

BATH AND NORTH EAST SOMERSET COUNCIL

MINUTES OF COUNCIL MEETING

Thursday, 14th November, 2013

Present:- **Councillors** Simon Allen, Patrick Anketell-Jones, Rob Appleyard, Sharon Ball, Tim Ball, Colin Barrett, 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, David Dixon, Peter Edwards, Michael Evans, Paul Fox, Andrew Furse, Charles Gerrish, Ian Gilchrist, Francine Haerberling, Alan Hale, 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, Douglas Nicol, Bryan Organ, June Player, Vic Pritchard, Liz Richardson, Manda Rigby, Caroline Roberts, Nigel Roberts, Dine Romero, Brian Simmons, Kate Simmons, Jeremy Sparks, Ben Stevens, David Veale, Martin Veal, Tim Warren, Chris Watt and Brian Webber

Apologies for absence: **Councillors** Gabriel Batt, Douglas Deacon, Les Kew, Paul Myers, Will Sandry, Roger Symonds and Geoff Ward

38 EMERGENCY EVACUATION PROCEDURE

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

39 DECLARATIONS OF INTEREST

Councillor Rob Appleyard declared an 'other' interest in item 9 – Citizens Advice Bureau – as a trustee of the organisation.

Councillor Eleanor Jackson declared an 'other' interest in item 9 – Citizens Advice Bureau – as having received advice services in the past.

Councillor Charles Gerrish declared an 'other' interest in item 9 – Citizens Advice Bureau – as a trustee of the SWAN Advice network

Councillor Michael Evans declared an 'other' interest in item 9 – Citizens Advice Bureau – as a trustee of the SWAN Advice network

40 MINUTES - 12TH SEPTEMBER 2013

On a motion from Councillor Eleanor Jackson, seconded by Councillor Bryan Organ, it was

RESOLVED that the minutes of 12th September 2013 be confirmed as a correct record and signed by the Chairman, once a minor textual amendment had been done.

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

The Chairman made the customary announcements regarding mobile phones and a comfort break.

He passed the condolences of Council to Councillor Sally Davis following the recent death of her husband.

The Chairman also congratulated Councillor Francine Haeberling on her birthday.

42 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There were no items of urgent business.

43 REPORT OF URGENT DECISIONS

On a motion from Councillor Paul Crossley, seconded by Councillor Tim Warren, it was

RESOLVED to note the urgent decisions taken by the Chief Executive (in consultation with Group Leaders) since the last meeting of Council, in accordance with the Urgency rules within the Constitution (Part 4 (G), rule 3) which were;

1. To approve, for a period of six months from the date of this meeting, the non-attendance at meetings of Council and its Committees, due to illness, of Councillor Batt;
2. To authorise the acquisition of property potentially of use in connection with proposals for additional Park & Ride facilities; and
3. To approve capital expenditure of £80k in connection with the enhancement of leisure provisions at South Wansdyke Sports Centre.

44 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC

Statements were made by the following people.

- David Redgewell made a statement about the duty to develop and maintain a Regional Transport Strategy and asked for the Cabinet Member's help in preserving regional partnerships. The statement was referred to the Cabinet Member for Transport. A copy of the statement has been placed on the Council's Minute book and linked to the electronic record.
- Gareth Herincx made a statement on behalf of the South of Bath Alliance and presented a petition of 1305 signatures entitled "Protect South Stoke Plateau from 300 new homes". In response to a question from Councillor Paul

Crossley asking if Mr Herincx was aware that last year, Councillor Tim Ball had presented a housing strategy to Council which contained no extension into the green belt but which had been defeated by this Council, Gareth responded that he was aware of that, and was also aware of the significant pressure from central government to build houses. A copy of the statement has been placed on the Council's Minute book and linked to the electronic record. The statement was referred to the Cabinet Member for Homes and Planning and the petition was referred to the Core Strategy Planning Inspector.

- Robert Hellard, Vice-Chair of South Stoke Parish Council, made a statement calling on the Council to recognise the statutory protections that exist on the South Stoke site. In response to a question from Councillor Tim Ball enquiring whether the Parish Council would consider part funding if consultants were brought in to expedite the South Stoke Conservation Area appraisal, Mr Hellard responded that although he couldn't answer definitively for the Parish Council without a meeting, it was possible that they'd be able to contribute to achieve a prompt resolution of the problem. A copy of the statement has been placed on the Council's Minute book and linked to the electronic record. The statement was referred to the Cabinet Member for Homes and Planning.
- Leonie Robertson made a statement and presented a petition from parents, carers and staff of St Andrews Church of England Primary school highlighting the problems crossing Lansdown Road at the junction with Julian Road and Guinea Lane and calling for a zebra crossing to be installed as soon as possible. In response to a question from Councillor Caroline Roberts enquiring if Leonie was aware that the local Ward Councillors had been seriously lobbying for this and they hoped to include it in the budget, Ms Robertson responded that she was aware, but they'd had promises before so were really keen to see it being put into action. The statement and petition were referred to the Cabinet Member for Transport. A copy of the statement has been placed on the Council's Minute book and linked to the electronic record.

