any other policy determined by Council or Cabinet;
- (d) any Codes of Practice and Guidance issued from time to time by the Secretary of State;
- (e) the Council's Corporate Plan and improvement priorities insofar as these do not conflict with statutory requirements which take precedence.

Powers and Duties of the Committee

1. At the request of the Council, to review the Council's licensing policies at any time within the statutory period under the Licensing Act 2003 and Gambling Act 2005 and to make recommendations to the Council for change, after the prescribed consultation has been completed.
2. To carry out all of the Council's licensing functions as covered in the Licensing Act 2003 and the Gambling Act 2005, excluding the making of licensing policies, the setting up of a Licensing Committee and the resolution not to issue casino licences (these being functions of the Council).
3. To determine individual licence applications which fall outside Officer delegations, or which are referred by Officers for Member attention, in relation to the issue and renewal of all registrations, licences, permits, consents etc in relation to the enactments listed below and all such other enactments as may fall within the remit of the Committee:

<i>Animal Boarding Establishments Act 1963</i>	<i>Local Government (Miscellaneous Provisions) Act 1976</i>
<i>Animal Welfare Act 2006</i>	<i>Local Government (Miscellaneous Provisions) Act 1982</i>
<i>Breeding of Dogs Act 1973</i>	<i>Performing Animals (Regulation) Act 1925</i>
<i>Breeding of Dogs Act 1991</i>	<i>Pet Animals Act 1951</i>
<i>Caravan Sites and Control of Development Act 1960</i>	<i>Pet Animals 1951 (Amendment) Act 1983</i>
<i>Charities Act 2006</i>	<i>Petroleum (Regulation) Acts 1928 & 1936</i>
<i>Dangerous Wild Animals Act 1976</i>	<i>Poisons Act 1972</i>
<i>Environmental Protection Act 1990</i>	<i>Police Factories, etc (Miscellaneous Provisions) Act 1916</i>
<i>Fireworks Act 2003</i>	<i>Public Health (Control of Disease) Act 1984</i>
<i>Food Act 1984</i>	<i>Riding Establishments Act 1964</i>
<i>Food Safety Act 1990</i>	<i>Riding Establishments Act 1970</i>
<i>Gambling Act 2005</i>	<i>Scrap Metal Dealers Act 1964</i>
<i>Game Act 1831</i>	<i>Theatres Act 1968</i>
<i>Guard Dogs Act 1975</i>	<i>Town Police Clauses Act 1847</i>
<i>Highways Act 1980 Part VIIA</i>	<i>Town Police Clauses Act 1889</i>
<i>House to House Collections Act 1939</i>	<i>Transport Act 1981</i>
<i>Hypnotism Act 1952</i>	<i>Vehicles (Crime) Act 2001</i>
<i>Licensing Act 2003</i>	<i>Violent Crime Reduction Act 2006</i>
	<i>Zoo Licensing Act 1981</i>

4. To determine appeals against decisions made by the Proper Officer under the Marriages and Civil Partnerships (Approved Premises) Regulations 2005.
5. To establish one or more Sub-Committees and, subject to statutorily prescribed exceptions, to delegate any of its functions to such Sub Committee(s).
6. Subject to statutorily prescribed exceptions, to delegate any of its functions to an Officer of the authority

How the Committee will operate, including Substitution and Delegated Powers

The Committee will meet in full to consider any matters on which it is asked or required to submit a recommendation to the Council.

Substitutions will be permitted at meetings of the Licensing Committee from among other members of the Council, in accordance with non-Executive Committee Procedure Rule 11, as set out in the Constitution.

The Committee has appointed 2 Sub-Committees to act as hearing Panels as follows:

- Licensing (Gambling and Licensing) Sub-Committee [3 Members - 2 Liberal Democrat, 1 Conservative] – this Sub-Committee hears and determines all applications made under the Licensing Act 2003 and the Gambling Act 2005 relating to Premises Licences, Personal Licences and gaming and club machine permits;
- Licensing (Taxis, Street Trading and Miscellaneous) Sub-Committee [3 Members – 2 Conservative, 1 Liberal Democrat] - this Sub-Committee hears and determines all applications relating to licences for hackney carriage and private hire vehicles/drivers/operators, Street Trading Consents and all applications relating to licences, permits and or consents for any other functions not covered by the other Sub-Committee.

(Chairing nomination rights for both Sub-Committees are allocated to the Liberal Democrat Group).

The Committee has delegated to those Sub-Committees and Officers the power to determine applications in the circumstances set out in the tables below.

The Committee has approved a scheme for substitutions with regard to the Sub Committees. Substitutes will only be drawn from the membership of the Licensing Committee and the scheme allows for any member of the Licensing Committee to substitute at Sub-Committee meetings in accordance with the wishes of the political group arranging the substitution.

TABLE OF DELEGATIONS OF LICENSING FUNCTIONS

MATTER TO BE DEALT WITH	FULL COUNCIL	LICENSING CTTEE	SUB COMMITTEE	OFFICERS
LICENSING ACT 2003				
Approval of Statement of Licensing Policy and review	All cases			
Application for Personal Licence			If a police objection is made	If no objection made
Application for Personal Licence, with unspent convictions			If a police objection is made	If no objection made
Application for Premises Licence/Club Premises Certificate			If a relevant representation is made	If no relevant representation is made
Application for Provisional Statement			If a relevant representation is made	If no relevant representation is made
Application to vary Premises Licence/Club Premises Certificate			If a relevant representation is made	If no relevant representation is made
Application to vary Designated Premises Supervisor			If a police objection is made	All other cases
Request to be removed as Designated Premises Supervisor				All cases
Application for transfer of Premises Licence			If a police objection is made	All other cases
Application for interim authorities			If a police objection is made	All other cases
Application to review Premises Licence/Club Premises Certificate			All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious, etc.				All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application			All cases	
Determination of a police objection to a Temporary Event Notice			All cases	
Determination of Minor Variation applications for premises licences and for club premises certificates				All cases
Determination of the removal of a Designated			If a relevant representation is	All other cases

MATTER TO BE DEALT WITH	FULL COUNCIL	LICENSING CTTEE	SUB COMMITTEE	OFFICERS
Premises Supervisor or Personal Licence Holder at community premises			made	
Applications for the classification of unclassified films			All cases	
GAMBLING ACT 2005				
Approval of three year Statement of Licensing Principles and review	X			
Resolution not to issue casino licences	X			
Fee Setting - when appropriate				X (to be approved by Cabinet Member)
Application for premises licences			Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence			Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of a licence			Where representations have been received and not withdrawn	Where no representations have been received/ representations have been withdrawn
Application for a provisional statement			Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Review of a premises licence			X	
Application for club gaming /club machine permits			Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Cancellation of club gaming/ club machine permits			X	
Applications for other permits				X
Cancellation of licensed premises gaming machine permits				X
Consideration of				X

