

Wednesday, 11th October, 2017

Present:

Councillor Tim Warren	Leader of the Council and Conservative Group Leader
Councillor Paul Myers	Cabinet Member for Economic and Community Regeneration
Councillor Karen Warrington	Cabinet Member for Transformation and Customer Services
Councillor Paul May	Cabinet member for Children and Young People
Councillor Bob Goodman	Cabinet Member for Development and Neighbourhoods
Councillor Mark Shelford	Cabinet Member for Transport and Environment

111 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting.

112 EMERGENCY EVACUATION PROCEDURE

The Senior Democratic Services Officer drew attention to the evacuation procedure as set out in the Agenda.

113 APOLOGIES FOR ABSENCE

Councillors Vic Pritchard and Charles Gerrish had sent their apologies for this meeting.

114 DECLARATIONS OF INTEREST

Councillor Paul May declared an 'Other' interest as he was non-Executive Member of the Sirona Board.

Maria Lucas (Monitoring Officer) granted a dispensation in relation to Councillor May's interest on the Sirona Board.

115 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

116 QUESTIONS FROM PUBLIC AND COUNCILLORS

There were 14 questions from Councillors and 28 questions from members of the public.

[Copies of the questions and responses, including supplementary questions and responses if any, have been placed on the Minute book]

117 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

David Redgewell read out the statement (*available on the Minute Book at Democratic Services*) where he expressed his concern about the lack of 17 officers at WECA which would affect the delivery of major projects.

Caroline Ambrose addressed the Cabinet by expressing her concern that the public had been given only two options in terms of the consultation on Bath Central Library. Caroline Ambrose also said that despite the fact that the library would stay at the Podium, the Council had decided to downsize the space. Caroline Ambrose concluded that there was no robust evidence that co-location between the library and One Stop Shop would work and there was no library in England that had had successful integration of those two services.

Councillor Joe Rayment addressed the Cabinet on the following issues:

Bath Central Library – Councillor Rayment felt that the Podium location for the library and One Stop Shop had been positive though the co-location for those two services had been based on cuts and not to enhance services. Councillor Rayment expressed his concern that One Stop Shop users would not be able to reach services as new location was further away from the bus and train station.

Modern Libraries (Community Library Approach) – Councillor Rayment felt that the press release should have said more about the cuts in this service/area. Councillor Rayment expressed his concern that the Community Library proposal would expect from volunteers to do the same job as paid staff and felt that this would not be sustainable approach.

Medium Term Financial Strategy - Councillor Rayment felt that the Cabinet should have asked the Government for more funding in order to provide essential services for their residents. Councillor Rayment felt that cuts in funding to the Council were quite severe.

118 MINUTES OF PREVIOUS CABINET MEETING

RESOLVED that the minutes of the meeting held on Wednesday 19th July 2017 be confirmed as a correct record and signed by the Chair.

119 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

There were none.

120 MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

There were none.

121 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

The Cabinet agreed to note the report.

122 MODERN LIBRARIES BATH - CONSULTATION OUTCOMES AND PROPOSALS

Councillor Richard Samuel said that although he had shown support for protection of the library, he was concerned that detailed cost of the project could not be produced by the Council. Councillor Samuel felt that integration of library and One Stop Shop (OSS) at the Podium may be the least desirable option. Councillor Samuel asked the Cabinet to hold tight control on the cost and for full transparency with this project.

Councillor Paul Crossley said that current OSS space at Lewis House had been refurbished not so long ago and the OSS had been successful due to its space and its proximity to bus and train station. Councillor Crossley felt that there was no reason for co-location and asked for a cost associated to the project and whether the police would use the new premises.

Councillor Dine Romero expressed her concern over the project's direction and delivery and requested more clarity on agreement between Waitrose and the Council. Councillor Romero also asked the Cabinet to pause the project and asked for new evidence on the co-location arrangements.

Councillor Patrick Anketell-Jones welcomed the proposal by saying that the Podium had had cultural and social intensity, and having a library and OSS there would work. Councillor Anketell-Jones also said that exhibition space at the library should be retained.

