

## **BATH AND NORTH EAST SOMERSET COUNCIL**

### **MINUTES OF COUNCIL MEETING**

Tuesday, 17th February, 2015

Present:- **Councillors** Councillor 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, Terry Gazzard, 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, Barry Macrae, David Martin, Robin Moss, Paul Myers, Douglas Nicol, Bryan Organ, 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, Tim Warren and Brian Webber

Apologies for absence: **Councillors** Loraine Morgan-Brinkhurst MBE, Geoff Ward and Chris Watt

#### **64 EMERGENCY EVACUATION PROCEDURE**

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

#### **65 DECLARATIONS OF INTEREST**

Councillor Nigel Roberts declared an 'other' interest due to his work at the RUH (subject of a proposed amendment on the budget item).

Councillor Simon Allen declared an 'other' interest due to his position as a stakeholder governor at the RUH (subject of a proposed amendment on the budget item).

#### **66 MINUTES - 15TH JANUARY 2015**

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

**RESOLVED** that the minutes of 15<sup>th</sup> January 2015 be approved as a correct record and signed by the Chairman.

#### **67 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 checked everyone had received all the supplementary information and reminded Members that a recorded vote was needed

on all budget items. At this point, the Monitoring Officer explained the voting process.

The Chairman informed Council of the letters of support he had received from various other Councils following the tragic accident in Lansdown Lane last week and invited the Council to stand in silence as a mark of respect for those affected.

He concluded by congratulating the Roman Baths for winning Gold in the Large Visitor Attraction category of the South West Tourism Excellence awards.

## **68 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN**

There were no items of urgent business but the Chairman took the opportunity to thank Members for their support to him in his role as Chairman, as this meeting might be the final Council meeting for some Councillors.

## **69 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC**

David Redgewell made a statement covering various bus and rail issues. The full statement can be viewed via the link from the minutes. The Chairman thanked David Redgewell for his statement which was referred to the Cabinet Member for Transport.

*[This statement was taken after the budget item.]*

## **70 BUDGET & COUNCIL TAX 2015/16 AND MEDIUM TERM FINANCIAL OUTLOOK**

The Council considered a report presenting the Cabinet's medium term financial plan, and revenue and capital budgets for the 2015/16 financial year together with a proposal for a Council tax level for 2015/16.

In addition to the reports circulated with the agenda, all Councillors had received a copy of the draft minute of the Resources Policy Development and Scrutiny Panel meeting held on 9<sup>th</sup> February with the Panel's comments on the budget proposals. Councillors also received Appendix 8 – Formal Council Tax Setting resolutions (incorporating precepts from Parishes, Fire and Police) and updated budget proposals (attached online).

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

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

### **RESOLVED**

1. that the Council approve:

- a) The General Fund net revenue budget for 2015/16 of £119.914m with no increase in Council Tax.
  - b) That no Special Expenses be charged other than Town and Parish Council precepts for 2015/16.
  - c) The adequacy of reserves at Appendix 1 Table 8 with a risk-assessed level of £10.5m.
  - d) The individual service cash limits for 2015/16 summarised at Appendix 1 Table 4 and detailed in Annex 1.
  - 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. That the Council include in its Council Tax setting, 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.
  3. That the Council notes 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) and approves the conditions upon which the recommendations are made as set out throughout Appendix 1.
  4. That in relation to the capital budget the Council:
    - a) approves a capital programme of £57.873m for 2015/16 and notes items for provisional approval in 2015/16 and the programme for 2016/17 to 2019/20 as shown at Appendix 1, Annex 3 (as amended by the document attached to these minutes), including the planned sources of funding.
    - b) delegates implementation, subject to consultation where appropriate, of the capital programmes set out in Annex 3i to Annex 3iv to the relevant Strategic Director in Consultation with the appropriate Cabinet Member.
    - c) approves all other delegations as set out in the budget report.
    - d) approves the Minimum Revenue Provision Policy as shown at Appendix 1, Annex 4
    - e) approves the Capital Prudential Indicators as set out in Appendix 1, Table 6.
  5. That the Council agree the Council's proposed pay policy statement, including the provision in respect of minimum pay rates in 2015/16 as set out at Appendix 4 delegating implementation arrangements to the Employment Committee where appropriate.