MATTER TO BE DEALT WITH	FULL COUNCIL	LICENSING CTTEE	SUB COMMITTEE	OFFICERS
temporary use notice				
Decision to give a counter notice to a temporary use notice			X	
Consideration of an Occasional Use Notice				X
Designation of "authorised person".				X
Exchange of information between various persons/bodies listed in the Act				X
Decision to initiate criminal proceedings.				X
Power to make Orders disapplying exempt gaming and the automatic entitlement to gaming machines in relation to specified premises.				X
Functions relating to the registration and regulation of small society lotteries.				X
To appoint an Advisory Panel		X		
Stage 1 of an application for a casino licence			X	
Stage 2 of an application for a casino licence		X		
OTHER				
Determination of applications for hackney carriage/private hire drivers' licences where applicants are aged 70 or over with no medical problems				X

REGULATORY (ACCESS) COMMITTEE

The Committee is granted delegated authority to exercise all the Council's powers and duties in respect of

- (1) Modification Orders, Reclassification Orders and Public Path Orders
- (2) Commons Registration (including Town and Village Greens)

***Note 1** – *The Divisional Director, Environmental Services (Deputy – Service Manager, Highways & Parking) has been delegated general as well as specific responsibility in respect of these functions.*

***Note 2** – *The Committee’s delegated authority is framed in such a way that it will be able, if appropriate, to deal with matters other than strict “quasi-judicial” functions relating to Public Rights of Way. This would, however, be within the overall policy framework set by the Council.*

Membership:

5 members of the Council in the political proportion - 2 Conservative Members 2 Liberal Democrat Members; and 1 Independent Group Member.

Chaired by nominee of the Independent Group

PUBLIC RIGHTS OF WAY FUNCTIONS – DELEGATED POWERS

A. LAWFUL AND UNLAWFUL INTERFERENCE WITH HIGHWAYS AND STREETS (INCLUDING PUBLIC RIGHTS OF WAY)

1. The powers and duties of the Authority under Part IX of the Highways Act 1980 (Lawful and Unlawful Interference with Highways and Streets) except as listed below:

Service Manager – Highways

Team Leader, Highway Maintenance and Public Rights of Way

2. The authorisation of stiles and gates on footpaths, bridleways and restricted byways (section 147 of the Highways Act 1980)

Team Leader, Highway Maintenance and Public Rights of Way

Senior Rights of Way Officer

3. The power to provide and maintain safety barriers on public highways (section 66 of the Highways Act 1980)

Team Leader, Highway Maintenance and Public Rights of Way

Senior Rights of Way Officer

B. IMPROVEMENT OF HIGHWAYS (PART V OF THE HIGHWAYS ACT 1980) (INCLUDING PUBLIC RIGHTS OF WAY)

1. The powers and duties of the Authority under Part V of the Highways Act 1980 (Improvement of Highways)

Team Leader, Highway Maintenance and Public Rights of Way

Senior Rights of Way Officer

C. MISCELLANEOUS PUBLIC RIGHTS OF WAY FUNCTIONS

1. The erection and maintenance of sign posting of footpaths and bridleways (section 27 of the Countryside Act 1968)

Team Leader, Highway Maintenance and Public Rights of Way

Senior Rights of Way Officer

2. Proceedings in respect of false and misleading notices (section 57 of the National Parks and Access to the Countryside Act 1949 and section 132 of the Highways Act 1980)

Team Leader, Highway Maintenance and Public Rights of Way

Senior Rights of Way Officer

3. Any proceedings in respect of the prohibition on keeping bulls on land crossed by public rights of way (section 59 of the Wildlife & Access to the Countryside Act 1981)
Team Leader, Highway Maintenance and Public Rights of Way
Senior Rights of Way Officer
- 4.) The appointment of wardens for Public Rights of Way (section 62 of the Wildlife & Access to the Countryside Act 1981)
Team Leader, Highway Maintenance and Public Rights of Way
Senior Rights of Way Officer
5. The making and confirmation of Definitive Map Modification Orders (section 53(3) of the Wildlife & Countryside Act 1981)
Team Leader, Highway Maintenance and Public Rights of Way
Senior Rights of Way Officer
6. The making, confirmation and abandonment of Public Path Orders (sections 26, 118 and 119 of the Highways Act 1980 and section 257 of the Town & Country Planning Act 1990)
Team Leader, Highway Maintenance and Public Rights of Way
Senior Rights of Way Officer
7. The certification of new paths created by Public Path Orders (sections 118 and 119 of the Highways Act 1980 and Section 257 of the Town & Country Planning Act 1990)
Team Leader, Highway Maintenance and Public Rights of Way
Senior Rights of Way Officer
8. The powers and duties of the Authority to recover costs for Public Path Orders (the Local Authorities (Recovery of Costs for Public Path Orders) Regulations 1993)
Team Leader, Highway Maintenance and Public Rights of Way
Senior Rights of Way Officer
9. The entering into of permissive path agreements for footpaths, bridleways, restricted byways, byways open to all traffic and cycletracks
Team Leader, Highway Maintenance and Public Rights of Way
Senior Rights of Way Officer
10. The creation of footpaths, bridleways and restricted byways by dedication or deed of declaration (sections 25 and 38 of the Highways Act 1980 and at common law)
Team Leader, Highway Maintenance and Public Rights of Way
Senior Rights of Way Officer
11. The power of entry for purposes connected with certain orders relating to footpaths and bridleways (section 293 of the Highways Act 1980)
Team Leader, Highway Maintenance and Public Rights of Way
Senior Rights of Way Officer
12. Power to require information as to ownership of land (section 297 of the Highways Act 1980)
Team Leader, Highway Maintenance and Public Rights of Way
Senior Rights of Way Officer
13. Power to use vehicles and appliances on footways and bridleways (section 300 of the Highways Act 1980)

Team Leader, Highway Maintenance and Public Rights of Way
Senior Rights of Way Officer

14. Power to authorise motor vehicle trials on public paths (sections 13 and 33 of the Road Traffic Act 1988)

Team Leader, Highway Maintenance and Public Rights of Way
Senior Rights of Way Officer

15. The power to make permanent Traffic Regulation Orders affecting public rights of way (section 1 of the Road Traffic Regulation Act 1984)

Team Leader, Highway Maintenance and Public Rights of Way
Senior Rights of Way Officer

16. The power to discharge of, and acquire from other authorities, functions relating to Definitive Map Modification Orders and Public Path Orders (section 101 of the Local Government Act 1972)

Team Leader, Highway Maintenance and Public Rights of Way
Senior Rights of Way Officer

17. The power to enter into agreements relating to compensation and the execution of works on a public right of way (sections 119(5) and 278 of the Highways Act 1980)

