

BATH AND NORTH EAST SOMERSET

MINUTES OF ORDINARY COUNCIL MEETING

Tuesday, 16th November, 2010

Present:- **Councillors** Simon Allen, Rob Appleyard, Sharon Ball, Tim Ball, Colin Barrett, Gabriel Batt, Cherry Beath, David Bellotti, John Bull, Neil Butters, Bryan Chalker, Anthony Clarke, Victor Clarke, Nicholas Coombes, Chris Cray, Paul Crossley, Gerry Curran, Colin Darracott, Sally Davis, Douglas Deacon, Ian Dewey, David Dixon, Armand Edwards, Peter Edwards, Andrew Furse, Terry Gazzard, Charles Gerrish, Ian Gilchrist, Francine Haerberling, Alan Hale, Malcolm Hanney, Nathan Hartley, David Hawkins, Adrian Inker, Eleanor Jackson, Les Kew, Malcolm Lees, Marie Longstaff, Barry Macrae, Shaun McGall, Marian McNeir MBE, Bryan Organ, Carol Paradise, Vic Pritchard, Caroline Roberts, Nigel Roberts, Dine Romero, Will Sandry, Brian Simmons, Shirley Steel, Roger Symonds, Martin Veal, Tim Warren, Chris Watt, Brian Webber, Brook Whelan, John Whittock, Stephen Willcox and Gordon Wood

Apologies for absence: Councillors Loraine Brinkhurst MBE, Lynda Hedges, Steve Hedges and Richard Maybury

38 EMERGENCY EVACUATION PROCEDURE

The Chairman drew attention to the emergency evacuation procedure which had been read out at the start of the special meeting immediately preceding this meeting.

39 MINUTES

RESOLVED that the minutes of the previous ordinary meeting of the Council held on 9th September 2010 be approved as a correct record and be signed by the Chairman subject to the insertion of 29th July (in place of 22nd July) as the date of the Radstock Ward by-election referred to in minute 22.

40 DECLARATIONS OF INTEREST

Declarations of Interest were made as follows:

Councillor Malcolm Hanney declared a personal non-prejudicial interest in the report on the Future Provision of Community Health and Social Care Services (agenda item 9) as Chair of NHS Bath and North East Somerset Primary Care Trust.

Councillor Nigel Roberts declared a personal non-prejudicial interest in the report on the Future Provision of Community Health and Social Care Services (agenda item 9) as an employee of the Royal United Hospital, Bath.

Councillor Caroline Roberts declared a personal non-prejudicial interest in the report on the Future Provision of Community Health and Social Care Services (agenda item 9) as the spouse of an employee of the Royal United Hospital, Bath.

Councillor Cherry Beath declared a personal non-prejudicial interest in the report on the Future Provision of Community Health and Social Care Services (agenda item 9) as the spouse of an employee of the AWP Health Care Trust.

Councillor Ian Dewey declared a personal non-prejudicial interest in the agenda motion on Homes in Multiple Occupation (agenda item 15) as the owner of a property in multiple occupation.

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

The Chairman informed the Council that she had agreed to vary the order of business to take the agenda motions on items 12 (Schools Reorganisation) and 13 (Bath Transportation Package) after the public statements at item 7 on the agenda.

42 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There were no items of urgent business for this meeting.

43 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC

There were six statements from members of the public as indicated below and one written question. Copies of the statements provided by the speakers and the written question and answer which were circulated at the meeting are held on file in the minute book and published on the Council's website with the draft minutes of this meeting.

(A) Mr Charles Grimsdale, a member of the Save Woolley Valley Action Group, made a statement about unauthorised development of agricultural land in Woolley Valley, Swainswick and urged the Council to take action to uphold the Enforcement Notice. In response to a question from Councillor Paul Crossley, Mr Grimsdale said that he had not received a response to the concerns that he had expressed to Planning Services about non-compliance with the Stop and Enforcement Notice. In response to a question from Councillor John Bull, Mr Grimsdale said that he believed that the Stop Notice had been ignored by the owner.

