

BATH AND NORTH EAST SOMERSET COUNCIL

MINUTES OF COUNCIL MEETING

Thursday, 16th January, 2014

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, Douglas Deacon, 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, Les Kew, Dave Laming, Malcolm Lees, Marie Longstaff, 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, David Veale, Martin Veal, Geoff Ward, Tim Warren, Chris Watt and Brian Webber

Apologies for absence: **Councillors** Gabriel Batt, Barry Macrae, Douglas Nicol and Liz Richardson

51 EMERGENCY EVACUATION PROCEDURE

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

52 DECLARATIONS OF INTEREST

Councillor Eleanor Jackson declared an 'other' interest in item 8 – 'Children's Centres' as Secretary of Radstock Youth Partnership.

Councillor Dave Laming declared an 'other' interest in item 11 – 'River Avon Flooding' as a Phoenix Marine Boatyard operator and boatbuilder at Broadmead Lane, Keynsham, Bristol.

53 MINUTES - 14TH NOVEMBER 2013

On a motion from Councillor Peter Edwards, seconded by Councillor Eleanor Jackson, it was

RESOLVED that the minutes of 14th November 2013 be confirmed as a correct record and signed by the Chairman.

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

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

He also offered congratulations to the following residents of Bath & North East Somerset Council who had received honours in the Queen's New Year's list; -

Order of the British Empire - Commanders of the Order of the British Empire (CBE)

- **Peter Kendal Hargreaves** Co-founder, Hargreaves Lansdown. For services to Business Innovation, Financial Services & to the City of Bristol. (Chew Magna, Somerset)
- **Christopher John Mairs** Chief Scientist, Metaswitch Networks. For services to Engineering. (Bath, Somerset)

Order of the British Empire - Officers of the Order of the British Empire (OBE)

- **Hugo Rudolph Pike.** Director of Water Works Ltd For Charitable services in the UK & abroad through the Rotary Club and World Waterworks Ltd (Pensford Bristol)
- **Linda Mary Catherine, Mrs Wyon** Founder and Honorary President, Bath Child Contact Centre. For services to Children and Families. (Bath, Somerset)

Order of the British Empire - Members of the Order of the British Empire (MBE)

- **Paul Ian McDermott** Senior Executive Officer, Ministry of Defence. For services to Operational Helicopter Capability. (Bath, Somerset)
- **Ms Janet Lynn Paterson** Director of Olympic Relations, British Olympic Association. For services to Sport. (Radstock, Somerset)
- **Matthew David Whittington** Senior Executive Officer, Ministry of Defence. For services to Helicopter Operational Safety. (Somerset)

Order of the British Empire - Medallist of the Order of the British Empire (BEM)

- **Shirley June, Mrs Steel** For services to the community in Midsomer Norton, Somerset. (Midsomer Norton, Somerset)
- **Clare Victoria, Mrs Clilverd** For services to the community in Seagry, North Wiltshire and to Young People in Bath, Bristol and Great Somerford. (Chippenham, Wiltshire)

Dame Commander of the Royal Victorian Order (DCVO)

Lady Elizabeth Periam Acland Hood Gass (Lady Gass) has been awarded the DCVO in the New Year's Honours.

55 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There were no items of urgent business.

56 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC

Statements were made by the following people;