Team Leader, Highway Maintenance and Public Rights of Way
Senior Rights of Way Officer

18. The power to enter into Parish Agency Agreements for the clearance of vegetation on public rights of way within specific parishes

Team Leader, Highway Maintenance and Public Rights of Way
Senior Rights of Way Officer

D. MANAGEMENT OF ACCESS LAND (PART 1 COUNTRYSIDE & RIGHTS OF WAY ACT 2000)

1. The powers and duties of the Authority as an Access Authority (Part I of the Countryside & Rights Of Way Act 2000)

Team Leader, Highway Maintenance and Public Rights of Way
Senior Rights of Way Officer

E. COMMON LAND & TOWN AND VILLAGE GREENS

1. The powers and duties of the Authority as Commons Registration Authority (the Commons Act 2006)

Team Leader, Highway Maintenance and Public Rights of Way
Senior Rights of Way Officer

RE-STRUCTURING IMPLEMENTATION COMMITTEE

The Committee's Span of Responsibility

To determine all necessary arrangements for implementing the indicative senior management structure.

To decide on numbers of 1st and 2nd Tier officers and the span of work responsibility allocations for those officers.

To determine appointments to or dismissal from the posts of Director and other JNC Officers reporting to the Chief Executive, or Head of Paid Service, subject to there being no objection to the appointment / dismissal being lodged by the Leader of the Council.

To recommend to the Council the appointment or dismissal of the Head of Paid Service, the Monitoring Officer and the Chief Financial Officer.

Membership

The Committee shall comprise 3 Members in the political proportion 1 Conservative Member, 1 Liberal Democrat Member, 1 Labour Member.

STANDARDS COMMITTEE

- (a) Promoting and maintaining high standards of conduct by Councillors, co-opted members and church and parent governor representatives
- (b) Assisting the councillors, co-opted members and church and parent governor representatives to observe the Members' Code of Conduct;
- (c) To recommend to the Council one or more Codes of Conduct and Practice or protocols for members and/or employees of the Council;
- (d) To monitor and from time to time review such Codes and Protocols and make recommendations to the Council;
- (e) To make representations to the Government, Local Government Association and other external bodies on matters relating to the general principles of conduct for members and employees of the Council;
- (f) To liaise with the District Auditor and the Local Government Ombudsman in connection with any matter within the committee's terms of reference;
- (g) To provide advice and guidance to members, co-opted members and employees and to make arrangements for training in connection with any matter within the terms of reference of the Committee.
- (h) To consider any reports from the Council's Monitoring Officer regarding illegality, unlawfulness or maladministration and any report of the Local Government Ombudsman.
- (i) To oversee the effectiveness of the Council's constitutional arrangements from an ethical perspective including Standing Orders and the Terms of Reference of Committees and internal and external codes of conduct and make recommendations to the Council on any desirable or necessary changes concerning matters of accountability, transparency, good administration or the promotion of high standards of conduct in the administration of local government.
- (j) To recommend to the Council a Code of Practice on relations between members and officers.
- (k) To develop support mechanisms for councillors in all their roles, in conjunction with a member level steering panel.
- (l) To oversee the democratic decision making process and make recommendations to the Council from time to time on any desirable or necessary changes.

- (m) To consider the Council's procedures for investigating and responding to complaints and other procedures referred to it by the Monitoring Officer.
- (n) To oversee the register of member interests.
- (o) To approve a code of practice on planning issues.
- (p) To undertake such other functions as the Secretary of State may by regulations refer to a local authority Standards Committee.
- (q) To consider and determine the Council's response to any Internal or District audit regulatory recommendations referred to the Committee by the Monitoring Officer.
- (r) To recommend to the Council from time to time as necessary the appointment of co-opted members to the Committee following open advertisement, short listing and interview.
- (s) To exercise the functions at (a) to (g) above in relation to the Parish Councils wholly or mainly in the B&NES area and the members of those Parish Councils.
- (t) Considering i) any application for exemption from political restrictions in respect of a post, by the holder of that post, and ii) any application from any person for a direction requiring a post to be included in the list of politically restricted posts.
- (u) Granting dispensations to Councillors, co-opted members and church and parent governor representatives from requirements relating to interests set out in the Members' Code of Conduct.
- (v) Dealing with any reports from a case tribunal or interim case tribunal, and any report from the monitoring office of any matter which is referred by an ethical standards officer or a Case Tribunal to the Monitoring officer.
- (w) Determination, following complaint by a majority of members of a Policy Development and Scrutiny Panel, of whether or not a Member of the Cabinet, or the Chair of a Committee (including Policy Development and Scrutiny Panels) has acted without good cause or reason either in breach of any requirement of the Constitution or in breach of the Council's Local Code of Conduct for Councillors.
- (x) To consider and determine any allegations of misconduct against Members of the Council

Membership of the Standards Committee

3 x elected members (and 3 x elected member substitutes) 1 (+1) from Conservative, Liberal Democrat and Labour groups

3 x independent members selected by an independent panel one of the independent members shall chair the Committee

3 x parish representatives.

Quorum

3 members, at least one of whom shall be an independent member, for ordinary business.

When considering parish matters, the quorum of 3 shall include the parish representative.

The quorum for considering individual cases shall be 5 members.

PARISH LIAISON MEETING

Membership

1. The Bath & North East Somerset Council will appoint representatives to the Parish Liaison meetings in such numbers as it decides. One of its representatives (usually the Chair of Council) will chair each meeting.
2. The Parish and Town Councils will each be entitled to send their nominated representative and Clerk to the meetings
3. The Local Councils Association for the Council's area will be entitled to send representation to the meetings in their own right
4. Officers of Bath & North East Somerset Council will attend meetings as necessary to advise and assist discussion

Purpose

5. The Liaison Meeting will provide an opportunity for the discussion of issues of common interest, identified by the Council or by Parish/Town Councils (individually or collectively), that are relevant for discussion in this forum
6. Items of relevance are likely to be those:
 - That have direct impact on all, or a significant number of, Parish/Town Councils
 - That support an effective working partnership between tiers of local government
 - Relating to the Parish Charter
 - Where a collective view from Local Councils would be helpful
7. Items that are not likely to be relevant for the Liaison meeting include;
 - Those that relate to a single, or small number of, Parish/Town area(s)
 - Those for which other effective channels of communication exist (including issues that are already the subject of detailed consultation)
8. The infrequency of Liaison Meetings means that it is not a practical forum through which to engage in routine consultation

BATH & NORTH EAST SOMERSET ADOPTION & PERMANENCE PANEL

1 Principles

Purpose

The Adoption and Permanence Panel considers all proposals for children in the care of Bath and North East Somerset to be adopted; additionally it considers all other permanent placements for children under the age of 12. The Adoption and Permanence Panel considers whether prospective adopters assessed by our Adoption Service are suitable adoptive parents.

