

BATH AND NORTH EAST SOMERSET COUNCIL

MINUTES OF COUNCIL MEETING

Thursday, 11th September, 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, David Dixon, Peter Edwards, Michael Evans, 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, Barry Macrae, David Martin, Robin Moss, Paul Myers, Douglas Nicol, June Player, Vic Pritchard, Liz Richardson, 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** Douglas Deacon, Paul Fox, Andrew Furse, Terry Gazzard, Loraine Morgan-Brinkhurst MBE and Bryan Organ

24 EMERGENCY EVACUATION PROCEDURE

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

25 DECLARATIONS OF INTEREST

Councillor Eleanor Jackson declared an 'other' interest in item 10, "Youth Justice Plan 2014-2015" as trustee of the Radstock Youth Partnership.

26 MINUTES - 10TH JULY 2014

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

RESOLVED that the minutes of 10th July 2014 be approved as a correct record and signed by the Chairman.

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

The Chairman made the customary announcements regarding mobile phones and the meeting being webcast.

He also asked the Council to stand in silence as a mark of respect following the recent death of former Councillor Alan French.

28 URGENT BUSINESS - KELSTON ROAD LANSLIP REPAIRS - UPDATED POSITION

The Chairman informed Council that, following consultation with Group Leaders, he had agreed to take as an item of urgent business, a report concerning the funding of remedial works at Kelston road.

He explained the reason why he considered it necessary for the report to be dealt with at this meeting so that the necessary funding, over and above the approved budget, is identified and the necessary commitments made. This would ensure that the revised programme of works could be commenced without delay and the project completed at the earliest opportunity.

During debate, Councillors wished to pass their thanks to Kelvin Packer and his team for their work on this challenging project.

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

RESOLVED

1. That a virement of £0.66m from the Bath Transport package capital budget to the Kelston Road Capital budget be approved, taking the total approved budget for this project to £2.66m;
2. To instruct the Cabinet to continue to lobby government directly, and through our local MPs, for funding to help with the repairs of Kelston Road; and
3. To amend and replace paragraph 3.3 of the report to read;

“As part of the management of Approved Capital Programme, all existing scheme programmes will be reviewed to establish if there are any further potential underspends that could be utilised to reduce the need for Corporately Supported Borrowing for this project. This review should not delay, cancel or impact on any projects within the 2014/15 Transport Capital Programme or Structural Maintenance Programme. The Council should also continue to seek financial assistance from Government for the repair work required to reopen Kelston Road, even if retrospectively.”

[Notes;

1. *Resolution 2 above was proposed by Councillor Caroline Roberts and accepted into the substantive motion by the mover and seconder.*
2. *Resolution 3 above was proposed by Councillor Charles Gerrish and accepted into the substantive motion by the mover and seconder.*
3. *The resolutions were passed unanimously.]*

29 REPORT OF CHIEF OFFICER URGENT DECISION

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

RESOLVED to note that, in accordance with the rules within the Constitution concerning Chief Officer's action (Urgency, Part 4G, rule 3), the Chief Executive has taken the following decisions since the last meeting of Council;

1. To approve an increase from 217 million to 229 million of the authorised borrowing limit for 2015/16 and from 183 million to 195 million of the operational budget for 2015/16 to enable the Council to be in a position, if it is considered to be financially beneficial, to finance an element of the capital costs of the enhancement of the Council's leisure facilities; and
2. To approve the virement of £800,000 of capital funding from the approved capital contingency for the Keynsham Development Project to enable the acquisition of land and rights over land to facilitate future redevelopment at Manvers Street.

[These decisions were taken following consultation with Political Group Leaders, the Chief Financial Officer and the Monitoring Officer.]

30 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC

A question had been submitted by Nicolette Boater. The question and response can be viewed in the attached document.

Statements were made by the following people;

Marian McNeir MBE, Co-Chairman of the Bath Area Cultural Forum, made a statement on behalf of the Forum and the Child Friendly City Steering Group asking for Council support in seeking UNICEF accreditation for Bath and North East Somerset as a Child Friendly city/area. In response to a question from Councillor John Bull about the parish and town councils' roles in children's facilities, the need to work with them and yet the title having the word 'city', Mrs McNeir responded that it was a tricky one as the UNICEF title was 'city' but the idea was clearly to encompass the whole of the Authority. The Chairman referred the statement to the Cabinet Member for Early Years, Children and Youth. A copy of the statement has been linked to the online minutes and placed on the Council's Minute book.

David Redgewell made a statement regarding various transport issues. In response to a question from Councillor Eleanor Jackson about cuts in bus services to Paulton and Writhlington, Mr Redgewell responded that they did need to be reviewed with officers costing options for continuity of service. The Chairman referred the statement to the Cabinet Member for Transport. A copy of the statement has been linked to the online minutes and placed on the Council's Minute book.

Peter Duppa-Miller, Secretary of the B&NES Local Council's Association, made a statement in support of the work done thus far by the working group on the Bath community governance issues and offering assistance from the Association in any relevant aspects of its future work. The Chairman referred the statement to the Leader. A copy of the statement has been linked to the online minutes and placed on the Council's Minute book.

Nicolette Boater made a statement on the Bath community governance issues. She suggested various aspects of approach that the working group should incorporate to progress its future work. The Chairman referred the statement to the Leader. A copy of the statement has been linked to the online minutes and placed on the Council's Minute book.