Mr Grimsdale was thanked for his statement which was referred for consideration and response to the Cabinet Member for Service Delivery.

(B) Mr Alastair MacKichan, Chairman of Charlcombe Parish Council, made a statement expressing the serious concerns of the Charlcombe and Swainswick Parish Councils about the lack of enforcement action on the unauthorised development of agricultural land in Woolley Valley, Swainswick and urged the Council to take action swiftly to uphold the Enforcement Notice.

Mr MacKichan was thanked for his statement. In response to a question from Councillor Eleanor Jackson, the Chief Executive indicated that a report would be submitted to the Development Control Committee at its next meeting to enable it to review the position as a matter of urgency.

- (C) Mr David Redgewell made a statement on behalf of South West Transport Network about the future of bus and rail services in the Greater Bristol and West Wiltshire area and urged the Council to work with neighbouring authorities and through the West of England Partnership to enable the improvements to the public transport infrastructure necessary for effective urban regeneration. In response to a question from Councillor Eleanor Jackson, Mr Redgewell said that the single most important contribution the Council could make to resolving these issues was to ensure effective cross-boundary working by local authorities to regulate and improve bus services and take control of the public transport network as was already happening in other parts of the country. In response to a question from Councillor Chris Cray, Mr Redgewell said that there was pressure to improve the frequency of daytime bus services from Radstock to Bath from 20 to 15 minute intervals.

Mr Redgewell was thanked for his statement which was referred for consideration and response to the Cabinet Member for Service Delivery.

- (D) Ms Kelly Bull made a statement in support of a petition with 650 signatures which she presented asking for a pedestrian crossing to be installed outside St Michael's Junior School on Newton Road, Twerton, Bath. She said that five children had been knocked down by vehicles in the last four years and that the road was very busy with shop deliveries and a bus stop near the School and that when there was a traffic accident on Pennyquick Hill all the main road traffic would be diverted past the School. In response to a question from Councillor Charles Gerrish, Ms Bull said that she was aware of the proposal being investigated to have a school crossing patrol attendant but she believed that one patrol attendant would not be sufficient to secure the safety of the 300 children at the school and that a crossing was still necessary. In response to a question from Councillor Tim Ball, Ms Bull said that there were a number of risks to the safety of the children because the School had two entrances and people park very close. In response to a question from Councillor John Bull, Ms Bull said that she was not aware if the School had a green travel plan or if the proposed crossing was part of that route and suggested that the School should be asked to respond on that aspect.

Ms Bull was thanked for her statement which was referred for consideration and response to the Cabinet Member for Service Delivery.

- (E) Mr Stefan DiFinizio, Member of the Youth Parliament for Bath and North East Somerset in 2010, made a statement urging the Council to provide young people in Bath and North East Somerset with a properly funded Youth Service and to support the motion at agenda item 14 to provide additional funding for the youth centres in Radstock and Keynsham and the Off the Record youth counselling service. In response to a question from Councillor Eleanor Jackson, Mr DiFinizio said that youth centres offered young people not only opportunities for socialising

but also valuable support from youth workers on developing life skills that were sometimes not available to them at home. In response to a question from Councillor Chris Cray, Mr DiFinizio said that wherever young people live in Bath and North East Somerset they need more opportunities for participating in a safe and accessible environment such as a youth centre as this avoids young people being stereotyped for anti-social activities.

Mr DiFinizio was thanked for his statement which it was decided would be taken into account during consideration of agenda item 14.

- (F) Ms Nadine Geary made a statement on behalf of Response2Route urging the Council to withdraw its objection to the applications made for village green status to be granted to two areas of land in Newbridge, Bath. In response to a question from Councillor Andrew Furse, Ms Geary said that the land is used regularly for recreational purposes such as dog training and walking; local keep fit classes held outdoors in good weather; observing nature; barbecues in summer and bonfires in autumn; treehouses and dens and for children to play. In response to a question from Councillor Eleanor Jackson, Ms Geary said that in respect of the nature trail the area had rare species of bats and slow worms and there were also badgers and foxes and all kinds of trees and plants which had been observed and recorded by local people.

