BATH AND NORTH EAST SOMERSET COUNCIL

MINUTES OF COUNCIL MEETING

Tuesday, 13th February, 2018

Present:- **Councillors** Cherry Beath, Patrick Anketell-Jones, Colin Barrett, Jasper Becker, Sarah Bevan, John Bull, Neil Butters, Anthony Clarke, Matt Cochrane, Paul Crossley, Chris Dando, Fiona Darey, Sally Davis, Douglas Deacon, Emma Dixon, Michael Evans, Andrew Furse, Charles Gerrish, Ian Gilchrist, Lizzie Gladwyn, Bob Goodman, Francine Haeberling, Alan Hale, Liz Hardman, Steve Hedges, Deirdre Horstmann, Eleanor Jackson, Les Kew, Marie Longstaff, Barry Macrae, Paul May, Shaun Stephenson-McGall, Alison Millar, Robin Moss, Paul Myers, Michael Norton, Lisa O'Brien, Michelle O'Doherty, Bryan Organ, Lin Patterson, June Player, Vic Pritchard, Joe Rayment, Liz Richardson, Caroline Roberts, Nigel Roberts, Richard Samuel, Will Sandry, Mark Shelford, Brian Simmons, Peter Turner, David Veale, Martin Veal, Karen Walker, Geoff Ward, Tim Warren, Karen Warrington and Chris Watt

Apologies for absence: **Councillors** Rob Appleyard, Tim Ball, Colin Blackburn, Matthew Davies, Christopher Pearce and Dine Romero

66 EMERGENCY EVACUATION PROCEDURE

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

67 DECLARATIONS OF INTEREST

Councillor Joe Rayment declared an 'other' interest in item 8 - "Budget & Council Tax 2018/19 and Financial Outlook" as he is an employee of DHI.

The Monitoring Officer granted a general dispensation to all Councillors for item 8 - "Budget & Council Tax 2018/19 and Financial Outlook" with regard to their school governor roles, receipt of a Pension and payment of Council Tax.

68 MINUTES - 9TH NOVEMBER 2017

On a motion from Councillor Tim Warren, seconded by Councillor Steve Hedges, it was

RESOLVED that the minutes of the meeting of 9th November 2017 be approved as a correct record and signed by the Chair.

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

The Chair made the customary announcements regarding mobile phones, webcasting, Councillors accessing meeting papers via their ipads and a comfort break. In response to a question from Councillor Alan Hale about why the Union Jack flag had not been placed in the Chamber, the Chair responded that she would look into it.

The Chair invited Councillor Vic Pritchard to address the meeting. Councillor Pritchard apologised to the Council for his recent breach of the Code of Conduct which had been considered by the Standards Committee.

70 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There were no items of urgent business.

71 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC

Andy Halliday addressed the Council regarding libraries. He expressed his concerns about the Modern Libraries programme and his view that the public had not been consulted. He welcomed the supportive comments and advice he had received from Scrutiny members but hoped the Council would look again at the programme, particularly the staffing reductions. In response to a question from Councillor Karen Warrington about whether Andy had participated in the engagement exercise for the Bath Library, he confirmed that he had.

The Council had received one question which was circulated, with a response, and has been placed on the Council's Minute book and made available online.

72 BUDGET AND COUNCIL TAX 2018/19 AND FINANCIAL OUTLOOK

The Council considered a report presenting the Cabinet's revenue and capital budgets for the 2018/19 financial year together with proposals for Council Tax and Adult Social Care Precept for 2018/19.

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 5th February with the Panel's comments on the budget proposals. Councillors also received Annex 10 – Formal Council Tax Setting resolutions (incorporating precepts from Parishes, Fire and Police), plus a set of revised recommendations and an updated Annex 1 (Individual Service Cash Limits) incorporating changes from Cabinet on 7th February.

On a motion from Councillor Tim Warren, seconded by Councillor Steve Hedges, 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 Finance and Efficiency, the Liberal Democrat, Labour and Independent Group Leaders or their nominated Spokespersons, and the Chair of the Resources Policy Development and Scrutiny Panel.

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

RESOLVED

1. that the Council approves

a. The General Fund net revenue budget for 2018/19 of **£113.271m** and the individual service cash limits for 2018/19 as outlined in Annex 1;

b. The savings and income generation plans outlined in Annex 2 in conjunction with the Equalities Impact Assessment Report in Annex 3 and thereby agrees to implement the Council's draft Operational Plan which has been presented to each of the relevant PDS Panels;

c. That the agreement of a revised TDC (Thermae Spa) Profit Share arrangement is delegated to the Chief Executive in consultation with the S151 Officer and Leader, with appropriate independent legal advice obtained, and on the basis this will generate a simpler approach and better return for the Council, but that any associated extension of the lease is subject to a separate executive decision;

d. To help protect front line services and meet additional pressures in Children's Services the budget includes a recommendation that Council Tax is increased by 1.95% in 2018/19 (an increase of £25.04 per Band D).

e. An increase of 3% to Council Tax for the Adult Social Care Precept is approved in recognition of the current demands and financial pressures on this service. This is equivalent to an increase of £38.52 on a Band D property.