Law and Policy

- The Adoption and Children Act 2002
- The Adoption Agencies Regulations 2005 and Guidance 2011
- The Children Act 1989
- Adoption National Minimum Standards 2011
- Fostering National Minimum Standards 2011
- Bath and North East Somerset Permanence Planning Policy

Standards

The Adoption and Permanence Panel will operate according to the requirements of the Adoption National Minimum Standards and the Adoption and Children Act 2002 welfare checklist.

The welfare of children throughout their lives will be the paramount consideration in forming recommendations.

The Adoption and Permanence Panel will be properly constituted and Panel members will have suitable qualities and experience.

Panel members will be appropriately vetted and police checked through enhanced disclosures from the Criminal Records Bureau.

Panel members will be suitably inducted and trained and will have annual appraisals.

Good practice, consistency of approach and fairness will be promoted by Panel members in assessing cases.

The minutes of Panel meetings will be accurate and informative, and clearly summarise the Panel's discussion, reasons for conclusions reached and recommendations made.

Monitoring and Quality Assurance

The Panel will monitor the quality and effectiveness of its decision making by receiving reports (including disruption reports) on the outcomes of decisions taken up to the point of adoption orders being made.

The Panel will receive quarterly monitoring reports and other appropriate management information from the agency and will monitor the quality and effectiveness of the agency's policies and practice in respect of looked after children for whom permanence is the plan.

Any policy, practice or training concerns that arise at the Panel will be reported to the relevant Divisional Director.

The Panel will provide an Annual Report reviewing its work over the year.

The Panel will promote the Council's Equal Opportunities Policy by:

- Ensuring that the racial, cultural, linguistic and religious needs of children are taken fully into account.

- Ensuring that the discussions and decisions made at Panel are non - discriminatory and not influenced by assumptions and stereotypes that exist about people's race, class, culture, religion, disability, gender, sexuality or age.

Responsibility

Agency Decision Maker – Divisional Director – Safeguarding Social Care and Family Services

Manager of Adoption Service - Family Placement Team Manager

Agency Adviser - Family Placement Team Deputy Manager

2 Panel Responsibilities

In relation to adoption cases, the Adoption and Permanence Panel will makes **recommendations** to the agency on:

2.1 Whether a child should be placed for adoption.

2.2 Whether a prospective adopter is suitable to adopt a child.

2.3 Whether a child should be placed for adoption with a particular prospective adopter.

2.4 The Panel may also provide **advice** to the agency on the following:

When recommending that a child be placed for adoption:

- a. The arrangements which the agency proposed to make for allowing any person contact to the child.
- b. Whether an application should be made for a placement order in respect of the child

When recommending that a prospective adopter is suitable to adopt a child

- c. The number of children they may be suitable to adopt, their age range, sex, likely needs and background.

When recommending whether a child should be placed for adoption with a particular prospective adopter

- d. The agency's proposals for the provision of adoption support services for the adoptive family
- e. The arrangements the agency proposes to make for allowing any person contact with the child
- f. Whether the parental responsibility of any parent or guardian or the prospective adopter should be restricted and if so the extent of any such restrictions.

2.5 The Panel will consider six-monthly progress reports on all unmatched children recommended to be placed for adoption.

2.6 The Panel will review all approved prospective adopters every 2 years and any approved prospective adopters the agency no longer considers suitable.

In relation to long term fostering and other permanent placements, the Adoption and Permanence Panel will give advice to the agency on:

2.7 Whether a child under 12 year should be placed for long term (permanent) fostering;

2.8 Whether a child under 12 years should be placed with a particular carer under a residence order;

2.9 Whether a child under 12 years should be placed with a particular carer under a special guardianship order

2.10 Whether an approved foster carer is suitable to provide a permanent placement for a child under 12 years

2.11; Whether a child should be placed for long term fostering with a particular foster carer

2.12 Whether a person is suitable to provide care for a specific child under the age of 12 years under a Residence Order

2.13 Whether a person is suitable to provide care for a specific child under the age of 12 under a special guardianship order.

For all cases, in considering the recommendation to make or advice to give, the Panel must bear in mind that the welfare of the child is the paramount consideration and shall:

2.14 Take into account and give consideration to all reports and information passed to the Panel;

2.15 Request any further information that the Panel considers necessary;

2.16 Consider whether all other possible options have been explored and discounted;

2.17 Obtain legal and medical advice on each case presented to the Panel.

2.18 Invite applicants to be adoptive parents or other long term carers to attend the Panel which considers their application.

3 Panel Composition, Quoracy and Terms of appointment

3.1 The Adoption and Permanence Panel members will be drawn from a central list maintained by the agency adviser and must, as far as possible, be gender balanced and reflect the composition of the community.

The membership will comprise:

- An Independent Chairperson who is not a permanent employee of the authority and who has the necessary skills and experience.

- At least 2 social workers with at least three years relevant post qualifying experience in child care social work including direct experience in adoption work. One will also be in a managerial post.
- One elected member of the Local Authority where possible. (This will ideally be a member of the Council's Policy Development and Scrutiny Panel for Early Years, Children and Youth, and/or Corporate Parenting Group).
- At least one Medical Adviser, appointed by the Primary Care Trust.
- At least 5 independent members with relevant experience such as adopters, adopted persons, birth parents, foster carers (not registered with Bath and North East Somerset) care leavers or members of relevant voluntary or community organisations.
- One or more Vice-Chairs will be drawn from the membership of the panel

3.2 The Panel will also have a Legal Adviser, an Agency Adviser and a note taker.

3.3 The term of appointment of members, other than elected Members, will be for 2 years. Members will normally hold office for no more than three terms in total. Members may, however, serve for fewer terms in order to achieve turnover of experience, or more terms in order to retain particular expertise. In so far as is achievable, appointments will be managed in such a way as to result in a change of membership each year.

3.4 In order to be quorate, at least 5 members of the Panel must be present, including the Chair or Vice-Chair, a social worker and an independent member.

4 Frequency of meetings

4.1 The Panel will meet monthly on the second Thursday of the month.

Arrangements can be made in exceptional circumstances for a special panel to avoid delay.

BATH AND NORTH EAST SOMERSET FOSTERING PANEL

1 Establishment and Membership of the Fostering Panel

- (ii) The Bath & North East Somerset Fostering Panel is convened in accordance with the Fostering Services Regulations 2002.
- (iii) The Fostering Panel will be chaired by an independent person who has the necessary skills and experience.
- (iii) The Fostering Panel will consist of no more than 10 members (including the independent chair) and shall include:
 - (a) Two Social Workers employed by the Fostering Service, one of whom has child care expertise and the other of whom has expertise in the provision of a Fostering Service;
 - (b) At least one elected member of the Local Authority to serve for up to 3 years (and not more than two consecutive terms); and
 - (c) At least 4 other person (in the Regulations referred to as "Independent Members") including at least one person who is, or within the previous 2 years

has been, a foster carer for a Fostering Service provider other than the one whose fostering panel this is.