Councillor Karen Warrington said that the aim was to integrate library and customer services in Bath to reach out to more people from all ages and backgrounds – providing a place where everyone in the community could access support, knowledge, culture and events to help them reach their full potential. The integration of services was both physical and cultural, with library and customer services coming together to share the same space, facilities and support, to meet the changing needs of their customers. The chosen option at the Podium had had an indicative capital cost of £2.8m for Bath (the overall Modern Libraries programme including option 4 was estimated to cost £3.6m). The net savings were estimated to be £393k per annum for Bath (the overall Modern Libraries programme was expected to save a net £798k per annum). The consultation had commenced on 20th July 2017 and had closed on 15th September 2017. The consultation document had been available on the council's website and in print at all libraries and OSS's. The results of the consultation had showed that nearly 92% of respondents had opted for the Podium as their preferred location for the combined library and One Stop Shop. Councillor Warrington also added that there had been successful integration in Cardiff and Newcastle.

Councillor Karen Warrington moved the recommendations.

Councillor Mark Shelford seconded the motion by welcoming that the Council would save the library and integrate services to create a space where all members of the community could read, connect, learn and get help.

The rest of the Cabinet also welcomed the motion where they believed that by bringing the two services together residents and library users in Bath would continue to receive a modern comprehensive and efficient library service with potential to add more flexible space to increase the service offering.

RESOLVED (unanimously) that the Cabinet agreed to:

- 1) Note the outcome of the consultation.
- 2) Approve The Podium as the chosen site for the central Bath integrated Library & One Stop Shop.
- 3) Fully approve capital spending of £330K for the next phase of the project.
- 4) Agree that the next phase will involve appointment of architects and a positive programme of user and partner engagement to enable detailed designs and costings, as set out in appendix B of the report.
- 5) Note that once detailed costings have been produced, and final designs established, the total requirement for capital funding will be confirmed and relevant approvals obtained.

123 MODERN LIBRARIES - COMMUNITY LIBRARY APPROACH

Councillor Dine Romero expressed her concerns to budget cuts and how unprecedented financial challenges on required annual efficiency saving of £800,000 by 2020 to be realised through the whole programme would impact on libraries. Councillor Romero asked the Cabinet to pause and re-think before making a final decision on this matter.

Councillor Richard Samuel said that the current administration had decided to exercise whole sale privatisation of branch libraries. Councillor Samuel also said that amateur volunteers would replace paid professionals, that other options in the report had been dismissed and that the whole process had been poorly thought out which would lead to further protest from the community.

Councillor Will Sandry expressed his concerns with the proposal and approach as presented in the report, and felt that branch libraries had an important role for the communities in deprived areas.

Councillor Paul Crossley asked the Cabinet to review their decision on this matter. Councillor Crossley reminded the meeting that previous administration had decided to leave mobile libraries in service as they were of benefit to hard to reach communities and elderly people.

Councillor Karen Warrington said that the Council had made provision for a capital budget of £5.953m plus £0.971m identified balances (a total of £6.924m overall), in order to deliver the modern libraries programme and this report had focused on the investment in and delivery of the Community Library Programme to be funded by £275,000 capital which would include a grant fund for the community and other supporting resources. The Council would not reduce the available Library service but rather ensure that residents and library users would continue to receive the comprehensive and efficient library service they already enjoy. However, the Council

would need to take a strategic, long-term approach to transforming the library service and by adopting this new community approach, this strengthened the resilience of our communities as well as ensuring efficiencies.

Councillor Karen Warrington moved the recommendations.

Councillor Paul Myers seconded the motion by saying that the Council would need to make savings and that the community model had been successful in Bath and North East Somerset as it was in other areas.

The rest of the Cabinet welcomed the motion by saying that the Community Run Libraries approach in each locality would be the subject of further discussions with the Area Forums, building on the progress so far that had seen significant interest in some communities wanting a more tailored library provision locally.

Councillor Tim Warren said that there was no mention in the report on closing mobile libraries and that he did not see any issues in engaging volunteers to work in libraries.

RESOLVED (unanimously) that the Cabinet agreed to:

- 1) Adopt the new approach to delivering Community Run Library services in Bath and North East Somerset as set out in Appendix B as part of the overall Modern Libraries programme.
- 2) Approve the release of Capital in the sum of £275,000 to invest in and support our new approach to Community Run Libraries.

124 MEDIUM TERM FINANCIAL STRATEGY

Councillor Richard Samuel said that, in his opinion, Council's finances were out of control. The expenditure had not been managed and funding had been wasted on some projects that didn't go ahead. There was very little evidence that the Council had presented current financial situation to the Government. Councillor Samuel also said that there was little evidence how business rates scheme would work in this authority. Councillor Samuel urged the Cabinet to put Council's finances back on track.