f. That the release of reserves, including the Invest to Save Reserve is delegated to the Council's S151 Officer in consultation with the Portfolio Holder for Finance and Efficiency and the Chief Executive.

g. The transfers between reserves outlined in 5.5.1 and the adequacy of Un-earmarked Reserves at £12.2m within a risk assessed range requirement of £11.9m-£13.1m.

h. The Efficiency Strategy attached at Annex 4 and delegation of the Leading Together Change Programme funding of £2.0m to the Chief Executive in consultation with the Leader of the Council.

i. The Capital Programme for 2018/19 of £83.111m including the capital review outlined in 5.7.2, new and emerging capital bids outlined in Annex 5, planned sources of funding in 5.7.3, and notes the programme for 2019/20 to 2022/23 and that any wholly funded projects coming forward during the year will be added to the Capital Programme in line with the Budget Management Scheme.

j. The delegation of implementation, subject to consultation where appropriate, of the capital programmes set out in Annex 5(ii) to Annex 5(iv) to the relevant Strategic Director or Divisional Director in Consultation with the appropriate Portfolio Holder.

k. Approve the amended process for Provisional Capital Schemes to become Fully Approved Schemes as outlined in 5.7.3 and all other delegations as set out in the report.

l. The Community Infrastructure Levy (CIL) allocations outlined in Annex 5(v).

m. The MRP Policy attached at Annex 6.

n. The Capital Prudential Indicators outlined in 5.7.5

o. The Annual Pay Policy Statement at Annex 8.

p. The Council Tax Support Scheme for 2018/19 shown in the following link and referred to in 5.3.4.

http://www.bathnes.gov.uk/CouncilTaxSupportScheme2017-18

q. The additional one-off Adult Social Care Support Grant of £456k for 2018/19 announced in the final local government settlement is held within the Adult Social Care budget as contingency for any Social Care local provider market pressures that emerge during the year. Specific allocations of this funding are to be delegated to the Strategic Director – People & Communities in consultation with the S151 Officer and Cabinet Members for Finance& Efficiency & Adult Care, Health & Wellbeing.

2. That the Council notes the S151 Officer's report on the robustness of the proposed budget and the adequacy of the Council's reserves outlined in 5.6.

3. That the Council approves the technical resolutions that are derived from the budget report, and all the figures in that report, including the precepts for towns, parishes and other precepting bodies as set out in Annex 10.

THE COUNCIL APPROVES THE BUDGET AND COUNCIL TAX FOR 2018/19 AS INDICATED ABOVE AND ACCORDINGLY RESOLVES:

That the 2018/19 revenue expenditure is funded as follows:

	Total £
2018/19 Gross Expenditure	**331,693,900**
2018/19 Income (service income and specific grants)	182,390,611
Core Funding:	
Retained Business Rates*	61,878,990
Use of Reserves	692,099
2018/19 Gross Income	**244,961,700**
Council Tax Requirement (excluding Parish Precepts)	**86,732,200**

* Before Tariff Payment of £34.259m

4.

a. That it be noted that on the 14th December 2017 the Strategic Director - Resources (as authorised section 151 officer) agreed **64,346.64** Band

D property equivalent as the Council Tax Base for the year 2018/19 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]*

5. That the following amounts be now calculated by the Council for the 2018/19 financial year in accordance with Sections 31 to 36 of the Local Government and Finance Act 1992, as amended:

    a. **£334,204,076** (=£331,693,900 (gross expenditure) +£2,510,176 (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. £244,961,700 (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. **£89,242,376** being the amount by which the aggregate at 5(a) above exceeds the aggregate at 5(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. **£ 1,386.90** being the amount at 5(c) above divided by the amount at 4(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. **£ 2,510,176** 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. **£1,347.89** being the amount at 5(d) above less the result given by dividing the amount at 5(e) above by the amount at 4(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 5(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 4(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 5(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

6. That it be noted that for the year 2018/19 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:-

7. Avon and Somerset Police

Valuation Bands

A	B	C	D	E	F	G	H
£129.21	**£150.74**	**£172.28**	**£193.81**	**£236.88**	**£279.95**	**£323.02**	**£387.62**

8. That it be noted that for the year 2018/19 Avon Fire Authority met on 9th February 2018 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:-

9. Avon Fire Authority

Valuation Bands

A	B	C	D	E	F	G	H
£47.57	**£55.49**	**£63.42**	**£71.35**	**£87.21**	**£103.06**	**£118.92**	**£142.70**

10. That, having calculated the aggregate in each case of the amounts 7, 9 and 5(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 2018/19 financial year for each of the categories of dwellings shown, as listed in Annex 1 (5).