Ms Geary was thanked for her statement which it was decided would be taken into account during consideration of agenda item 13.

44 SECONDARY SCHOOLS REVIEW

There were statements from the following six members of the public urging the Council to reconsider the proposal as part of the Secondary School Reorganisation programme to close Culverhay School, Bath - Sqdr Ldr Brian Higgins (Retd), Mr Sean Wyartt, Mr Chris Shire, Mrs Sarah Wall, Mrs Sarah Moore and Mrs Mary Anne Allen. Copies of the statements provided by the speakers which were circulated at the meeting are held on file in the minute book and published on the Council's website with the draft minutes of this meeting.

In response to a question from Councillor John Bull, Sqdr Ldr Higgins said that in his role as the Chair of Southdown PACT he did not believe that the closure of the school would have an adverse effect on the behaviour of young people in the area.

The speakers were thanked for their statements which it was decided would be taken into account during consideration of agenda item 12.

On a motion from Councillor Chris Watt seconded by Councillor Malcolm Hanney it was **RESOLVED** that the Council:

1. Notes and welcomes the decision of Cabinet to retain two schools in Keynsham; to support the application of Oldfield School to become a co-educational Academy; and to support the federation of St Marks and St Gregory's Schools.

2. Notes that consultation on the proposed closure of Culverhay School has ended.
3. Notes that Officers are finalising a report to Cabinet for its meeting on 25th November which will include a collation of responses including from parents, residents, other schools and other parties (much of which information including from other schools is not yet public) together with an analysis of the two alternative proposals submitted by Culverhay School and the 'Friends of Culverhay' group.
4. Resolves to ask Cabinet to consider all responses carefully in making an informed decision on 25th November 2010.
5. Resolves to request that this decision meet with the objectives of the Bath Secondary School Review, as agreed unanimously by Council in March 2008, including; improving standards and outcomes in our schools, meeting parental demand for an increased number of co-educational places in Bath Secondary Schools, and addressing the high number of expensive surplus places in Bath Secondary Schools.

(Notes: 1. The above resolution was carried by a majority of 32 votes to 28 with 1 Councillor abstaining from voting. A recorded vote was requested under Council Rule 45 and taken as follows:

For the resolution: Councillors : Colin Barrett, Gabriel Batt, Marie Longstaff, Bryan Chalker, Anthony Clarke, Victor Clarke, Chris Cray, Sally Davis, Douglas Deacon, Ian Dewey, Peter Edwards, Terry Gazzard, Charles Gerrish, Francine Haerberling, Alan Hale, Malcolm Hanney, David Hawkins, Les Kew, Malcolm Lees, Barry Macrae, Bryan Organ, Vic Pritchard, Brian Simmons, Shirley Steel, Martin Veal, Tim Warren, Chris Watt, Brian Webber, Brook Whelan, John Whittock, Stephen Willcox and Gordon Wood (32)

Against the resolution: Councillors : Simon Allen, Rob Appleyard, Sharon Ball, Tim Ball, Cherry Beath, David Bellotti, Sarah Bevan, John Bull, Neil Butters, Nicholas Coombes, Paul Crossley, Gerry Curran, Colin Darracott, David Dixon, Armand Edwards, Andrew Furse, Ian Gilchrist, Nathan Hartley, Adrian Inker, Eleanor Jackson, Shaun McGall, Marian McNeir, Caroline Roberts, Nigel Roberts, Dine Romero, Will Sandry, David Speirs and Roger Symonds (28)

Abstained from voting: Councillor Carol Paradise (1)

Absent: Councillors Loraine Morgan-Brinkhurst, Lynda Hedges, Steve Hedges and Richard Maybury (4).