Councillor Dine Romero said that the current administration was in favour of austerity. Councillor Romero urged the Leader of the Council to communicate with the Government and ask for additional funding for more vulnerable in our community. Councillor Romero felt that the budget for 2018 would be to the detriment of the people of Bath and North East Somerset. In Councillor Romero's view Social Care and Children Services seem to head towards cliff edge.

Councillor Tim Warren said that the Council had received unprecedented reductions in funding and was facing difficult decisions about which services it could provide, as well as to what standard it could continue to provide them. Over the last few years it had been very successful in achieving efficiency savings and increasing commercial income but a 'step change' was now required given the scale of net savings it needed to find. The new Strategy had outlined the key areas of focus to balance the budget over the next five years including a review of its priorities to ensure a sustainable financial future.

Councillor Tim Warren moved the recommendations.

Councillor Paul May seconded the motion by saying that the Cabinet had conducted a serious review after the last Local Elections. The Strategy explained the financial context and the targets, as well as the financing mechanisms available to the Council. This strategy had not detailed how individual savings would be made nor how categories of additional income would be achieved. Nevertheless, it had described the scope of the work required, and taking place, to meet these targets together with some of the anticipated impacts.

RESOLVED (unanimously) that the Cabinet agreed to:

- 1) Approve the attached Medium Term Financial Strategy and the recommendations outlined in that strategy;
- 2) Recommend approval of the Efficiency Strategy to Council.

125 REVENUE & CAPITAL BUDGET MONITORING, CASH LIMITS AND VIREMENTS – APRIL TO JULY 2017

Councillor Richard Samuel said that the Council had used £1,349m of both the Social Care Reserve and the Care Act Reserve to bolster the Adult Social Care overspend, and said that money should be added to the total overspend.

Councillor Will Sandry expressed his concerns for the tragic position that the Council and its residents were, and felt that the current financial position was down to austerity. Councillor Sandry questioned the impact of Virgin Care on Council's costs.

At this point of the meeting Councillor Paul May said that he wasn't aware that Virgin Care would be debated under this agenda item so he declared an 'Other' interest as he was non-Executive Member of the Sirona Board.

Maria Lucas (Monitoring Officer) granted a dispensation in relation to Councillor May's interest on the Sirona Board. *(The dispensation granted by the Monitoring Officer is available on the Minute Book at Democratic Services).*

Councillor Tim Warren said that the Social Care Reserve and the Care Act Reserve were there to be used to partially mitigate the Adult Social Care revenue budget position.

Councillor Tim Warren also said that this report had presented the financial monitoring information for the Authority as a whole for the financial year 2017/18 to the end of August 2017. For revenue budgets which were forecast to be overspent, the Divisional Directors were expected to seek compensating savings to try and bring budgets back to balance. Appendix 1 of the report had highlighted any significant areas of forecast over and under spends in revenue budgets. Appendix 2 had outlined the Council's current revenue financial position for the 2017/18 financial year to the end of August 2017 by Cabinet Portfolio. The current forecast outturn position was an overspend of £5,125,000 which equates to 1.64% of gross budgeted spend (excluding Schools).

Councillor Tim Warren moved the recommendations.

Councillor Paul May seconded the motion by saying that the Council had done a lot of work to make required savings. Councillor May recognised current forecast service pressures on Adult and Children Services and said that the use of reserves was justified in short term.

RESOLVED (unanimously) that the Cabinet agreed to:

- 1) Strategic Directors should continue to work towards managing within budget in the current year for their respective service areas and develop an action plan of how this will be achieved, including not committing any unnecessary expenditure and stringent budgetary control.
- 2) This year's revenue budget position as shown in Appendix 2 is noted.
- 3) The actions agreed by Strategic Directors in paragraph 5.4 are noted.
- 4) The mitigations that will be required paragraph 5.5, if the overspend cannot be reduced by the end of the financial year, are noted.
- 5) The capital expenditure position for the Council in the financial year to the end of August and the year end projections detailed in Appendix 3 of this report are noted.
- 6) The revenue virements listed for approval in Appendix 4(i) are agreed.
- 7) The changes in the capital programme listed in Appendix 5(i) are noted.

126 TREASURY MANAGEMENT MONITORING REPORT TO 30TH JUNE 2017

Councillor Tim Warren said that this was a routine report which sets out the satisfactory position of the Council. Councillor Warren highlighted that the average rate of investment return for the first three months of 2017/18 is 0.28%, which is 0.12% above the benchmark rate.

Councillor Tim Warren moved the recommendations.

