

## **BATH AND NORTH EAST SOMERSET**

### **CABINET**

Wednesday, 7th December, 2011

The decisions contained within these minutes may not be implemented until the expiry of the 5 working day call-in period which will run from 8<sup>th</sup> to 15<sup>th</sup> December. These minutes are draft until confirmed as a correct record at the next meeting.

#### **Present:**

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

#### **107 WELCOME AND INTRODUCTIONS**

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

#### **108 EMERGENCY EVACUATION PROCEDURE**

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

#### **109 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

#### **110 DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972**

There were none.

#### **111 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

There was none.

#### **112 QUESTIONS FROM PUBLIC AND COUNCILLORS**

There were 9 questions from the following people: Councillors John Bull, Patrick Anketell-Jones (2), Martin Veal (2), Francine Haeberling, Tim Warren, Eleanor Jackson (2).

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

## **113 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS**

There were 7 notices of intention to make a statement at the meeting. Four statements were about items on the agenda.

Amanda Leon (Radstock Action Group) made a statement [*a copy of which is attached as Appendix 3 to the Minutes and on the Council's website*] welcoming the changes to the proposals but saying that all the major objections were ignored by Cabinet. She felt that the new proposals were concerned only with increasing the flow of traffic through the town, not with improving the town for those who live there.

George Bailey (Radstock Action Group) had prepared a statement which Amanda Leon read on his behalf [*a copy of which is attached as Appendix 4 to the Minutes and on the Council's website*]. He felt that the new proposals had come too far into the consultation period to enable effective consultation on them.

John Sprately made a statement saying that the computer modelling needed independent expert scrutiny. He questioned some of the figures, costs and traffic times quoted in the proposals. He stressed that local businesses and jobs were at risk.

## **114 MINUTES OF PREVIOUS CABINET MEETING**

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

**RESOLVED** that the minutes of the meeting held on Wednesday 9<sup>th</sup> November 2011 be confirmed as a correct record and signed by the Chair.

## **115 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET**

There were none.

## **116 CONSIDERATION OF MATTERS REFERRED BY OVERVIEW AND SCRUTINY BODIES**

The Chair announced that the Economic and Community Development Policy Development and Scrutiny Panel had met on 5<sup>th</sup> December to consider the Call-in of Cabinet Decision E2328 on Broadband Provision. The Panel had agreed to make some recommendations to Cabinet and the Chair of the Panel had referred the Panel's recommendations, for consideration by Cabinet. He drew attention to the summary of the Panel's recommendations, a copy of which had been put into the public gallery before the meeting [*and are attached as Appendix 2 to these Minutes and on the Council's website*].

Councillor Robin Moss, Chair of the Panel, introduced the Panel's recommendations to Cabinet. He observed that the Panel had unanimously supported the recommendations. He felt that the strong response to the decision indicated that there had been inadequate consultation prior to the decision.

Councillor Cherry Beath thanked the Panel for their hard work, and all contributors for their considerable input to the debate. She emphasised that there was no disagreement on the importance of this issue – only of the means to achieve the best

outcome. She believed that some of the suggestions warranted consideration, but would need proper technical advice before this could be done, so she made a proposal to Cabinet, the effect of which would be that Cabinet would reconsider the issue at a future meeting.

On a motion from Councillor Cherry Beath, seconded by Councillor Paul Crossley, it was

**RESOLVED** (unanimously)

(1) To NOTE recommendations made by the Economic and Community Development Policy Development and Scrutiny Panel from its meeting of 5th December 2011;

(2) To AGREE that further technical information would be required before reconsidering the issue;

(3) To ASK that a new report be presented to Cabinet in due course to enable Cabinet to make a further decision with all the information available.

#### **117 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING**

There were none.

#### **118 PROVISION STRATEGY FOR PUBLIC TOILETS IN BATH & NE SOMERSET**

Councillor Eleanor Jackson made a statement [*a copy of which is attached to the Minutes as Appendix 5 and on the Council's website*] in which she made the case for the importance of public toilets for workers, shoppers and visitors to the area.

Councillor David Dixon, in proposing the item, said that the proposal was for a 15-year rolling strategy. Cabinet were determined to safeguard the provision. He agreed with Councillor Jackson that toilet provision was essential to the local community and to the economy. He was particularly keen to engage with developers so that the provision or replacement of local toilets could be agreed as part of any development. He emphasised that when toilets were being upgraded, they were being made compliant with the Disability Discrimination Act.

Councillor Paul Crossley seconded the proposal.