31 OPTIONS TO STRENGTHEN COMMUNITY REPRESENTATION AND CIVIC GOVERNANCE WITHIN BATH

The Council considered the interim report of the working group established to consider options to strengthen community representation and civic governance within Bath.

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

RESOLVED

1. To note the interim report of the working group to strengthen community representation and civic governance within Bath and thank its members for their work so far;
2. To agree that the working group continue its work, based on the next steps set out in paragraph 5.8 of the report, to provide an evidence base for the newly-elected Council in May 2015 to determine this issue; and
3. To agree to extend the life of the working group, as currently comprised, to deliver the remit set out in 2 above.

[Notes; The above resolution was passed with one abstention from Councillor Nicholas Coombes, all other Councillors voted in favour.]

32 YOUTH JUSTICE PLAN 2014 - 2015

The Council considered a report presenting the Youth Justice Plan 2014-15, which sets out work to be undertaken to prevent youth offending and re-offending across Bath and North East Somerset.

On a motion from Councillor Dine Romero, seconded by Councillor Michael Evans, it was

RESOLVED

1. To agree that the Youth Justice Plan fulfils the requirements of the Crime and Disorder Act 1998 and can therefore be submitted to the national Youth Justice Board;
2. To agree that the Youth Justice Plan is adopted as part of the Council's Policy and Budget framework and can be accommodated within the Council's budget; and

3. That the relevant Policy Development and Scrutiny Panel oversees progress and performance.

33 CORPORATE AUDIT COMMITTEE ANNUAL REPORT

The Council considered the annual report of the Corporate Audit Committee which details its work over the last year. Members thanked the Committee members and service officers for their work on this Committee.

On a motion from Councillor Gerry Curran, seconded by Councillor Dave Laming, it was

RESOLVED to note the annual report of the Corporate Audit Committee.

34 REFERRAL FROM WELLBEING POLICY DEVELOPMENT & SCRUTINY PANEL - "HALVE IT" CAMPAIGN

The Council considered a referral from the Wellbeing Policy Development and Scrutiny Panel on 25th July 2014 on this issue.

On a motion from Councillor Vic Pritchard, seconded by Councillor Sarah Bevan, it was

RESOLVED to sign up to the *Halve It* campaign to reduce the proportion of people undiagnosed, or diagnosed late with HIV, through policy reform and good practice.

35 MOTION FROM THE CONSERVATIVE GROUP - PUBLIC TOILET CLOSURES

On a motion from Councillor Tim Warren, seconded by Councillor Geoff Ward, it was

RESOLVED as set out below;

This Council:

- Welcomes investment to modernise public toilet provision within Bath and North East Somerset as part of the contract with Healthmatic, but has a number of serious concerns about some of the planned changes as set out below.
- Believes that the closure of a number of public toilets within Bath and North East Somerset, as well as the planned reductions in capacity in many of the Council's remaining public toilets, has been handled in a way which has caused unnecessary and avoidable anger and opposition amongst many of the communities impacted.
- Is concerned that the Cabinet have denied the public any opportunity to have their views heard on this matter, with no consultation on the planned closures and alterations to public toilets with service users or residents.
- Is deeply concerned at the way in which the Cabinet has ignored the requests contained within a number of petitions which have called for the Council to

rethink the reductions in toilet cubicles, in particular in parks and busy family areas.

- Is deeply concerned at the lack of democratic accountability which has surrounded the process of toilet closures and alterations, with no Cabinet decision relating to the closure of public toilets that can be democratically challenged and called-in by Councillors.
- Strongly disapproves of the way in which Cabinet has acted in a manner which is not in the spirit of the February Budget resolution, which included £120,000 to meet the cost of delaying the reduction in public conveniences for up to a year 'to provide further time to consider opportunities for alternative provision', as well as a further £100,000 of capital expenditure to 'develop concessionary opportunities alongside public toilets to increase use of Council assets, minimise liability and retain local toilet provision'.
- Believes that through its actions, the Cabinet has demonstrated contempt for the views of residents on this matter and has shown a complete unwillingness to listen to alternative points of view.

Council resolves:

1. To place on record its strong disapproval for the way in which the closures and changes to public toilets have been undertaken to date.
2. To request that Cabinet instruct Healthmatic to pause any further alterations to public toilets which it is responsible for, whilst an up-to-date review is undertaken of the toilet capacity needed at each location, this time including a full consultation which takes into account the views of residents and users of the public toilets, and that similar reviews and consultation exercises are undertaken at locations where a reduction in cubicle numbers has already taken place.
3. To request that Cabinet hold further discussions with Healthmatic to seek options to increase toilet capacity at locations where the consultation mentioned in (2) reveals it to be necessary.
4. That in the case of toilets recently shut by the Council, Cabinet is asked to revisit and abide by the resolutions contained within the Council motion passed in September 2013 in relation to public toilets (which was passed unanimously by Council), as well as the subsequent Budget resolution of February 2014.

[Note; The above resolution was carried with 33 Councillors voting in favour, 26 against and no abstentions.]

36 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS

Councillor Cherry Beath made a statement supporting the Child Friendly City initiative. She invited Councillors to an event on 1st October and to contact her for

further information. The statement was referred to the Cabinet Member for Early Years, Children and Youth. A copy of the statement is attached to the minutes online and has been added to the Council's Minute book.

The meeting ended at 7.25 pm

Chairman

Date Confirmed and Signed

Prepared by Democratic Services