6. That the Council increases the “think local” financial limit to provide local businesses with the opportunity to obtain contracts up to £50,000 (increased from the current £25,000).
7. That the Council notes the approach to Community Assets as set out in Appendix 5 including the following area in the “FURTHER POTENTIAL COMMUNITY ASSET TRANSFERS” section;-
  - Land at the Paddock, Keynsham (Subject to Due Diligence)
8. That the Council notes the approach to tackling poverty as set out in Appendix 6.
9. That the Council notes the issues raised in Appendix 7 and agree that the proposals in the budget properly reflect the Council’s duties under the Equalities Act 2010.
10. That the Council approves 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 8.
11. That, if it continues to be the case that the money contained within the Affordable Housing Reserve is not required to support the delivery of affordable housing at Western Riverside, this money be made available to support an increase in the proportion of affordable housing in other major developments in the authority;
12. To ask that the Cabinet give consideration to using any unused money in the affordable housing capital budget identified above for the same purpose;
13. To earmark up to £55,000 within the Financial Planning Reserve to enable the commissioning and production of;
  - A transport strategy for the Somer Valley;
  - A transport strategy for the Chew Valley and rural areas
14. To instruct officers to open discussions with the Royal United Hospital to explore the possibility of providing financial support to the hospital, in the form of a market loan or other form of investment, to enable a greater increase in on-site parking provision than currently planned, so that the Council can give consideration to such a proposal in a future Budget, if these discussions prove fruitful;
15. To earmark up to £10,000 within the Financial Planning Reserve to support initial work and feasibility in relation to the above, if initial discussions prove fruitful;

**THE COUNCIL APPROVES THE BUDGET AND COUNCIL TAX FOR 2015/16 AS INDICATED ABOVE AND ACCORDINGLY RESOLVES:**

16. That the 2015/16 expenditure is funded as follows:

	Total £
<b>2015/16 Gross Expenditure</b>	<b>321,059,224</b>
2015/16 Income (service income and specific grants)	192,121,074
Core Funding:	
Revenue Support Grant	20,504,292
Retained Business Rates*	31,581,233
Use of Reserves	819,098
Collection Fund Surplus	1,578,177
<b>2015/16 Gross Income</b>	<b>246,603,874</b>
<b>Council Tax Requirement (excluding Parish Precepts)</b>	<b>74,455,350</b>

\* Before Tariff Payment

17.

- a) That it be noted that on the 19th December 2014 the Divisional Director of Business Support (as authorised section 151 officer) agreed 61,950.62 Band D property equivalent as the Council Tax Base for the year 2015/16 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]*

18. That the following amounts be now calculated by the Council for the 2015/16 financial year in accordance with Sections 31 to 36 of the Local Government and Finance Act 1992, as amended:

- a. **£323,288,909** (=£321,059,224 (gross expenditure) +£2,229,685 (Parish precepts)) being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the 1992 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 Local Government Finance 1988 Act, and any amounts transferred from general fund to collection fund under section 98(5) of 1988 Act.]*

- b. **£246,603,874** (gross income including use of reserves) being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the 1992 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. **£76,685,035** being the amount by which the aggregate at 18(a) above exceeds the aggregate at 18(b) above calculated by the Council in accordance with Section 31A(4) of the 1992 Act as its Council Tax requirement for the year.
- d. **£1,237.84** being the amount at 18(c) above divided by the amount at 17(a) above, calculated in accordance with Section 31B of the 1992 Act, as the basic amount of Council Tax for the year.

*[This is the average Council tax including B&NES and parish precepts]*

- e. **£2,229,685** being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the 1992 Act.

*[This is the total of parish precepts]*

- f. **£1,201.85** being the amount at 18(d) above less the result given by dividing the amount at 18(e) above by the amount at 17(a) above, calculated by the Council, in accordance with Section 34(2) of the 1992 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 18(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 17(b) above, calculated by the Council, in accordance with section 34(3) of the 1992 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 18(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 1992 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

19. That it be noted that for the year 2015/16 the Police & Crime Commissioner for Avon and Somerset has determined 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:-

20. Avon and Somerset Police

Valuation Bands

A	B	C	D	E	F	G	H
<b>£116.52</b>	<b>£135.94</b>	<b>£155.36</b>	<b>£174.78</b>	<b>£213.62</b>	<b>£252.46</b>	<b>£291.30</b>	<b>£349.56</b>

21. That it be noted that for the year 2015/16 Avon Fire Authority met on 6th February 2015 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:-

22. Avon Fire Authority

Valuation Bands

A	B	C	D	E	F	G	H
£44.40	£51.80	£59.20	£66.60	£81.40	£96.20	£111.00	£133.20

23. That, having calculated the aggregate in each case of the amounts 20, 22 and 18(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 2015/16 financial year for each of the categories of dwellings shown, as listed in Annex 1 (5).