- (iv) The Fostering Service shall appoint a member of the Fostering Panel as vice chair, who will act as Chair if the person appointed as Chair is absent or that post is vacant.
- (v) A Fostering Panel member shall hold office for a term not exceeding three years, and may not hold office for the Panel of the same Fostering Service for more than two consecutive terms.
- (vi) Any Panel member may resign their office at any time by giving one month's notice in writing to the Fostering Service provider.
- (vii) If the Fostering Service is of the opinion that any member of the Fostering Panel is unable or unwilling to carry out the duties required, it may terminate their membership at any time by giving them notice in writing.
- (viii) A person shall not be appointed as an independent member of the Fostering Panel if:
 - a. They are a foster carer approved by the Fostering Service provider
 - b. They are employed by the Fostering Service Provider
 - c. They are an elected member of the Local Authority.

2 Meetings of the Fostering Panel

- i. Quorum - No business shall be conducted by the Fostering Panel unless at least five of its members, including the person appointed to chair the Panel or the Vice Chair, at least one of the social workers employed by the Fostering Service and at least two of the independent members are present.
- ii. Frequency - The Bath & North East Somerset Fostering Panel will normally meet monthly.
- iii. The Fostering Panel shall make a written record of its proceedings and reasons for its recommendations.
- iv. The recommendations of the Fostering Panel will be presented to the Fostering Service decision maker (Divisional Director – Children, Young People & Family Support Services).

3 Functions of the Fostering Panel

- (i) The functions of the Fostering Panel in respect of the cases referred to it by the Fostering Service are:
 - (a) To consider each application for approval and to recommend whether or not a person is suitable to act as a foster carer.
 - (b) Where it recommends approval of an application, to recommend the terms on which approval is to be given
 - (c) To recommend whether or not a person remains suitable to act as a foster carer, and whether or not the terms of their approval remain appropriate
 - On the first review carried out in accordance with Regulation 29(1) of the Fostering Services Regulations

- On the occasion of any other review when requested to do so by the Fostering Service in accordance with Regulation 29(5) of the Fostering Service Regulations – this being any written representation of the proposed agency decision.
- (ii) The Fostering Panel shall also:
- (a) Advise on the procedures under which Reviews in accordance with Regulation 29 are carried out by the Fostering Service and periodically monitor their effectiveness.
 - (b) Monitor the quality of assessments carried out by the Fostering Service provider and
 - (c) Give advice and make recommendations on any matters arising from panel business.

NOTE: "Recommend" means recommend to the Fostering Service decision maker

SOCIAL SERVICES INDEPENDENT REVIEW PANEL

Functions and Duties

1. To review the keeping of a child or young person in Secure Accommodation for the purposes of securing his/her welfare:
 - (a) within one month of the inception of the placement;
 - (b) at intervals not exceeding three months where the child or young person continues to be kept in such accommodation.
2. To be satisfied whether or not that the criteria for keeping a child or young person in Secure Accommodation continue to apply.
3. To be satisfied whether or not that the placement in such accommodation in a community home continues to be necessary.
4. To be satisfied whether or not any other description of accommodation would be appropriate for him/her.

Membership

5 Members in the political proportionality of 2 Liberal Democrat Members; 2 Conservative Members and 1 Labour Member.

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HEALTH AND WELLBEING BOARD (Shadow) TERMS OF REFERENCE

Annexes;

Annex 1 – Scope of Services

Annex 2 – Substitution arrangements

Annex 3 – Public Speaking scheme

Annex 4 – Urgency procedures

1. *Statement of purpose*

1.1 By working together the Board will:

- prevent ill health
- promote equality, health and wellbeing
- improve service quality
- deliver best value
- provide leadership and champion health and wellbeing in B&NES

1.2 The Board will ensure that health and wellbeing services in B&NES:

- use resources effectively
- develop innovative joint responses to identified need

1.3 To achieve these aims the Board will work collaboratively with partners to join up areas of commissioning across the NHS, social care, public health and other areas related to health and wellbeing.

2 *Roles and responsibilities*

2.1 The Board is responsible for:

- developing a joint strategic needs assessment (JSNA)
- preparing a health and wellbeing strategy
- considering whether the commissioning arrangements for social care, public health and the NHS are in line with the health and wellbeing strategy
- considering whether the Clinical Commissioning Groups' (CCG) commissioning plan has given due regard to the health and wellbeing strategy
- reporting formally to the NHS Commissioning Board, Clinical Commissioning Group, council leadership if local commissioning plans have not had adequate regard to the health and wellbeing strategy

2.2 The Board will seek to influence the strategic planning and service delivery of the NHS and Council in B&NES through the promotion of the JSNA and health and wellbeing strategy.

- 2.3 The Board will promote joint working and the use of the NHS Act 2006 flexibilities to increase joint commissioning, pooled and aligned budgets (where appropriate), to support the effective delivery of the health and wellbeing strategy.
- 2.4 The Board has a duty to listen to and learn from people, service users and providers and ensure that they inform the JSNA, the health and wellbeing strategy and the on-going strategic performance management of key outcomes. Practical mechanisms to deliver this duty will be developed in partnership with HealthWatch.
- 2.5 The Board will strategically performance manage against the key outcomes of the health and wellbeing strategy.
- 2.6 Responsibility for the scrutiny of health and wellbeing will continue to lie with the Council's Scrutiny Panels.

3. Scope

- 3.1 The Boards' scope shall be:
- Adult services (commissioning and service delivery)
 - Children services (commissioning and service delivery)
 - Public health (commissioning and service delivery)
- 3.2 The Health and Wellbeing Board may consider services beyond health and social care enabling the Board to look more broadly at factors affecting the health and wellbeing of the B&NES population.

4. Accountability

- 4.1 Accountability for the discharge of statutory responsibilities remains with the Council, CCG and PCT.
- 4.2 The Board is responsible for ensuring that the Local Safeguarding Children Board, the Local Safeguarding Adult Board and the Children's Trust deliver strategic commitments and outcomes, in line with the Boards priorities. The Safeguarding Children Board, the Safeguarding Adult Board and the Children's Trust will report to the board on their performance outcomes.

4.4 Decision Making

4.4 (i) The Primary Care Trust cluster (until April 2013)

Members of the Primary Care Trust Board who are members of the Board will constitute the Health and Social Services Committee of the Primary Care Trust Board under the PCT Standing Orders 4 & 5. The Committee will have delegated responsibility to take decisions contemporaneously with the recommendation of the health and wellbeing board as determined by the PCT Board through a scheme of delegation.

