

BATH AND NORTH EAST SOMERSET

CABINET

Wednesday, 10th August, 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 12th to 18th August. These minutes are draft until confirmed as a correct record at the next meeting.

Present:

Councillor Paul Crossley
Councillor Nathan Hartley

Councillor David Bellotti
Councillor Simon Allen
Councillor Tim Ball
Councillor Cherry Beath
Councillor David Dixon
Councillor Roger Symonds

Leader of the Council
Deputy Leader of the Council and Cabinet Member for Early Years, Children and Youth
Cabinet Member for Community Resources
Cabinet Member for Wellbeing
Cabinet Member for Homes and Planning
Cabinet Member for Sustainable Development
Cabinet Member for Neighbourhoods
Cabinet Member for Transport

34 WELCOME AND INTRODUCTIONS

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

35 EMERGENCY EVACUATION PROCEDURE

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

36 APOLOGIES FOR ABSENCE

There were no apologies for absence.

37 DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972

There were none.

38 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

39 QUESTIONS FROM PUBLIC AND COUNCILLORS

There were 23 questions from the following Councillors: Nigel Roberts, Eleanor Jackson, Bryan Chalker, Patrick Anketell-Jones, Tim Warren, Charles Gerrish, Anthony Clarke, Malcolm Hanney (15); and from the following members of the public: Rae Harris.

[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.]

40 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

The Chair announced that although David Redgewell had been registered to speak, he had been too unwell to attend the meeting. He asked for the warm regards of the Cabinet to be recorded, and said that he would send a get well note to David on behalf of the Council.

David Dunlop (The Bath Society) made a statement *[a copy of which is attached to these Minutes as Appendix 5 and on the Council's website]* relating to the flood risk at Bathampton meadows.

Councillor Tim Ball asked David Dunlop for the source of the estimates of a half-hour flood rate on the meadows. David replied that the worst case scenario was in fact that if the river were blocked by debris, the flooding would take only 6 minutes.

The Chair referred the statement to Councillor Roger Symonds for his response.

George Bailey made a statement *[a copy of which is attached to these Minutes as Appendix 6 and is available on the Council's website]* relating to the proposals to change the road system around Radstock.

The Chair referred the statement to Councillor Roger Symonds for his response.

Councillor Eleanor Jackson made a statement which is recorded at item 14 of the agenda.

41 MINUTES OF TWO PREVIOUS CABINET MEETINGS

On a motion from Councillor Paul Crossley, seconded by Councillor Roger Symonds, it was

RESOLVED that the minutes of the meeting held on Wednesday 13th July 2011 be confirmed as a correct record and signed by the Chair.

And

RESOLVED that the minutes of the meeting held on Thursday 14th July 2011 be confirmed as a correct record and signed by the Chair.

42 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

There were none.

43 CONSIDERATION OF MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

The Planning, Transport and Environment Policy Development and Scrutiny Panel had referred a matter to Cabinet relating to the Bath Transport Package. The Notes from the Panel's meeting had been circulated in the public gallery before the Cabinet meeting *[a copy is attached to these Minutes as Appendix 2 and can be seen on the Council's website]*. The Chair referred the submission to Councillor Roger Symonds for a response.

Councillor Symonds gave a written response [*copies of which were put into the public domain as he spoke and a copy of which is attached to these Minutes as Appendices 3 and 4 and can be seen on the Council's website*]. He added that the Bath Transport Package was still a work-in-progress and would not be finalised until 9th September, when the bid would be delivered to government. He hoped that all councillors would support the bid. He thanked officers for the extremely hard work they were doing to prepare the bid in time.

The Chair asked the Cabinet to note the Panel's submission and Councillor Symonds' response.

44 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

There were none.

45 COMMUNICATION AND MEDIA PROTOCOL (SAFEGUARDING)

Councillor Simon Allen, in proposing the item, explained that the partnership between the Council, Police and PCT was increasingly aware of the importance of good media protocols, not least to protect innocent families in the event of tragic events. It was essential that communications issued by the partnership should do no harm to those involved. The protocol had already been approved by the PCT and by the Police, so it only remained for Cabinet to agree it on behalf of the Council.

Councillor Cherry Beath seconded the proposal and felt that the protocol was very sensible. She strongly felt that the importance of the multi-agency approach and the need to protect vulnerable adults. She welcomed the emphasis on training in the proposals.

Rationale

The multi-agency protocol sets out clear arrangements, practice guidance and training needed for LSAB member agencies regarding managing safeguarding cases which might attract media attention. The implementation of the protocol will ensure that media presentations are coordinated appropriately.

Other Options Considered

None.

On a motion from Councillor Simon Allen, seconded by Councillor Cherry Beath, it was

RESOLVED (unanimously)

(1) To AGREE that the Local Safeguarding Adults Board should adopt the proposed Communications and Media Protocol.

46 QUALITY PARTNERSHIP SCHEME FOR CORRIDOR 3 OF THE GREATER BRISTOL BUS NETWORK

Councillor Tim Warren made an *ad hoc* statement welcoming the West of England transport scheme which was almost at fruition. He asked Cabinet to work hard to achieve a maximum fares ceiling. He urged Cabinet to secure more frequent services on the A37 between Bristol and the Norton Radstock area.

Councillor Roger Symonds, in proposing the item, said that the first Quality Partnership Scheme (between Midsomer Norton and Bath) was almost complete. This second scheme would be due for completion in 2012. He agreed that the 4 authorities had worked well together and commended the hard work already done by Councillor Charles Gerrish. He thanked officers for their work too and warned that the second scheme would be more difficult to achieve. He would be meeting soon with First Bus and would argue strongly for equitable fares but reminded Councillor Tim Warren that he had no powers to enforce fare rates.