2. The wording of the above resolution was carried on an amendment to the motion printed with the agenda papers which was moved by Councillor Dine Romero and seconded by Councillor Gerry Curran. The effect of that motion, had it been successful, would have been to ask Council to recommend the Cabinet to support the retention of two secondary schools in Keynsham; the transformation of Oldfield School, Bath to a co-educational school; the proposed federation of St Mark's and St Gregory's Schools, Bath; and the retention and transformation of Culverhay into a community co-educational school.)

45 BATH TRANSPORTATION PACKAGE

There were statements from the following five members of the public urging the Council to reconsider aspects of the Bath Transportation Package and submit a revised proposal for Central Government funding – Ms Jo McCarron, Ms Ishbel Tovey, Dr David Dunlop, Mr Steve Mackerness and Mr John Weston. Copies of the statements provided by the speakers which were circulated at the meeting are held on file in the minute book and published on the Council's website with the draft minutes of this meeting.

The speakers were thanked for their statements which it was decided would be taken into account during consideration of agenda item 13.

On a motion from Councillor Charles Gerrish seconded by Councillor Malcolm Hanney it was **RESOLVED** that the Council welcomes the inclusion of the Bath Transportation Package (BTP) in the 'Development Pool' for Department for Transport (DfT) capital funding and the associated opportunity to bid along with the 21 other projects in the pool for available funds of £600m.

Council acknowledges that Development Pool status has largely been achieved because of the following factors:

- BTP has already been given Programme Entry status by the DfT;
- Planning permissions for the 'package' are in place;
- The scheme is a critical enabler of the future sustainable economic growth of the area, without which development of key sites and sustainable access to the city centre will be jeopardised;
- Widespread public engagement has been undertaken. In this respect it is perhaps appropriate to note that it was at Council in 2006 that Council approved the provisional Joint Local Transport Plan including initial plans for BTP.
- The scheme has a wide range of supporters including Federation of Bath Residents Associations (FOBRA), the business community including Bath Chamber of Commerce, CIVITAS, the Campaign for Better Transport and the Urban Regeneration Panel;
- The scheme is ranked as the number one priority for the sub-region by the West of England Partnership;
- The benefit to cost ratio of the existing scheme is very high. Council is committed to identifying opportunities to improve the benefit to cost ratio of the scheme and considering an element of additional Council funding to improve the prospects of final approval of the scheme by the DfT.

Council recognises that any material changes to the scheme carry significant risks of the project losing Development Pool status either by invalidating existing planning permissions or significantly impairing the benefit to cost ratio. Starting from scratch with consultations on new proposals is highly likely to result in the elimination of the BTP from the Development Pool and present the opportunity for other schemes within the Development Pool, including from the West of England, to argue more strongly for preference over any funding for Bath transportation whether in terms of

the West of England's priorities or more generally. If the Council loses this opportunity to secure DfT capital funding, it has been made clear there will be no consideration of new proposals before 2015/16 and that this would have serious implications for the area's regeneration and sustainable growth.

Council believes the best way forward is to seek to maximise the chances of a successful bid by increasing the amount of funding sourced through local initiatives and sensible pruning of elements of the scheme that will not impair the scheme's benefit to cost ratio.

Council recognises the critical importance of transportation in terms of the future of Bath (and Bath & North East Somerset) and the need to ensure that there is appropriate integration / co-ordination of relevant transport initiatives with future development plans. This point has been made very strongly to the Council by various parties including most recently by FOBRA as part of their submission in relation to the Joint Local Transport Plan.

The Council therefore agrees that there is merit in setting up an Independent Commission to review and advise on the overall transport strategy for the City in the context of enabling sustainable economic growth, reducing congestion and improving sustainable access. The Commission, which will be chaired by an independent person of international standing, would draw its membership from experienced professionals of similar standing, Council Members on a cross party basis (numbers to be agreed), and other representatives including from the business community and FOBRA.