- Bryn Jones, Transition Larkhall, made a statement regarding the plans in the gateway project for a section of the London Road in Bath, in relation to removal of the cycle path. He referred to a petition of over 1,200 signatures which had been referred for debate at the February 18th Council meeting. In response to a question from Councillor Ben Stevens about whether Mr Jones was aware that the scheme had been amended to include the reinstatement of the cycle track, he responded that he had had a meeting with officers the day before and this had not been mentioned. The statement was referred to the Cabinet member for Transport.
- Lesley Mansell, Chair of Radstock Town Council, made a statement welcoming the reduction in cuts to the Children's Centres budget but asking Councillors to think carefully about the long-term impact of further reductions which could have a detrimental effect on schools in the Radstock area which has a high proportion of SEN children. In response to a question from Councillor Dine Romero about whether Ms Mansell was aware that the intention had always been that if more money was available, it would go into Children's Centres, Ms Mansell responded that their local service was run by volunteers and so its future was uncertain. In response to a question from Councillor John Bull about universal access for all parents, Ms Mansell responded that services should be available to all, not just those families deemed as deprived. The Chair indicated that the statement would be taken into account during the subsequent debate.
- Nettie Williams made a statement as a mother and past user of the Children's Centre service. She asked a series of questions about the future plans for the service and allocation of the £500,000. Councillor Romero thanked Ms Williams for her contribution thus far, and promised to get back to her regarding her specific queries. Councillor Tim Warren asked about the effect of the Centre on her life. Nettie Williams responded that it was more about the effect on the lives of the women she saw every week. In response to a question from Councillor Liz Hardman, Ms Williams confirmed that access should be universal. The Chair indicated that the statement would be taken into account during the subsequent debate.
- Jane Carter, Branch Secretary UNISON, made a statement opposing cuts to Children's Centre services, a copy of which has been placed on the Council's Minute book and is attached electronically to the minutes. In response to a query from Councillor Dine Romero about whether Ms Carter was aware that the proposals included plans to work with parishes and those providing specialist services, not just volunteers, Jane Carter responded that she was aware, but not of the details. In response to a query from Councillor Robin Moss about whether the uncertainty for existing staff made it difficult to recruit into positions, Ms Carter responded that they were concerned about job losses, loss of skills and the impact on children. The Chair indicated that the statement would be taken into account during the subsequent debate.

- Hugo Jenks made a statement regarding funding to the Child Contact centre in Bath and raising in particular the issue of enabling contact with absent fathers. In response to a query from Councillor Dine Romero about whether Mr Jenks was aware that contact happens in the best place, not just in these Centres, Mr Jenks responded that he was making the case for this particular Centre. In response to a query from Councillor Eleanor Jackson about how many children would be affected by cuts in funding, Mr Jenks responded that he didn't have the figures but had felt compelled to put in a good word after his own positive experience. A copy of the statement has been placed on the Council's Minute book and is attached electronically to the minutes. The Chair indicated that the statement would be taken into account during the subsequent debate.
- Helen Dudden made a statement supporting the vital work of Children's Centres for vulnerable children and highlighting cases of child deaths at the hands of their parents. In response to a query from Councillor Liz Hardman as to whether early intervention from Children's Centres might have prevented some of those deaths, Ms Dudden responded that the earlier you could get to children, the more chance there was to save them. The Chair indicated that the statement would be taken into account during the subsequent debate.
- Ailsa McKenzie made a statement stressing the need for universal access to these services for all. She drew on her own experience of accessing Children's Centre services, and her professional experience as an Assistant Head Teacher and Early Years and SENCO co-ordinator. In response to a query from Councillor Liz Hardman about whether money should be targeted to the most vulnerable, Ms McKenzie responded that it was her strong belief that any service for children and families should be inclusive, not exclusive. The Chair indicated that the statement would be taken into account during the subsequent debate.

57 PETITION FOR DEBATE - CHILDREN'S CENTRES

The Council had received a petition with sufficient signatures to trigger a debate at Council. The title of the petition reads - "B&NES Council are planning to cut almost 40% from the Children's Services budget over the next two years, forcing drastic reductions in opening hours and the range of services at Children's Centres across Bath and North East Somerset. We, the undersigned, call on B&NES to protect our Children's Centres, and not to go ahead with its planned 38% cut to Children's Services".

Vicky Drew, lead petitioner, spoke in support of the petition.

On a motion from Councillor Liz Hardman (seconded by Councillor John Bull) and then amended by Councillor Michael Evans, seconded by Councillor Geoff Ward, it was

RESOLVED (unanimously) as set out below;

This Council:

- Thanks the organisers of the petition for bringing this matter to the attention of the Council;
- Welcomes the opportunity to debate the future of Children's Centres with the proposed cuts of 38.8% to Children's Centres services;
- Notes that a commitment has been made to publish detailed information regarding the proposed model for the future delivery of Children's Centre services but regrets that this detailed information will not be available until February 2014;
- Notes that the Cabinet has stated its intention to allocate an additional £500,000 to the Early Years & Children's Centres budget, thereby reducing the planned budget cut from £2.3m to £1.8m (38.8% to 30.4%);
- Remains concerned that the scale of the proposed budget cuts will still have a significant impact on the Children's Centre services available to some communities with a significant number of vulnerable residents, such as Odd Down, Peasedown, Paulton, Midsomer Norton and Weston village, and in areas of rural isolation such as the Chew Valley;
- Is concerned that the number and locations of the 'hub' Children's Centres, as currently being considered by the Cabinet, will result in a significantly downgraded service at the proposed non-hub Children's Centre locations