4.4 (ii) The Council

Where formal decisions by the Council's Cabinet Members are required, they will be taken through the Council's executive processes (advance publication in the Executive Forward Plan, report through the Weekly list, subsequent decision register completed) and adhering to the statutory deadlines involved in those processes to allow an executive decision to be taken

contemporaneously with the recommendation of the Board and the PCT Board Committee decision.

Decisions of the Health and Wellbeing Board which need to be dealt with as an executive decision under the Council's procedures will be subject to the call-in arrangements of the Council. This will not apply to any decisions which just apply to the NHS/PCT which will be made by the PCT Sub-Committee only subject to its delegated powers and control arrangements determined by the PCT Board. [This does not prevent the normal review function of the Council's Wellbeing Policy Development and Scrutiny Panel for issues within its remit.]

In the event that formal decisions are required of the Council that are not within the process of the Cabinet, an ordinary or urgent decision of full Council will be made in accordance with the Council's Constitution.

5. Membership

Membership of the Board is:

- B&NES / Wiltshire Primary Care Trust (PCT) Cluster x 3 (Chief Executive, Chair of PCT Board, Non-Executive Director)
- B&NES Council (Chief Executive, Director of Public Health, Director of People and Communities Services, Leader of the Council, Cabinet Member for Wellbeing, Cabinet Member for Early Years, Children and Youth)
- Clinical Commissioning Group x 3 (CCG representative members x 2, CCG Non-Executive Director x 1)
- HealthWatch x 1

5.1 'Providers' will not be represented on the Health and Wellbeing Board. The Board will seek to engage all stakeholders (including providers) on strategy and relevant priorities.

5.2 The role of Chair sits with a Cabinet Member of the Council.

5.4 The quorum for the meeting will be six members of the Board with at least three members drawn from representatives of the Primary Care Trust or Clinical Commissioning Group, and three members drawn from the representatives of the Council.

Substitution arrangements

5.5 Individual Board members may be substituted by another appropriate member of their organisation or service.

6. Wider engagement

6.1 By working together the Health and Wellbeing Board will:

- Listen to and learn from people, service users and providers
- Engage with communities and networks including the Health and Wellbeing Network
- Engage with and listen to service users and other interested parties through Healthwatch

6.2 The Council's overview and scrutiny function offers an opportunity for broader engagement on key issues.

7. *Business management*

- 7.1 Board meetings will alternate between business management meetings and less formal workshops. The workshops will be focused on priorities (as identified in the health and wellbeing strategy) and other key issues as they arise. The Board may invite external speakers to the workshops to inform discussion and decision-making.
- 7.2 Board meetings shall generally be held in public. Closed sessions of the Board may take place to allow for more informal developmental discussion.
- 7.3 The Board will develop a forward plan, which will be regularly reviewed.
- 7.4 The Board will meet 6 times per year (bi-monthly).
- 7.5 The Board may establish sub-groups or time-limited project groups to lead on issues such as the joint strategic needs assessment, joint commissioning and health inequalities.
- 7.6 Items to be discussed at any meeting of the Board will be set down in the agenda and sent to every member of the Board at least 5 working days before the meeting.
- 7.7 There are no formal rules of debate set down for the Board meetings; the Chair has wide discretion to rule on conduct, process and procedural matters.

Scope of Services

1. Adult Services

a) Commissioning

The strategic planning, commissioning and procurement of health, social care and housing services for adults, including the support and performance management of practice based commissioning, across the following range of services:

- Health services for the whole population including acute care, primary health care and other community services
- Older people services
- Mental health services for adults of working age
- Services for adults with physical and sensory impairments
- Services for adults with learning difficulties
- Strategic housing services for the whole population including Supporting People Services

b) Service delivery

- Intermediate care, community based and other services through the integrated locality teams for older people and people with physical and sensory impairments, including social work and care management services
- Primary Health Care services not included in the above
- Mental health services for older people and people of working age in partnership with the Avon & Wiltshire Partnership NHS Trust
- Community based and other services for people with learning difficulties
- Acute services for adults
- A range of health services including diatetics, continence services, maternity services, dentistry, opticians and pharmacy services
- A range of housing services, including homelessness and housing advice, and housing private sector renewal services.

2. Children Services

a) Commissioning

The strategic planning, commissioning and procurement of strategic education, health, and social care services for children, across the following range of services:

- Early Years, Schools, inclusion support and extended services
- Health services for children including acute services and therapy services
- Mental health services for children
- Social care services for children and families
- Youth services

b) Service delivery

- Locality based services for children and families, including extended services and a range of support services listed below
- Early Years and education services for children, including school improvement services, educational psychology and other inclusion support services
- Health services for children and families (including those provided by health visitors and school nurses) and child health administration services and therapy services
- Social care services, including social work and care management services, fostering and adoption services, disabled children services, child protection, Looked After children and Leaving Care services
- Youth Services and the Youth Offending Service

3. Public Health

a) Commissioning

Assessing the health needs of the local population; strategic planning, commissioning and procurement of services which will help to promote the health and well-being of the population and reduce health inequalities including:

- Services and initiatives to deliver priority health improvement objectives including those in the Local Area Agreements and 'Choosing Health'
- Drugs and alcohol services through the Responsible Authorities Group's pooled budget
- A range of health improvement services in partnership with Children's Services

b) Service delivery

- Public Health advice to health and care services
- Health Promotion services
- Smoking Cessation services
- Health visiting (public health component)
- Health protection services in association with the Health Protection Agency

4. Services beyond health and wellbeing

The Health and Wellbeing Board may consider services beyond health and social care enabling the Board to look more broadly at factors affecting the health and wellbeing of the B&NES population.

Public Speaking Scheme

1. Both the Council and the PCT encourage public engagement and want to ensure the public have the opportunity to inform members of the board about things that concern them. This scheme sets out how this can happen.

What the scheme does not cover

2. Some matters fall outside the scheme and will not therefore be accepted. These are:
 - a) Matters that would require exempt or confidential information to be divulged in an answer;
 - b) Matters which are already lodged with the Council, the Primary Care Trust, or with another statutory body (for example an Ombudsman) as a complaint;
 - c) Allegations against, or comments about, the conduct of individual members of the board, Bath & North East Somerset councillors, members of the Primary Care Trust Board, members of the Avon and Wiltshire Mental Health Care Partnership NHS Trust Board, or officers of any of those organisations.

Who may use the scheme

3. Members of the public are welcome to attend.
4. The scheme is also available to employees of the Bath and North East Somerset Primary Care NHS Trust, Bath & North East Somerset Council, and the Avon & Wiltshire Mental Health Care NHS Trust, provided the subject matter is related to their role as a private citizen. Representations about matters related to their employment are not permitted under this scheme as alternative consultative routes are available to them in that capacity.