The remit of the Commission would include advice to the Council on transport policy and specific major transport schemes including but not limited to securing government support/funding for BTP; cross district HGV movements; parking strategy; and public transport and having regard to air quality issues and the Council's Public Realm and Movement Strategy and related investment. It is believed that the establishment of such a Commission as a standing body will provide additional assurance to DfT with regard to the final BTP bid that the Council recognises that transport issues are both critical and dynamic.

(Notes: 1. The above resolution was carried by a majority of 32 votes to 29. A recorded vote was requested under Council Rule 45 and taken as follows:

For the resolution: Councillors : Colin Barrett, Gabriel Batt, Marie Longstaff, Bryan Chalker, Anthony Clarke, Victor Clarke, Chris Cray, Sally Davis, Douglas Deacon, Ian Dewey, Peter Edwards, Terry Gazzard, Charles Gerrish, Francine Haeberling, Alan Hale, Malcolm Hanney, David Hawkins, Les Kew, Malcolm Lees, Barry Macrae, Bryan Organ, Vic Pritchard, Brian Simmons, Shirley Steel, Martin Veal, Tim Warren, Chris Watt, Brian Webber, Brook Whelan, John Whittock, Stephen Willcox and Gordon Wood (32)

Against the resolution: Councillors : Simon Allen, Rob Appleyard, Sharon Ball, Tim Ball, Cherry Beath, David Bellotti, Sarah Bevan, John Bull, Neil Butters, Nicholas Coombes, Paul Crossley, Gerry Curran, Colin Darracott, David Dixon, Armand Edwards, Andrew Furse, Ian Gilchrist, Nathan Hartley, Adrian Inker, Eleanor Jackson, Shaun McGall, Marian McNeir, Carol Paradise, Caroline Roberts, Nigel Roberts, Dine Romero, Will Sandry, David Speirs and Roger Symonds (29)

Absent: Councillors Loraine Morgan-Brinkhurst, Lynda Hedges, Steve Hedges and Richard Maybury (4).

2. The wording of the above resolution was carried on an amendment to the motion printed with the agenda papers which was moved by Councillor Caroline Roberts and seconded by Councillor Andrew Furse. The effect of that motion, had it been successful, would have been to welcome the opportunity to reconsider the current proposals in the Bath Transportation package and ask Council to recommend the Cabinet to work with the leadership of all the political groups and, where appropriate, neighbouring local authorities, to develop cross-party proposals which would make the best case for funding to the DfT.)

46 THE FUTURE COUNCIL

Ms Rowena Hayward, GMB Trade Union South West Region Organiser made a statement expressing concern about aspects of the proposals in this report because of the potential impact on service users as well as on the workforce and the local economy. A copy of the statement provided by the speaker which was circulated at the meeting is held on file in the minute book and published on the Council's website with the draft minutes of this meeting.

The speaker was thanked for her statement which it was decided would be taken into account during consideration of agenda item 8.

The Council considered a report which set out proposals for a future organisational model for the Council that focused on a strategic leadership role and the structure to deliver it.

On a motion proposed by Councillor Francine Haeberling and seconded by Councillor Malcolm Hanney it was **RESOLVED** that the Council:

1. Approves the principles and general approach being adopted with regard to the proposed Organisational Model for the Council as set out in paragraph 5.4.1 and Appendix 5 of this report.
2. Notes the position and general approach being adopted with regard to Children's Service and Academies as set out in paragraph 5.4.2 and Appendix 5 (ii) of this report.
3. Notes the overall position and direction of travel for the Health, Adult Social Care and Housing services as set out in paragraph 5.4.3 and Appendix 5(iii) of this report and also that a separate report is presented on this meeting's agenda concerning the future of the associated Health and Adult Social Care "provider" functions.
4. Notes the work being carried out in order to explore the feasibility of establishing Property Asset Delivery Vehicles for the Council's commercial estate (paragraph 5.4.4).
5. Approves the principles for the proposed senior management of the Council as set out in paragraph 5.4.5 of this report.