This Council resolves:

1. That subject to Council approval of the 2014 -15 budget in February, the additional £500,000 proposed by the Cabinet for the Children's Centres and Early Years budget become an on-going part of the base budget and that, in the event of the hub model being implemented, the majority of this additional funding be directed at supporting and protecting as much as possible the services available in the 'non-hub' centre areas, and particular to vulnerable families recognising that final allocations are determined using a needs-led formula.
2. To ask that Cabinet reassess the currently proposed number and location of its planned 'hub' Children's Centres to ensure that, if the 'hub' model is adopted, the 'hub' centres are situated in the most suitable locations so that the maximum possible Children's Centre services can continue in all communities currently served by Children's Centres.
3. To ask that the Cabinet, as part of their forthcoming budget proposals, seeks to find further additional resources to further reduce the scale of cuts to Children's Centres and Early Years services, beyond those mentioned in (1), with particular consideration given to providing additional 'pump-priming' and start-up funding to support voluntary and other organisations in taking on a greater role in the provision of Children's Centre services.

4. To instruct officers, when publishing details of the proposed model for the future delivery of Children's Centre services to identify the ways in which the proposed service specification differs from the service currently provided;
5. In respect of 4 (above), to instruct officers specifically to identify the following:
 - a. The services provided at all Children's Centres now, and services to be provided in the future;
 - b. The number of children provided for now and number of children to be provided for in the future, including information about how it is proposed to target services;
 - c. The current number and roles of staff in each Centre, and the future number and roles of staff under the proposed model; and
 - d. The opening hours for each Children's Centre now, and opening hours under the proposed model; and
6. Agrees, when considering the budget proposal at the budget-setting meeting in February 2014, to take account of a) the contributions made at this meeting and b) the detailed information provided as a result of paragraphs 3-5 (above).

[Notes:

1. *Councillor Dine Romero had moved a motion, seconded by Councillor David Bellotti, that the Council budget amendment leading to the substantial review of services, the consultation that would be held and the intention to put the £500,000 back into the base budget and thanking residents who had signed the petition on Children's Centres and contributed to the scrutiny process, and resolving to take these views into account during consideration of the 2014/15 budget. The motion was replaced by the successful amendment.*
2. *Councillor Liz Hardman moved an amendment (first 3 bullet points and 4, 5 & 6 of the resolution above), seconded by Councillor John Bull, which was carried by way of a named vote;*

Councillors voting for (31) – Patrick Anketell-Jones, Rob Appleyard, Colin Barrett, Matthew Blankley, John Bull, Anthony Clarke, Sally Davis, Doug Deacon, Peter Edwards, Michael Evans, Charles Gerrish, Francine Haeberling, Alan Hale, Liz Hardman, Nathan Hartley, Eleanor Jackson, Les Kew, Marie Longstaff, Robin Moss, Paul Myers, Bryan Organ, June Player, Vic Pritchard, Brian Simmons, Kate Simmons, Martin Veal, David Veale, Geoff Ward, Tim Warren, Chris Watt, Brian Webber

Councillors voting against (30) – Simon Allen, Sharon Ball, Tim Ball, Cherry Beath, David Bellotti, Sarah Bevan, Lisa Brett, Neil Butters, Bryan Chalker, Nicholas Coombes, Paul Crossley, Gerry Curran, David Dixon, Paul Fox, Andy Furse, Ian Gilchrist, Katie Hall, Steve Hedges, Dave Laming, Malcolm Lees, David Martin, Loraine Morgan-Brinkhurst MBE, Mandy Rigby, Caroline Roberts, Nigel Roberts, Dine Romero, Will Sandry, Jeremy Sparks, Ben Stevens, Roger Symonds. No absentions.