At the meeting

5. Members of the public are welcome to attend Board meetings. Time will be set aside at the beginning of each meeting for observers to speak briefly on an issue, or to ask a question of the Board, for up to three minutes within a maximum of thirty minutes. In the case of questions, an immediate answer will be given wherever possible. However, if a detailed response is required this will be given in writing at a later date and recorded at a subsequent Board meeting.
6. Any other contribution from the public during the meeting will be at the invitation of the Chair.

General disturbances

7. The Chair or the person presiding over the meeting shall give such directions as he/she thinks fit with regard to the arrangements for meetings and accommodation of the public and representatives of the press such as to ensure that the board's business shall be conducted without interruption and disruption

Observers

9. The Board will decide what arrangements and terms and conditions it feels are appropriate to offer in extending an invitation to observers to attend and address the meeting and may change, alter or vary these terms and conditions as it deems fit.

Urgency Policy Procedure

1. General Principles

1.1 The Board needs to have regard to legal principles and good practice, which must underpin any urgency procedure, which it adopts. These are-

- Business should be conducted at meetings open to the public wherever possible, so as to ensure transparency in the working of the board.
- If it is not possible for the matter to be considered at a meeting, all the relevant advice must be obtained and consultation carried out where appropriate.
- Decisions to commit Bath and North East Somerset Council or the Primary Care Trust need to be made in accordance with the policies and legal requirements governing the two organisations.

In the case of Bath and North East Somerset Council, this means either an executive decision made by a Cabinet Member or an officer acting under delegated authority. To reflect the accountability and transparency of the Council's decision-making processes, if an urgent decision is to be made under this provision, the decision-maker will consult with the Chair of the Policy Development and Scrutiny Panel before committing the Council to the decision. The Policy Development and Scrutiny Chair's views will be recorded in the documentation published about the decision.

In the case of the Primary Care Trust, the PCT Chief Executive and the PCT Chair are empowered to make a decision after having consulted at least two Non Executive PCT Directors.

- The reasons for urgency must be made clear and the appropriate documentation made available for public inspection.

2. Procedure

2.1 There are occasions when an urgent decision is needed, or the matter cannot wait for the next ordinary meeting of the board.

2.2 When an urgent matter has arisen after the despatch of the agenda, the following procedure applies:

3. Chair's Right To Add Item To An Agenda

3.1 The Chair of the Board has the authority to agree to take urgent items, not on the agenda, at meetings of the board.

3.2 The general authority referred to above is qualified in that items of business should not be raised at meetings without prior notice being given on the agenda unless:-

- (a) the item has arisen between the compilation of the agenda and the date of the meeting.

- (b) the item requires an urgent decision in the public interest which cannot be dealt with by other means; and
- (c) by convention, the members of the board have been consulted on the matter and their views conveyed to the Chair before s/he makes a decision on the matter. The Chair will be guided by their views.

3.3 In all cases the reason for the urgency shall be clearly stated and recorded.

3.4 When there is a good reason why the decision cannot wait until the next meeting of the board, the following alternative procedures apply (see subsequent Rules) -

4 SPECIAL MEETING OF THE BOARD

4.1 A special meeting of the Board can be called.

5 DECISION TAKEN THROUGH DELEGATED AUTHORITY

5.1 Under this provision, the Chief Executive of the Primary Care Trust and the Strategic Director for People and Communities are given delegated power to take jointly a decision which would normally be taken by the Board, provided that:

- (i) the matter is urgent;
- (ii) the decision is within Primary Care Trust and Council policy;
- (iii) the action is taken after consultation with the Members of the Board;
- (iv) the action is reported for the information of the next available meeting of the Board.

6 ABSENCE PROCEDURE

6.1 In the absence of any of the Councillors or Officers referred to in any of the above Urgency Rules, the urgent or emergency action described may be taken by a nominated deputy Councillor or Officer.

6.2 Any such nominated deputy is hereby authorised to act fully in the role, subject to any specific statutory provision.

EXTRACT - MINUTES OF COUNCIL MEETING

Thursday, 15th September, 2011

38 PROPOSED CHANGES TO THE STANDARDS REGIME

In May, Council asked the Standards Committee to review its procedures for investigation of complaints with the intention of submitting proposals for the implementation of the Localism Bill currently before Parliament (in respect of the Member conduct aspects of the Bill), and making the system fairer to those people who are the subject of a complaint. This is the report of the Standards Committee.

On a motion from Councillor Nigel Roberts, seconded by Councillor Sally Davis, it was

RESOLVED to agree that:

1. The Council adopts a non-statutory Code of Conduct based on paragraphs 3 - 7 of the current model or a model to be issued by the Local Government Association;
2. A Standards Committee is established;
3. The Committee's membership includes Independent Members and an Independent Member chairs the Committee;
4. Parish/Town Councils within the Council's area which adopt a non-statutory Code of Conduct should, if possible, be offered an opt-in to deal with complaints against Parish/Town Councillors;
5. The current Local Standards Framework should be reviewed with the aim of making the system fairer and streamlining the current processes and procedures, in the following respects:
 - i. The Monitoring Officer or his/her deputy should assess complaints to decide whether the alleged conduct breaches the Code in consultation with the Chair of the Standards Committee;
 - ii. Subject councillors should be given details of the complaint, including the name of the complainant and which parts of the Code they are alleged to have breached. They would be invited to submit comments before the allegation is considered by the Committee;
 - iii. If the Committee considers that there has been a breach which is trivial or has been corrected, it would be dealt with at the meeting. Only serious breaches would be referred for investigation;
 - iv. The complainant should also have the right to address the Committee concerning their grievance in order to respond to the investigating officer's report;

- v. The pre-hearing meeting should be abandoned;
- vi. The notice could be posted in the complainant's local free newspaper or other local media, or in the case of a Town Council complaint, the Town Council's noticeboard; and
- vii. .The Standards Committee should agree with the Monitoring Officer a time line for responses since it is unacceptable to have cases drag on for over a year, as at present. A decision should normally be made within 13 weeks of the initial complaint.

[Note; 1) The above resolution was agreed unanimously. The underlined wording was suggested by Councillor Eleanor Jackson and accepted by the mover and seconder of the original motion.]

Bath & North East Somerset Council	
MEETING:	Council
MEETING DATE:	10 th May 2012
TITLE:	The Council's Vision and Values
WARD:	ALL
AN OPEN PUBLIC ITEM	
List of attachments to this report:	
None	

1 THE ISSUE

1.1 Bath and North East Somerset is a unique place in the heart of the West of England. It has a beautiful natural and built environment, inspiring people and communities and outstanding schools, colleges and universities. It has a knowledge economy based on strengths in creative industries, financial and business services and technology related activities, a developing low carbon sector alongside thriving tourist and retail sectors. The challenge is to build on these assets and our successes and continue to provide quality services during tough times.