6. Notes the principles of the project management structure set out in paragraph 5.5 of this report.
7. Approves the establishment of an Implementation Committee as set out in paragraph 5.5.3 with the terms of reference set out in Appendix 6A and the consequent amendment of the Employment Committee's terms of reference at Appendix 6B of this report but with a membership of 7 in proportionality; 3 Conservative, 2 Liberal Democrat, 1 Labour and 1 Independent, with the additional clarification that, reflecting the proportionality of the Committee, the Chair and Vice Chairs be from the largest and second largest groups respectively.
8. Notes that the Implementation Committee will report back in due course on any matters requiring the views of or a decision by Council in respect of the approval of appointment and the designation of Statutory Officers as required.
9. Notes the proposed transfer of the Public Health function from NHS Bath and North East Somerset (PCT) to the Council as detailed in paragraph 5.4.3 and delegates the provision of appropriate management arrangements for this to the Chief Executive in consultation with the Implementation Committee in the event of legislation being enacted.
10. Notes that a further report will be brought back to Council to include proposals for future political Leadership in the light of options in the anticipated Localism Bill.
11. Notes the financial implications set out in this report and in particular the availability of resources already established as part of the 2010/11 budget and requests Overview and Scrutiny Panels to review change programme business cases as they develop. Agrees that, in addition to the terms of reference as set out in Appendix 9A and the proposed O&S scrutiny of business cases, that consultation on the use of any funding from the Financial Challenge Reserve should include the Chair and Vice Chair of the Implementation Committee if the proposed expenditure is within the remit of this Committee.
12. Agrees to recommend to Cabinet that any proposals for delivery of Council services that have a significant impact on staffing arrangements or numbers should be the subject of early discussion and consultation with Council.

(Notes: 1. The above resolution was carried by a majority of 46 Councillors voting in favour, 11 Councillors voting against and 4 Councillors abstaining from voting. 2. The wording underlined in paragraphs 7 and 11 above was added on an amendment from Councillor David Dixon which was accepted by the mover and seconder of the motion. 3. The wording underlined in paragraph 12 above was added on an amendment from Councillor John Bull which was accepted by the mover and seconder of the motion.)

47 TRANSFORMING COMMUNITY HEALTH AND SOCIAL CARE

(A) Mr Chris Howe, UNISON Trade Union South West Regional Organiser made a statement urging the Council to reconsider the proposed social enterprise model for delivering adult social care and to develop an alternative that would enable the service to be retained within the local authority. Mr Howe referred to the written joint submission from the B&NES Trade Unions which had been circulated to all Councillors.

(B) Ms Rowena Hayward, GMB Trade Union South West Region Organiser made a statement expressing concern about the proposals in this report because of the high risks involved in taking on the commissioned work from General Practitioners and urged the Council to extend the consultation process to enable the options to be more fully explored.

(C) Mrs Diana Hall Hall, Chair of B&NES Link made a statement expressing concern about the proposals in this report because of the high risks of the social enterprise model compared with using alternative statutory health and social care providers and urged the Council to extend the consultation and decision-making process to enable the options to be more fully considered.

Copies of the statements provided by the speakers which were circulated at the meeting are held on file in the minute book and published on the Council's website with the draft minutes of this meeting.

The speakers were thanked for their statements which it was decided would be taken into account during consideration of agenda item 9.

The Council considered a report which set out proposals for a future organisational model for the Council that focused on a strategic leadership role and the structure to deliver it. An update report was circulated to all Members and the public at the meeting on two textual corrections to the main report and the latest projections on which the financial information was based.

During the debate on this item Councillor Will Sandry read a statement which summarised the position of the Liberal Democrat Group's working party on this issue in the discussions they had held prior to the Council Meeting and requested that a copy be retained on the minute book and published on the Council's website with the draft minutes.