3. *The successful resolution as set out above was carried on a named vote*

Councillors voting for (61) Simon Allen, Patrick Anketell-Jones, Rob Appleyard, Sharon Ball, Tim Ball, Colin Barrett, Cherry Beath, David Bellotti, Sarah Bevan, Matthew Blankley, Lisa Brett, John Bull, Neil Butters, Bryan Chalker, Anthony Clarke,

Nicholas Coombes, Paul Crossley, Gerry Curran, Sally Davis, Doug Deacon, David Dixon, Peter Edwards, Michael Evans, Paul Fox, Andy Furse, Charles Gerrish, Ian Gilchrist, Francine Haeberling, Alan Hale, Katie Hall, Liz Hardman, Nathan Hartley, Steve Hedges, Eleanor Jackson, Les Kew, Dave Laming, Malcolm Lees, Marie Longstaff, 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, Geoff Ward, Tim Warren, Chris Watt, Brian Webber.

4. *At the conclusion of this debate, a ten minute recess was taken. The Council reconvened at 8.50pm.]*

58 MOTION FROM THE CONSERVATIVE GROUP - DORCHESTER STREET BUS GATE TRIAL

An officer briefing note had been circulated for this item and is available on the Minute book and attached electronically to the minutes.

The Council considered a motion from the Conservative group.

On a motion from Councillor Anthony Clarke, seconded by Councillor Brian Webber, it was

RESOLVED that

This Council:

- Notes that the Council has announced that it is due to implement an experimental bus lane running eastbound on Dorchester Street from the 20th January which will be operational seven days a week from 10am to 6pm each day for a period of up to 18 months, with a view to this experimental order becoming permanent.
- Notes the concerns of residents over the Dorchester Street bus gate and the likely impact of displaced traffic on nearby roads.
- Notes that the Council's traffic assessment suggests that up to 160 vehicles an hour could be displaced onto the A36 Pulteney Road at peak times, with up to 130 displaced onto North Parade.
- Is concerned by the lack of clearly defined objectives in relation to the Dorchester Street bus gate by which the success of the trial can be judged, as well as the lack of clarity over what monitoring of traffic movements and journey times will take place during the trial period.
- Is concerned that the Dorchester Street bus gate trial is not being implemented as part of a wider traffic management strategy and prior to the publication of the draft Transport Strategy by Mott Macdonald.

- Is concerned that the Dorchester Street bus gate trial is taking place at the same time as a number of other traffic projects are due to take place, including the three month closure by the Highways Agency of the A36 as well as the Rossiter Road/Widcombe Parade works.

Therefore Council resolves:

1. To request the Cabinet instruct Officers to limit the trial period for the Dorchester Street bus lane to a maximum of six months, with the trial to be paused during the period of the Rossiter Road/Widcombe Parade road works if this work commences before the end of the trial period.
2. To request that Cabinet publish a set of measurable objectives against which the success or otherwise of the Dorchester Street bus lane trial can be judged.
3. To request that Cabinet instruct Officers to undertake detailed monitoring of the impact of the Dorchester Street bus lane on nearby roads during the trial period, including the amount of displaced traffic, pollution levels and journey times on nearby roads.
4. To request that at the end of the trial period the Cabinet report back to Full Council the findings of the experimental bus lane, including its impact on displaced traffic and its success or otherwise when measured against the objectives mentioned in (2) above, before deciding whether to make the bus lane permanent.

[Notes

1. *An amendment moved by Councillor Caroline Roberts, seconded by Councillor Paul Crossley, which noted various points rather than expressing concern and proposed that the criteria for judging success and the detailed monitoring of impact be published and for consideration of restrictions being removed when major works would be taking place on alternative routes was lost with 27 Councillors voting in favour and 33 Councillors voting against.*
2. *The original motion was carried with 33 Councillors voting in favour, 23 Councillors voting against and 4 Councillors abstaining.]*

59 MOTION FROM THE CONSERVATIVE GROUP - A36 TEMPORARY CLOSURE AND HGV DISPLACEMENT

An officer briefing note had been circulated for this item and is available on the Minute book and attached electronically to the minutes.

The Council considered a motion from the Conservative group.