1.2 The Council faces a number of key challenges - a tough economic situation, tighter financial constraints, radical changes in Government legislation and increasing pressure on services with an aging population and increasing unemployment particularly amongst the young and vulnerable.

1.3 Although the Council has been successful in delivering greater efficiencies to meet these challenges, like other local authorities it needs to continue to prioritise and protect frontline services, especially for the vulnerable. In addition, extensive changes in national policy will transform the delivery of local public services to create new relationships between councils and communities, referred to as "Localism". This will involve the Council increasingly becoming a commissioner of services rather than a direct service provider.

1.4 To address these issues the Cabinet has

- Refreshed the Vision, maintaining the general direction of travel but with a change of emphasis that puts People and Communities first.
- Replaced the previous eight priorities with three objectives that will start to deliver the vision over the next few years

- Created a series of outcomes so that we and our communities can better measure our performance
- Developed values to determine the kind of organisation the Council wants to be.

These developments are set out in this report for adoption and have been agreed by Cabinet at its public meeting on the 8th February 2012 following consultation with all Council Members and senior managers.

2 RECOMMENDATION

Council is asked to agree:

- 2.1 The refresh of the Council's Vision;
- 2.2 To replace the Council's previous eight priorities with three objectives that describe what it is trying to achieve and enable it to focus resources; and
- 2.3 To update its values to reflect how the Council will operate and the kind of organisation it will be.

3 FINANCIAL IMPLICATIONS

- 3.1 The Vision and Values will form a key consideration in the allocation of resources by the Council particularly as part of the annual Budget process for development of the Medium Term Service and Resource Plans.

4 CORPORATE OBJECTIVES

- 4.1 This report directly supports delivery of the Council's Vision, to help "Make Bath & North East Somerset an even better place to live, work and visit" as it sets the three corporate objectives as areas of focus for prioritising our resources following a review of the organisation's strategic direction

5 THE REPORT

- 5.1 **The Vision** has been refreshed to focus on the current challenges. We have retained the same general direction of travel but with a change of emphasis that puts people first and communities at the heart of everything we do. The vision is now:

Bath and North East Somerset:

- **Where everyone fulfils their potential**
- **With lively, active communities**
- **Unique places with beautiful surroundings.**

What this Vision means:

Where everyone fulfils their potential

People that are

- Valued and come first

- Citizens who actively engage
- Proud of where they live
- Happy and fulfilled.

With lively, active communities,
Communities that

- Thrive
- Are fit for the future
- Are shaped by our citizens
- Are low carbon and resource efficient.
- People love to be part of.

Unique places with beautiful surroundings.
Unique places that

- Give us a great quality of life for work, leisure and sport
- Have a strong economy promoting local businesses
- Value the contribution of local people, students and tourists
- Are building for a greener/ low carbon future
- And where local communities flourish.

To deliver the vision over the next few years the Cabinet has developed **3 objectives** that will also help to prioritise services:

- **Promoting independence and positive lives for everyone**
- **Creating neighbourhoods where people are proud to live**
- **Building a stronger economy**

The outcomes for Promoting Independence and Positive Lives for Everyone are:

- The people most in need are supported to live full active lives.
- Older people are supported to live independently.
- Children and young people enjoy their childhood and are prepared for adult life.
- Schools develop and extend their role in the local community.
- There are activities and opportunities to help young people to make a positive difference to their lives and communities.
- People have developed their skills and use them to improve their community.
- Everyone has the opportunity to participate in sports, leisure and cultural activities.
- Everyone has the opportunity to enjoy a healthy lifestyle.

The outcomes of Creating Neighbourhoods where People are Proud to Live are:

- Where people feel safe.
- There are decent affordable homes in private and social sector.
- Clean streets and open spaces.
- Where local people actively lead the delivery of improvements in their community.
- Where decisions are made as locally as possible.

- Where there is easy access to public services and local amenities.
- Reduced inequality between communities across Bath & NE Somerset.
- Communities that have adapted to changes in our climate and are not dependent on high carbon energy.
- Recycling and reduction in waste continues to be extended with residents increasing their responsibility for minimising waste.

The outcomes of Building a Stronger Economy are :

- A broad range of job and employment opportunities that recognise the different needs of rural, town and city communities.
- Where people are able to travel easily with reduced traffic congestion and pollution.
- With strong local business sector, tourism, and local shopping.
- The quality of the environment is maintained or enhanced.
- Key development sites are delivered to increase the number of local businesses.
- A diverse low carbon economy with growth in the knowledge, creative, sustainable energy, environmental and ICT industries.

Values

The kind of organisation the Council wants to be:

A listening Council with active citizens that reaches every community and culture.

The Council will operate efficiently as:

- **An open and engaging Council that empowers communities**
- **An enabling Council making things happen**
- **A Council that is positive about working with others**
- **A Council that works in partnership with a range of public, private and voluntary organisations**
- **A Council that makes decisions at the right time and level**
- **A Council that makes services easy to reach**
- **An organisation that encourages continuous learning and improvement.**

Process for delivering the Vision, Objectives and Outcomes:

5.2 Once agreed, the Council's existing planning and delivery framework will be revised to incorporate the new vision, objective and outcomes so that there is clarity in how this will be delivered. Greater detail and context will be provided in the Council's Corporate Plan which is scheduled to be taken to Council in July

2012. The Vision, Objectives and Outcomes will be delivered through Medium Term Service and Resource Plans and the Service Delivery Programme process.

5.3 These objectives cannot be delivered by the Council alone. It is important that we create even stronger relationships between the public, private and voluntary sector so that we can deliver this vision and objectives together with our partners – the police, schools, the health service, town and parish councils, community organisations, local businesses, local people and communities. In this way we will champion “joined up services” that are efficient and meet local need.

6 RISK MANAGEMENT

6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

7 EQUALITIES

7.1 An EqIA has not been completed for the following reasons:

This new vision for the Council is grounded in equality principles and seeks to create local service provision that is inclusive and fair to all. Full Equality Impact Assessments (EIAs) will be conducted by service areas as they implement this vision and develop their Service Action Plans.

8 CONSULTATION

8.1 *Consultation has been undertaken with all Councillors; Cabinet members;*

8.2 Consultation was undertaken through a series of workshops to consult with Strategic and Divisional Directors (including *Section 151 Finance Officer; Monitoring Officer,*) with a consultation event specifically arranged for all Members.

9 ISSUES TO CONSIDER IN REACHING THE DECISION

9.1 *Social Inclusion; Customer Focus; Sustainability; Young People; Human Rights; Corporate;*

10 ADVICE SOUGHT

10.1 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.

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Background papers	<i>None</i>
Please contact the report author if you need to access this report in an alternative format	