11. On average (for a Band D, 2 adult household) the Council Tax for 2018/19 will be as follows:

Reference Band D 2017/18 £		£ Band D 2018/19	% Increase on 2017/18
1,235.48	Bath and North East Somerset Council*	1,260.52	1.95*
48.85	- Adult Social Care (ASC)*	87.37	3.00*
1,284.33	***Sub Total B&NES (Including ASC)***	***1,347.89***	***4.95***
37.56	Average Parish Precept	39.01	3.86
69.28	Avon Fire Authority	71.35	2.99
181.81	Avon and Somerset Police	193.81	6.60
1,572.98	**Total Tax Charged**	**1,652.06**	**5.03**

[Overall annual increase in average Band D Council Tax is £79.08]
** The percentage figures represent the number of percentage points which increases for the Adult Social Care precept and the B&NES general expenditure charge each contribute to the overall increase set by the Council in 2018/19.*

12. The Council's basic amount of Council Tax for 2018/19 is not determined to be excessive in accordance with principles approved under section 52ZB Local Government Finance Act 1992.

[Notes;

1. *During debate, an unsuccessful amendment was moved by Councillor Andy Furse and seconded by Councillor Steve Hedges, calling for an additional £578,000 from an additional increase of £8.99 per Band D) ring-fenced to an earmarked fund for Children's Services. This was lost on a recorded vote with 24 Councillors voting in favour, 34 Councillors voting against and 0 abstentions, as set out below;*

   <u>Councillor voting in favour;</u> - Councillors Cherry Beath, Sarah Bevan, John Bull, Neil Butters, Paul Crossley, Chris Dando, Doug Deacon, Andy Furse, Ian Gilchrist, Liz Hardman, Steve Hedges, Eleanor Jackson, Alison Millar, Robin Moss, Michelle O'Doherty, Lin Patterson, June Player, Joe Rayment, Caroline Roberts, Nigel Roberts, Richard Samuel, Will Sandry, Shaun Stephenson Mc-Gall and Karen Walker.

   <u>Councillors voting against</u>; - Councillors Patrick Anketell-Jones, Colin Barrett, Jasper Becker, Anthony Clarke, Matt Cochrane, Fiona Darey, Sally Davis, Emma Dixon, Michael Evans, Charles Gerrish, Lizzie Gladwyn, Bob Goodman, Francine Haeberling, Alan Hale, Deirdre Horstmann, Les Kew, Marie Longstaff, Barry Macrae, Paul May, Paul Myers, Michael Norton, Lisa O'Brien, Bryan Organ, Vic Pritchard, Liz Richardson, Mark Shelford, Brian Simmons, Peter Turner, Martin Veal, David Veale, Geoff Ward, Tim Warren, Karen Warrington and Chris Watt.

2. *The substantive motion was carried with 34 Councillors voting in favour, 21 Councillors voting against, and 2 objections as set out below*;

   <u>Councillors voting in favour:</u> - Councillors Patrick Anketell-Jones, Colin Barrett, Jasper Becker, Anthony Clarke, Matt Cochrane, Fiona Darey, Sally Davis, Emma Dixon, Michael

Evans, Charles Gerrish, Lizzie Gladwyn, Bob Goodman, Francine Haeberling, Alan Hale, Deirdre Horstmann, Les Kew, Marie Longstaff, Barry Macrae, Paul May, Paul Myers, Michael Norton, Lisa O'Brien, Bryan Organ, Vic Pritchard, Liz Richardson, Mark Shelford, Brian Simmons, Peter Turner, Martin Veal, David Veale, Geoff Ward, Tim Warren, Karen Warrington and Chris Watt.

Councillors voting against; - Councillors Cherry Beath, John Bull, Neil Butters, Paul Crossley, Chris Dando, Doug Deacon, Andy Furse, Ian Gilchrist, Liz Hardman, Steve Hedges, Eleanor Jackson, Alison Millar, Robin Moss, Michelle O'Doherty, Lin Patterson, June Player, Joe Rayment, Caroline Roberts, Nigel Roberts, Richard Samuel and Shaun Stephenson-McGall.

Councillors abstaining; - Councillors Sarah Bevan and Karen Walker.]

73 TREASURY MANAGEMENT STRATEGY STATEMENT & INVESTMENT STRATEGY 2018/19

The Council considered a report seeking approval for the Treasury Management Strategy and the Investment Strategy.

On a motion from Councillor Charles Gerrish, seconded by Councillor Paul May, it was

RESOLVED

1. To approve the actions proposed within the Treasury Management Strategy Statement as set out at Appendix 1 of the report;

2. To approve the Investment Strategy as detailed in Appendix 2.

[Notes;

1. *The above resolution was carried with 1 abstention and all other Councillors voting in favour.]*

74 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS

There were no items from Councillors.

75 EXCLUSION OF THE PUBLIC

On a motion from Councillor Tim Warren, seconded by Councillor Steve Hedges, it was

RESOLVED that, having been satisfied that the public interest would be better served by not disclosing relevant information, in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business and the reporting of the meeting be prevented under Section 100A(5A) because of the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act, as amended.

76 WAIVER OF 6 MONTH COUNCILLOR ATTENDANCE RULE

On a motion from Councillor Tim Warren, seconded by Councillor Steve Hedges, it was unanimously

RESOLVED as set out in the recommendations.

The meeting ended at 9.00 pm

Chairman .....

Date Confirmed and Signed .....

Prepared by Democratic Services