Concerning item 9 on the agenda

- Lin Patterson made a statement as an independent former user of the CAB, concluding with a song! A copy of the statement has been placed on the Council's Minute book and linked to the electronic record.
- Dr Michelle Farr from the University of Bath spoke on behalf of a research team that had spent 2 years looking into the impact of the CAB in B&NES. In response to a question from Councillor Eleanor Jackson about whether the research could be made available to Members, Dr Farr responded that it had only recently been submitted to the funders for a peer review and she hoped it would be available at the beginning of January. She invited Members to contact her directly with any specific queries. A copy of the statement has been placed on the Council's Minute book and linked to the electronic record.

- Jillian Tempo, a volunteer advisor for 9 years, made a statement in support of the CAB. A copy of the statement has been placed on the Council's Minute book and linked to the electronic record.
- Lin Patterson read a statement from Emily Aseri about the support she had received from the CAB. A copy of the statement has been placed on the Council's Minute book and linked to the electronic record.
- Philip Knowles, a Bath resident for over 20 years and volunteer advisor and supervisor at CAB, spoke in support of the free impartial service that it provides. He said that clients go to the CAB as they have nowhere else to go and he couldn't envisage how it would work for clients to visit different agencies for each issue they faced. In response to a question from Councillor Tim Warren about how many people volunteered for the CAB, Mr Knowles responded that it was more than 120 but he wasn't the right person to have the exact figure. *[This was subsequently confirmed by Richard Samuel as being 150.]*
- Joe Scofield made a statement in support of the CAB, expressing concern as to whether the level of service provided by the CAB could be replicated via other agencies. A copy of the statement has been placed on the Council's Minute book and linked to the electronic record.
- John James, a volunteer advisor at the CAB for 13 years, made a statement highlighting that, in addition to the invaluable advice services provided by the CAB, they also played a key role in improving policies that affect people's lives – an area of work that needed to continue.
- Shelagh James spoke as a private citizen of Bath for 40 years who had witnessed the help and support the CAB had provided, particularly with the staff and students of Bath College.
- Thomasin Gillow made a statement describing various difficult times in her life when she had called upon the CAB to help her through traumatic experiences. Due to this support, her situation had improved considerably and she was now working and things were generally much better. She called on the Council to continue funding the CAB.
- A statement from Victoria Creeghan-Davies was read by Gillian Whitehead. The statement described how her life had changed beyond recognition in the last 2 years through becoming disabled and a series of extremely challenging experiences. She had received conflicting advice from the agencies she had approached and had had lots of problems with benefits which were not resolved until she went to the CAB who sorted it all out.

The Chairman indicated the above statements would be taken into account during the subsequent debate.

The Council noted the questions and responses from members of the public that had been circulated at the meeting.

45 PETITION FOR DEBATE - CITIZENS ADVICE BUREAU

The Council had received a petition with sufficient signatures (over 4500) to trigger a debate at Council. The title of the petition reads - 'Please reconsider the plan to reduce the budget for advice services currently provided by CAB-BANES by 60% from next April.'

Richard Samuel, lead petitioner, spoke in support of the petition. In response to a question from Councillor Tim Ball asking by how much volunteer numbers would reduce if the cuts were implemented, Richard Samuel responded that the relationship between employed staff and volunteers was an absolute so there was no question that a reduction in staff would lead to a dramatic reduction in volunteers. In a response to a question from Councillor John Bull about the tendering process, Mr Samuel responded that he was aware that the Council had to make difficult financial decisions and he had been working with the Council examining why the continuation of the service was being reviewed; however, he didn't think that information was in the public domain. In response to a query from Councillor Bryan Chalker as to whether the Bath CAB branch was the first to be established in the country in 1939, Mr Samuel responded that it was certainly one of the first. A copy of the statement is attached to the Minute book and linked electronically to the minutes.

On a motion from Councillor Simon Allen, (seconded by Councillor David Bellotti) and then amended by Councillor Vic Pritchard, (seconded by Council Tim Warren), it was

RESOLVED (unanimously) as set out below;

This Council:

- Recognises and supports the work of the Citizens Advice Bureau and other organisations within Bath and North East Somerset who provide invaluable advice services to residents throughout the B&NES area, particularly during times of financial hardship.
- Recognises the importance of high-profile generalist advice services which are easily accessible to people from all backgrounds from across the area and can act as a 'triage' service as necessary.
- Is concerned that the level of proposed budget reductions to the Council's tendered advice services puts at risk the generalist service currently available to residents.
- Is concerned at the fragmented nature of advice services available to residents and at the potential for duplication within the advice services currently offered and supported by the Council.

- Is concerned at the lack of a published strategy by the Council in relation to advice and information services.

Council resolves:

1. To request that Cabinet ask officers to produce and publish an Advice and Information Services Strategy which details the Council's approach, including its aims and objectives, to the provision of both general and specialist advice and information services over the coming years.
2. To request that the Advice and Information Services Strategy addresses any issues with duplication and overlap of Council commissioned advice services and details the resource requirements necessary to deliver the Strategy.
3. To request that the recommendations of the Advice and Information Services Strategy are taken into account in the Cabinet's budget proposals for 2014/15, with consideration given to providing additional resources to deliver the Advice and Information Services Strategy if necessary.
4. To request that Cabinet therefore pause the current tender process until an Advice and Information Services Strategy has been produced and reviews the proposed budget for the advice services contract once the new Strategy has been published and its resource requirements known.