Councillor Nathan Hartley seconded the proposal and said that attention should be given to the relationship between the Council and First Bus.

Councillor Paul Crossley said that the scheme being proposed was a continuation of ongoing work. He felt that attention must be paid to family friendly pricing, especially at off-peak times.

Rationale

The recommended actions are a key part of the delivery of the GBBN major scheme.

Other Options Considered

Consideration has been given to removing some of the standards of services from the quality partnership scheme and negotiating them for inclusion in the voluntary partnership agreement that will support it. The fundamental principle is that the substantial investment by the public sector in infrastructure should be matched by a requirement on bus operators to provide a high-quality bus service on a commercial basis with a reasonable rate of return.

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

RESOLVED (unanimously)

(1) To AGREE that a Quality Partnership Scheme be made covering the bus route corridor between Bath and Bristol via Keynsham;

(2) To DELEGATE to the Divisional Director for Planning & Transport Development the power to determine the appropriate standard of services in the Quality Partnership Scheme; and

(3) To DELEGATE to the Divisional Director for Planning & Transport Development the power to decide in consultation with the Cabinet Member for Transport on any revisions to the standard of services in the Quality Partnership Scheme arising from the formal review process.

47 DETERMINATION OF THE STATUTORY NOTICE TO ALTER THE LOWER AGE LIMIT AT ST. MARY'S CHURCH OF ENGLAND PRIMARY SCHOOL (WRITHLINGTON)

Councillor Eleanor Jackson made a statement *[a copy of which is attached to these Minutes as Appendix 7 and is available on the Council's website]* in which she wholeheartedly supported the school's application.

Councillor Nathan Hartley, in proposing the item, paid tribute to the commitment and devotion of the group of parents who had run the existing Early Years group so successfully on a voluntary basis and who were now stepping down. He thanked the Governors of the school for their eagerness to maintain the provision and to spend school funds on refurbishment of the premises.

Councillor Simon Allen seconded the proposal and said how pleased he had been to see that there was widespread support for the proposals. He felt that removing a transition stage for children was always a good thing, and that maintaining the provision within school was therefore very welcome.

Councillor Cherry Beath endorsed the earlier comments.

Rationale

Capacity and sustainability in the local area should not be an issue because the proposal is for the school to take over running an existing pre-school provision currently run on a voluntary basis by a management committee, so no new places are being created that might have a negative effect on the viability of other provision locally. The proposal will ensure that this age group of children have access to high quality education, and a seamless transition into school. St. Mary's C of E Primary school benefits from excellent liaison and links with the Local Authority, a host of outside agencies and support, as well as strong links with a wide range of educational networks

Other than a response from the NUT who had no objections to the proposal, no responses were received during the six week representation period following publication of the statutory notice. No objections to the proposal were raised during the consultation period and there was one response from the local MP offering his assistance if required.

Other Options Considered

The school and the Early Years team did consider whether a replacement voluntary management committee could be identified to continue to run the provision but there has been no interest from the local community. Also the inclusion of the pre-school as part of the school is expected to improve educational outcomes for children and allow one whole phase of transition – from pre-school into school - to be eliminated.

On a motion from Councillor Nathan Hartley, seconded by Councillor Simon Allen, it was

RESOLVED (unanimously)

(1) To AGREE that the lower age limit of St. Mary's C of E Primary school be altered from age 4 to age 3 by the addition of Early Years provision to commence on 1 September 2011.

48 TREASURY MANAGEMENT MONITORING REPORT TO 30TH JUNE 2011

Councillor Charles Gerrish made an *ad hoc* statement in which he referred to paragraph 5.9 of the report and asked whether the Council was investing any funds in the parent company of the Ulster Bank (the Royal Bank of Scotland). He welcomed investment in other local authorities but asked whether any funds were invested in authorities which were considered to be at risk themselves.

Councillor David Bellotti, in proposing the item, referred to paragraph 5.5 of the report which identified that the Council's projected total borrowing at March 2012, based on the capital programme approved in the February 2011 budget, would be £151M. The current level of borrowing was at £90M. He also referred to paragraph 5.6 which related to the Council's share of the old Avon debt, because he had felt that it was important to spell out this debt in the report even though it was a deferred liability.

In reply to the comments made by Councillor Gerrish, and after taking advice from officers, he stated that the Council had no investments held in the parent company of the Ulster Bank (the Royal Bank of Scotland). Nor did the Council have any investments in local authorities which might be considered at risk; however, he himself held the view that all local authorities were in any case underwritten by government, so those investments were not at risk.

Councillor Paul Crossley seconded the proposal.

Rationale

The Prudential Code and CIPFA's Code of Practice on Treasury Management requires regular monitoring and reporting of Treasury Management activities.

Other Options Considered

None.

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

RESOLVED (unanimously)

(1) To NOTE the Treasury Management Report to 30th June 2011, prepared in accordance with the CIPFA Treasury Code of Practice; and

(2) To NOTE the Treasury Management Indicators to 30th June 2011.

[Subsequent to the meeting the Council's 151 officer gave the following clarification: Whilst the Council currently has no direct investment with the Royal Bank of Scotland plc, the Council does hold investments with National Westminster Bank plc which is a 100% owned subsidiary of the Royal Bank of Scotland plc. The Royal Bank of Scotland plc forms part of the Royal Bank of Scotland Group plc which is 81% owned and supported by the UK Government. National Westminster Bank are also the Council's appointed bankers.]

The meeting ended at 7.15 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services