24. On average (for a Band D, 2 adult household) the Council Tax for 2015/16 will be as follows:

<i>Reference Band D 2014/15 £</i>		£ Band D 2015/16	% Increase on 2014/15
1,201.85	Bath and North East Somerset Council	1,201.85	0.00
35.72	Average Parish Precept	35.99	0.76
65.30	Avon Fire Authority	66.60	1.99
171.37	Avon and Somerset Police	174.78	1.99
1,474.24	Total Tax charged	1,479.22	0.34

*[Overall annual increase in average Band D Council Tax is £4.98]*

25. The Council's basic amount of Council Tax for 2015/16 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 34 Councillors voting in favour and 28 Councillors abstaining;*

*Councillors voting in favour – Simon Allen, Rob Appleyard, Sharon Ball, Tim Ball, Cherry Beath, David Bellotti, Sarah Bevan, Lisa Brett, Neil Butters, Bryan Chalker, Nicholas Coombes, Paul Crossley, Gerry Curran, Doug Deacon, David Dixon, Paul Fox, Andrew Furse, Ian Gilchrist, Katie Hall, Nathan Hartley, Steve Hedges, Dave Laming, Malcolm Lees, David Martin, Doug Nicol, June Player, Manda Rigby, Caroline Roberts, Nigel Roberts, Dine Romero, Will Sandry, Jeremy Sparks, Ben Stevens, Roger Symonds*

*Councillors abstaining – Patrick Anketell-Jones, Colin Barrett, Matthew Blankley, John Bull, Anthony Clarke, Sally Davis, Peter Edwards, Michael Evans, Terry Gazzard, Charles Gerrish, Francine Haeberling, Alan Hale, Liz Hardman, Eleanor Jackson, Les Kew, Marie Longstaff, Barry Macrae, Robin Moss, Paul Myers, Bryan Organ, Vic Pritchard, Liz Richardson, Brian Simmons, Kate Simmons, Martin Veal, David Veale, Tim Warren, Brian Webber*

2. A variation to the motion was put forward by Councillor Liz Richardson and accepted as a minor adjustment by the mover and seconder of the motion. This wording forms resolutions 11 & 12 above.
3. A variation to the motion was put forward by Councillor Michael Evans and accepted as a minor adjustment by the mover and seconder of the motion. This wording forms resolution 13 above.
4. A variation to the motion was put forward by Councillor Anthony Clarke and accepted as a minor adjustment by the mover and seconder of the motion. This wording forms resolutions 14 & 15 above.

## **71 TREASURY MANAGEMENT STRATEGY STATEMENT AND ANNUAL INVESTMENT STRATEGY 2015/16**

Councillors considered a report which fulfilled the Council's legal obligation under the Local Government Act 2003 to approve a Treasury Management Strategy and an Investment Strategy before the start of each financial year, in accordance with the CIPFA Code and the CLG Guidance.

The report is also on the agenda to be scrutinised by the Corporate Audit Committee on 26<sup>th</sup> March 2015.

On a motion from Councillor David Bellotti, seconded by Councillor Tim Warren, it was

**RESOLVED** to agree that;

1. The actions proposed within the Treasury Management Strategy Statement (Appendix 1 of the report) are approved;
2. the Investment Strategy, as detailed in Appendix 2 of the report, is approved; and
3. the changes to the authorised lending lists detailed in Appendix 2 and highlighted in Appendix 3 are approved.

*[Note – this item was passed unanimously]*



## 72 COMMUNITY INFRASTRUCTURE LEVY (CIL) ADOPTION

The Council considered a report recommending approval of the B&NES Community Infrastructure Levy (CIL). Following the examination hearings on the 8<sup>th</sup> January 2015, the Examiner recommended approval of the CIL, with modifications. The Council can only approve the CIL if it accepts the Examiner's modifications.

On a motion from Councillor Tim Ball, seconded by Councillor Liz Richardson, it was

### **RESOLVED**

1. To approve the B&NES Community Infrastructure Levy as modified by the Examiner (Attachment 1 to the report) with a commencement date of 6<sup>th</sup> April 2015;
2. To delegate responsibility to the Divisional Director for Development, in consultation with the Cabinet Member for Homes and Planning, to make minor amendments and to correct any errors to the documentation before CIL comes into effect; and
3. Agree that the CIL charging schedule is kept under review and any proposed adjustments to the charging schedules are reported to Cabinet before 6<sup>th</sup> April 2017 for recommendation, if appropriate, to Council.

*[Note – this item was passed unanimously]*

The meeting ended at 8.55 pm

Chairman .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**