Councillor David Bellotti referred to paragraph 3.9 of the report and emphasised that the strategy was subject to an annual revenue review.

Councillor Roger Symonds was pleased to note that the toilets in the coach park would also be improved, because for some visitors this was their first impression of Bath.

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

**RESOLVED** (unanimously)

(1) to ADOPT the Provision Strategy for Public Toilets in Bath & North East Somerset, 2011-2026, with reviews to be carried out every 5 years.

#### **119 OLYMPICS / CULTURAL OLYMPIAD 2012**

Councillor David Dixon, in proposing the item, said that 2012 would be an exciting year and the Council would be embracing all the challenges. He outlined some of the planned events and activities and thanked Lynda Deane and Ann Cullis, who had worked so hard to prepare for the Olympiad. He moved the proposals.

Councillor Cherry Beath seconded the proposal and observed that not all the planned events involved physical activity; many were cultural and educational.

Councillor Simon Allen was particularly pleased that the area would be heavily involved in the Paralympic events.

Councillor Paul Crossley said that he would be inviting all Councillors to join him in the challenge to contribute towards the grand total of 2,012km in running, cycling, swimming, walking and other activities. He also expressed how delighted he was that Bath would be looking after the British Paralympics Team for the next 5 years. He observed that this would require renewed efforts to ensure the accessibility of local venues.

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

**RESOLVED** (unanimously)

(1) To ENGAGE in the National celebrations of the Olympic and Paralympic Games and the ambitions of the London Organising Committee of the Olympic Games and the Government to leave a legacy for future generations;

(2) To EMBRACE all the plans outlined in this Report and support the activities proposed positively;

(3) To ENCOURAGE all Councillors to enthuse and engage their own communities in the planned programme of events and challenges and participate fully in the opportunities and benefits offered by 2012;

(4) To ENCOURAGE all Council staff to adopt an Olympics message in their email signature from January 2012 and to participate in the activities associated with this Report, in line with the Council's Health, Safety and Wellbeing Policy;

(5) To APPOINT the Leader of the Council as the Olympics Champion and as the figurehead for 2012 locally.

## **120 LOCAL SUSTAINABLE TRANSPORT FUND MAJOR BID**

Councillor Charles Gerrish made an *ad hoc* statement supporting the recommendations and welcoming the inclusion of the proposed cycle route from Batheaston to Bath Spa.

Councillor Roger Symonds, in proposing the item, acknowledged the huge amount of work already done by Councillor Gerrish when he had been the responsible Cabinet member. He advised Cabinet that the proposals had been adopted, that morning, by the West of England Partnership subject to approval by Cabinet tonight. He was delighted that the Partnership had already reached the shortlist of 9 applicants for funding. He emphasised that sustainable economic growth was a crucial part of the bid and referred to paragraph 5.5 of the report in support of this. He felt that it was this emphasis on growth which would make the bid attractive to government.

Councillor Nathan Hartley seconded the proposal. He congratulated Councillor Symonds and the authors of the bid for their hard work. He emphasised that it would be essential to work with local partner authorities in the matter of transport.

Councillor David Bellotti warmly supported the proposals, subject to approval in the budget. He referred to Appendix 3 of the report, and emphasised that the inclusion by Cabinet of 20mph schemes had made the bid viable.

On a motion from Councillor Roger Symonds, seconded by Councillor Nathan Hartley, it was

**RESOLVED** (unanimously)

(1) To ACCEPT the £750,000 awarded through the Local Sustainable Transport Fund Key Component bid;

(2) To APPROVE the West of England joint bid for £25.5 million (WEST) from the DfT Local Sustainable Transport Fund, SUBJECT to approval of the Council's matched funding elements as part of the Revenue Budget and Capital Programme in February 2012.

## 121 KEYNSHAM REGENERATION SCHEME AND WORKPLACES PROGRAMME

The Keynsham Regeneration Project team showed a 3-dimensional visual impression of the proposed development. The Chair thanked the team for their presentation.

Gill Hellier (Keynsham resident) made a statement welcoming the redevelopment plans for Keynsham and asking the Cabinet to approve the proposals, along with the road improvements.

Sheila Crocombe (Keynsham resident) made a statement [*a copy of which is attached as Appendix 6 to the Minutes and on the Council's website*]. She made particular mention of the first floor space and One Stop Shop and said that she was disappointed that the new space would be a replacement Council Chamber. She hoped that Cabinet would consider the needs of the thriving Keynsham Film Club, which needed a projector and screen.