On a motion from Councillor Martin Veal, seconded by Councillor Alan Hale, it was

RESOLVED that

This Council:

- Notes that the Highways Agency has announced plans to close the A36 between Hantone Hill in Bathampton and the centre of Brassknocker Hill in the Spring due to essential maintenance work for a period of up to three months.
- Notes that the Council was unsuccessful in its recent attempt to implement a weight restriction on the A36 due to objections from Wiltshire and Somerset Councils, as a result of concerns over the displacement of HGV traffic.
- Maintains its ambition to find ways of reducing the number of HGVs travelling into and through Bath.
- Notes that the Council is continuing its dialogue with Wiltshire Council over cross-boundary traffic issues, including HGVs travelling through Bath.

Council resolves:

1. To request that Cabinet instruct Officers to work with Wiltshire and Somerset Councils to closely monitor the impact of the planned A36 closure on the displacement of traffic, with particular attention paid to the alternative routes used by HGVs during the closure period, with a view to building an evidence base to support the Council's position in relation to the need to reduce HGV numbers within Bath.
2. To request that Cabinet instruct Officers to monitor the impact on visitors numbers within the city and its attractions, as well as the revenue implications to parking and heritage services during the closure period.

[Notes

1. *The above resolution contains wording (as underlined) proposed by Councillor Caroline Roberts and accepted by the mover and seconder of the motion.*
2. *The above motion was carried unanimously.*

60 MOTION FROM THE RIVER CHAMPION, CLLR DAVE LAMING - B&NES SURFACE WATER AND RIVER FLOODING

An officer briefing note had been circulated for this item and is available on the Minute book and attached electronically to the minutes.

James Hurley made a statement regarding severe flooding across B&NES and the opportunities that arose to address the challenges it brought up. In response to a question from Councillor June Player about Mr Hurley's reference to the path Wessex Water are taking, Mr Hurley responded that Wessex Water have led a management group and are working on a collaborative approach with a move towards eco system solutions which use the environment to be more resistant. A copy of the statement has been placed on the Council's Minute book and is attached electronically to the minutes. The Chair indicated that the statement would be taken into account during the subsequent debate.

Councillor Dave Laming opened the debate and moved his motion, which was seconded by Councillor Nigel Roberts.

It was **RESOLVED**

This Council:-

- Notes and recognises the seriousness of flooding throughout the District.
- Recognises that people look to this Council to take action to minimise the risk from flood waters and debris in accordance with the Flood Water Management Act 2010.
- Recognises that homes and businesses have been damaged and in some instances destroyed due to these flood waters and debris.
- Notes that on Christmas Eve, the City of Bath came very close to a serious flooding incident and other areas of the District have also been subjected to very serious flooding. This is becoming more frequent.

Council therefore resolves:

1. To recognise that there is an established command structure which takes control when a flood emergency is imminent or occurs as set out in the Bath and North East Somerset Major Incident Plan and to propose that a multi-agency response group is established to oversee the implementation of the plan.
2. To instruct Officers to establish a Flood Board in accordance with the legislation to ensure partnership working, raise awareness of flood risk, promote resilience and undertake the necessary work required by the Flood Water Management Act 2010.
3. To develop a community resilience strategy and ensure that members and partner organisations are aware of the flood plans which are in place. To make sure that the strategy and plans are future proofed and aligned with existing and planned regeneration, flood defence and flood conveyance measures.
4. To ensure that the flood plans become a vital component of the Bath and North East Somerset River Strategy and can support Bath and North East Somerset Council in its role as Lead Local Flood Authority.
5. Under the leadership and guidance of the Council's Strategic Director for Place to urgently form a Round Table Working Group from the top level decision makers of the Canal & River Trust, the Environment Agency, Wessex Water, The River Regeneration Trust, and Senior Officers from this Council to discuss the river on a wider basis including flooding issues and proposed flood mitigation projects and other aspects such as usage.

6. To send a letter, signed by the Leader and the Chief Executive, to the Secretary of State for the Department for Environment, Food and Rural Affairs (DEFRA) requesting that they urgently commit to implement all aspects of flood defence in the light of recent flooding events, and to express strong concern at any proposal to remove funding for Sustainable Urban Drainage Systems (SUDS).

[Notes

1. *This motion was carried with 45 Councillors voting for, 0 Councillors voting against and 12 Councillors abstaining.]*

61 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS

One question had been submitted by Councillor Roger Symonds. Three questions had been submitted by Councillor Brian Webber. Responses were circulated, placed on the Minute book and have been linked to the electronic record.

The meeting ended at 10.15 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services