[Notes:

1. *Councillor Simon Allen had moved a motion, seconded by Councillor David Bellotti, to the effect of noting the work thus far on the advice and information service review but resolving that any change to proposals be dealt with as part of the budget setting process and to continue the proposed procurement exercise in the interim. The motion was replaced by the successful amendment.*
2. *Voting on Councillor Vic Pritchard's amendment was 55 for, 0 against, 3 abstentions.*
3. *Voting on the substantive motion was unanimous.*
4. *During debate, a motion to call for a recess before going to the vote was moved by Councillor Paul Crossley, seconded by Councillor David Dixon, but lost].*

46 HEALTH & WELLBEING STRATEGY

The Council considered a report seeking approval for the final Health & Wellbeing Strategy.

On a motion from Councillor Simon Allen, seconded by Councillor Tim Ball, it was

RESOLVED (unanimously)

1. To approve the Bath and North East Somerset Joint Health and Wellbeing Strategy, subject to the addition of the following words (italicised) into Theme 2, page 5 section entitled 'Improved Services which support and encourage independent living and dying well' - "*Community Transport plays a key role in reducing health inequalities of communities*"; and

2. To note the Equality Impact Assessment carried out on the Joint Health and Wellbeing Strategy.

[Note; The underlined wording in resolution 1. above was proposed as a minor adjustment by Councillor Vic Pritchard and accepted by the mover and seconder of the motion.]

47 THE LOCAL COUNCIL TAX SUPPORT SCHEME (LCTS) 2014-15

The Council considered a report regarding the Local Council Tax Support scheme and its continuation into its second year.

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

RESOLVED (50 for, 6 against)

1. To agree that the existing Council Tax Support Scheme, as set out in appendix 1 to the report, is approved for 2014/15 with adjustments made to reflect national uprating and other necessary technical changes; and
2. That these adjustments be delegated to the S151 officer in consultation with the Cabinet Member for Community Resources.

48 TREASURY MANAGEMENT MONITORING REPORT TO 30TH SEPTEMBER 2013

The Council considered a report giving details of performance against the Council's Treasury Management Strategy and Annual Investment Plan 2013/14 for the first six months of 2013/14.

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

RESOLVED (unanimously)

1. To note the Treasury Management report to 30th September 2013, prepared in accordance with the CIPFA Treasury Code of Practice; and
2. To note the Treasury Management Indicators to 30th September 2013.

49 MOTION FROM LABOUR GROUP - THE LIVING WAGE

The Council considered a motion from the Labour group.

On a motion from Councillor John Bull, (seconded by Councillor Liz Hardman), and then amended following a proposal by Councillor David Bellotti, (seconded by Councillor Andy Furse), it was

RESOLVED

That Council:

1. Recognises that paying the Living Wage can have benefits but believes that it is a 'LIVING INCOME' that is most important for every individual and family;
2. Notes that since the last general election the minimum wage has risen from £5.80 per hour to £6.31 per hour;
3. Notes that no council employee receives less than £6.45 per hour;
4. Notes that since the last general election the tax threshold has risen and will stand at £10,000 p.a. in 2014 making everyone in work £700 p.a. better off;
5. Notes that both political parties in Government are considering their manifestos for 2015 including raising the tax threshold to the minimum wage;
6. Notes that it is the Government's view that employers should be encouraged to pay above the minimum wage providing they are profitable and when it is not at the expense of jobs;
7. Notes that the cost of implementing a living wage would be around £320K. Further budget savings would be needed to be made to cover this cost and that would probably lead to some job losses and service cuts.

Therefore Council resolves:

1. Not to implement the Living Wage at this time, but to work towards it as and when the Council can afford it;
2. To support the Government policy of raising the tax threshold;
3. To remove spinal points 4, 5 and 6 of our pay scales putting the staff on those spinal points onto spinal point 7 as this would help our lowest paid, subject to consultation and agreement with staff and unions including how it is implemented and subject to the 2014/15 budget procedure;
4. To keep low pay under annual review during each future budget round.

[Notes;

1. *The original Labour motion, which was subsequently amended, asked the Council to agree in principle that all employees should be paid the Living Wage, to refer this to the Employment Committee, to consider any financial implications in the MTSRP process, to sign up for accreditation as a LW employer, to use its influence to urge other local employers to follow suit and, in the meantime, to remove spinal points 4, 5 and 6 and transfer any staff on those grades onto spinal point 7.*

2. *Voting on the amendment from Councillor David Bellotti was carried with 34 for, 5 against and 11 abstentions.*
3. *Voting on the substantive motion was 48 for, 2 against.]*

50 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS

One question was submitted by Councillor Nicholas Coombes to Councillor Dine Romero. A response was circulated, placed on the Minute book and has been linked to the electronic record.

The meeting ended at 10.10 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services