Roger Busby (Keynsham Civic Society) made a statement [*a copy of which is attached as Appendix 7 to the Minutes and on the Council's website*]. He felt that the designs did not reflect the historic market town and did not meet the needs for sustainability, particularly because the roofs were not inclined enough to take advantage of the solar power options.

Councillor Cherry Beath asked Mr Busby whether he was aware that the proposed buildings included state of the art energy saving elements. Mr Busby said he was aware of this, but that he had been referring to the lack of a District Energy Scheme.

Councillor Charles Gerrish in an *ad hoc* statement welcomed the proposals and was pleased to see the savings which had been achieved. He acknowledged the merits of the preferred option for funding. He felt in paragraph 5.6 the report should refer to "negotiations" with the current head tenant, not "discussions". He also expressed some concern over the lack of clarity about interim Library facilities.

Councillor Tony Clarke made an *ad hoc* statement congratulating the Cabinet for pushing forward with the scheme, which he felt would bring about a significant improvement in the built environment.

The Chair asked all Cabinet members to confirm that they had read Appendix 4 (Leasing Strategy) and the Public Interest Test document which accompanied it. All confirmed this. The Chair then proposed that Appendix 4 was exempt from publication, by virtue of paragraph 3, Part 1 of Schedule 12A of the Local Government Act 1972. This was seconded by Councillor Cherry Beath and Cabinet

agreed unanimously. The Chair reminded Cabinet members that if they wished to refer to the Appendix during the debate, they must first vote to exclude the public from the meeting. All Cabinet members agreed that they did not wish to refer to the Appendix.

Councillor David Bellotti, in proposing the item, said that the existing accommodation was expensive, wasteful and inadequate. He explained that the plans were in due course to have One Stop Shops at Lewis House Bath, Hollies Midsomer Norton, and in Keynsham at the newly built offices. He explained that the proposals had been amended to reduce the cost and maximise the income by involving police, health, citizens advice and others to rent space in the buildings. It was not possible at that point to mention a number of others with whom negotiations were taking place.

Councillor Bellotti explained that the funding option being recommended was for funding from capital receipts and existing cash flow, without the need for additional external borrowing. He agreed with others that there were financial risks in any large project, but the Council was working with a construction delivery partner and the contract would minimise the risk to the Council.

He explained that as a result of the public consultation, a number of changes had been made including changes to the materials, the shape of the buildings and a larger car park. He stressed that the Cabinet were committed to the development as a community provision. He also explained that the Cabinet were considering possible extensions to the main project, which might involve a riverside retirement living complex.

Councillor Cherry Beath seconded the proposal and said that the Council had a long term commitment to the regeneration of Keynsham. She wanted to see retailers moving into the town as soon as possible and was excited about the prospect of a thriving, modern town centre.

Councillor Paul Crossley welcomed the proposals as an excellent piece of work. He confirmed that Cabinet were seeking solutions for the Fire Brigade, swimming pool and others.

On a motion from Councillor Paul Crossley, seconded by Councillor Cherry Beath, it was

**RESOLVED** (unanimously)

(1) To AGREE that appendix 4 (Leasing Strategy) of the report is EXEMPT from publication by virtue of paragraph 3, Part 1 or Schedule 12A of the Local Government Act 1972.

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

**RESOLVED** (unanimously)

(2) To PROCEED in line with the planned accommodation model detailed within the report including the planned partnership arrangements;

(3) To PROCEED with submission of a full planning application for the Keynsham Town Centre Regeneration in January 2012 after further consultation;

(4) To PROCEED with the appointment of a delivery partner for the Keynsham Town Centre Regeneration in line with arrangements in contract standing orders;

(5) To PROCEED with financing Option 5 – Internal Borrowing backed by cash flow and capital receipts as the preferred option to provide the operational Capital Funding Requirement for this project, SUBJECT to the agreement by Full Council as

part of the Revenue Budget and Capital Programme, and the Prudential Borrowing Limits in February 2012;

(6) To ADOPT the changes to the Keynsham Town Centre Regeneration scheme to reflect the public consultation as detailed in the report;

(7) To GIVE a 6 month notice to the current retail tenants in order to gain vacant possession in line with the current programme, this notice period to enable trading to continue over Christmas 2011 and into early summer 2012;

(8) To NOTE that options that are being pursued in respect of the future redevelopment of Riverside;

(9) To NOTE the progress of negotiations to secure tenants for the retail units including draft heads of terms with the anchor tenant;

(10) To NOTE the strong support for the Keynsham Regeneration scheme from the consultation undertaken.

The meeting ended at 7.55 pm

Chair

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Date Confirmed and Signed

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**Prepared by Democratic Services**