Councillor Paul May seconded the motion by saying that investments returns continue to be ahead of the benchmark rate.

RESOLVED (unanimously) that the Cabinet agreed:

- 1) The Treasury Management Report to 30th June 2017, prepared in accordance with the CIPFA Treasury Code of Practice, is noted
- 2) The Treasury Management Indicators to 30th June 2017 are noted.

127 PROPOSED PUBLIC SPACE PROTECTION ORDER TO RESTRICT ALCOHOL CONSUMPTION IN PUBLIC SPACES IN BATH

Councillor Paul Crossley welcomed the Public Space Protection Orders for Bath and Midsomer Norton and highlighted importance of using these Orders with common sense.

Councillor Bob Goodman said that the Anti-social Behaviour, Crime and Policing Act 2014 had made a number of changes to the law on anti-social behaviour. A key change was the introduction of Public Space Protection Orders (PSPOs) to replace Designated Public Place Orders.

Statutory Guidance had stated that PSPOs were intended to deal with a particular nuisance or problem in an area that was detrimental to the local community's quality

of life, by imposing conditions on the use of that area which would apply to everyone. Under the transitional arrangements for the Act, the existing DPPOs would continue to be valid for a period of three years and were treated as if they are PSPOs. However, they would lapse on October 20th 2017 unless extended as PSPOs under the Act. A PSPO could be made where the Council was satisfied that the legal test was met. Councillor Goodman concluded by saying that residents had supported introduction of PSPOs.

Councillor Bob Goodman moved the recommendations.

Councillor Mark Shelford seconded the motion.

RESOLVED (unanimously) that the Cabinet agreed to:

- 1) Consider the outcomes of the consultation on a Public Space Protection Order to restrict street drinking in Bath, as set out in Appendix 1
- 2) Consider the legal criteria for adopting PSPOs, as set out in Paragraph 4 of this report, and particularly the test set out in paragraph 4.1
- 3) In the light of 2.1. and 2.2 above make the Bath City Order as set out in Appendix 2 of the report
- 4) Request the Head of Legal Services or an authorised signatory on her behalf to sign and seal the Bath City Order
- 5) Request the Divisional Director for Strategy and Performance to undertake further work to update signage and other statutory publicity relating to any agreed Order and ensure the impact of the PSPOs is kept under review
- 6) Request the Community Safety Partnership to receive regular monitoring reports on the impact of the PSPO, including equalities impacts, and updates on support and treatment available for people who misuse alcohol including street drinkers
- 7) Thank those who were involved in the consultation process and publicise the outcomes of the consultation.

128 PROPOSED PUBLIC SPACE PROTECTION ORDER TO RESTRICT ALCOHOL CONSUMPTION IN PUBLIC SPACES IN MIDSOMER NORTON

Councillor Bob Goodman said that it was clear from this review that the Designated Public Protection Order had been seen as successful and there was an appetite for its provisions to be continued through a Public Space Protection Order.

Councillor Bob Goodman moved the recommendations.

Councillor Paul Myers seconded the motion by saying that the introduction of both a DPPO and street marshals, had seen a 13% reduction in crime, a 17% fall in anti-social behaviour and had seen the community engaged in this issue.

RESOLVED (unanimously) that the Cabinet agreed to:

- 1) Consider the outcomes of the consultation on the Public Space Protection Order to restrict street drinking in Midsomer Norton, as set out in Appendix 1
- 2) Consider the legal criteria for adopting a PSPO, as set out in Paragraph 4 of this report, and particularly the test set out in paragraph 4.1
- 3) In the light of 2.1. and 2.2 above make the Midsomer Norton Order as set out in Appendix 2 of the report

- 4) Request the Head of Legal Services or an authorised signatory on her behalf to sign and seal the Midsomer Norton Order
- 5) Request the Divisional Director for Strategy and Performance to undertake further work to update signage and other publicity relating to any agreed Order and ensure the impact of the PSPO is kept under review
- 6) Request the Community Safety Partnership to receive regular monitoring reports on the impact of the PSPO, including equalities impacts and updates on support available for people with alcohol problems including street drinkers
- 7) Thank those who were involved in the consultation process, and in particular Midsomer Norton Town Council, and publicise the outcomes of the consultation
- 8) Undertake consultation under Section 72 of the Anti-social Behaviour Crime and Policing Act 2014 on extending the PSPO recommended in 2.3 to the areas identified in paragraph 5.11, and prepare a report to Cabinet with recommendations following this consultation.

The meeting ended at 1.50 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services