On a motion proposed by Councillor Vic Pritchard and seconded by Councillor Francine Haeberling it was **RESOLVED** that the Council:

1. Indicates its commitment to a direction of travel that aims to transfer integrated community health and social care services into a potential social enterprise subject to the approval of the NHS Bath and North East Somerset Board at its meeting on 18th November 2010.
2. Recognises the key role of General Practitioner representatives as future Commissioners in developing the proposal.
3. Notes that the initial high level Integrated Business Plan will be developed further over the next two months to test the viability of the social enterprise.

4. Delegates authority to the Chief Executive with the agreement of the Leader of the Council and the Leader of the Liberal Democrat Group, in consultation with the Labour and Independent Group Leaders, the Cabinet Member for Adult Social Care and Housing, the Chair of the Healthier Communities and Older People Overview and Scrutiny Panel, a further member of the Liberal Democrat group, the Monitoring Officer, and the Council's Section 151 Officer, to:
 - a. Take all steps necessary or incidental to work with NHS Bath and North East Somerset and General Practitioner Commissioning representatives to develop the potential social enterprise option.
 - b. Implement the option including the organisational form of the potential social enterprise and the development and award of the contracts relevant to Council services, subject to the detailed Integrated Business Plan demonstrating to his satisfaction the viability of the new social enterprise within budget provision and support for the option being agreed with the General Practitioner Commissioning representatives and the Strategic Health Authority.
5. Instructs the Chief Executive to produce a further report to Council should, in his opinion after taking relevant advice, he conclude that the financial challenges as expressed in the Financial Implications to this report cannot be met or if sufficient agreement with General Practitioner Commissioning representatives and the Strategic Health Authority is not achieved.
6. Agrees that the proposed option is subject to proportionate due diligence prior to any transfer of services.
7. Notes that the Integrated Business Plan shall be submitted formally to the NHS South West, the Strategic Health Authority, following the meeting of the NHS Bath and North East Somerset Board, and will be subject to further development over the next two months.
8. Notes the project's governance arrangements, next steps, costs, timetable and the high-level outline terms of the pooled project budget between the Council and NHS Bath and North East Somerset.

(Notes: 1. The above resolution was carried by a majority of 46 Councillors voting in favour, 9 Councillors voting against and 6 Councillors abstaining from voting. 2. The wording underlined in paragraphs 4 and 5 above was added by Councillor Pritchard when moving the motion to the recommendations printed in the report. 3. During the debate on this item a motion under Council Rule 48 was moved and seconded and resolved to extend the duration of the Council Meeting until 11pm to enable the remaining business to be considered. 4. During the debate on this item a procedural motion was moved and seconded and resolved to vary the order of business to take agenda items 14 and 15 before the other remaining items because members of the public were present to make statements on both those items.)

48 ALLOCATION OF TOP-UP TRANSITORY FUNDS FOR YOUTH SERVICE

PROJECTS

Ms Jocelyne Tagg, Director of Off the Record Bath and North East Somerset made a statement about the impact of the proposed ending of the counselling contract with Off the Record on 31st March 2011 and urging the Council to support this agenda motion as it would give a more realistic opportunity to identify potential alternative sources of funding. Ms Becky Proctor, a former client of the Off the Record service, outlined the benefits of the counselling which the service provided for young people. In response to a question from Councillor David Speirs, Ms Proctor said that through the assistance she had received her confidence had significantly improved and this enabled her to deal successfully with new challenges in her life.

Copies of the statements provided by the speakers which were circulated at the meeting are held on file in the minute book and published on the Council's website with the draft minutes of this meeting.

The speakers were thanked for their statements which it was decided would be taken into account during consideration of agenda item 14.

On a motion from Councillor David Speirs seconded by Councillor Rob Appleyard it was **RESOLVED** that:

This Council Notes:

- 1) The current proposals to reduce funding for the Youth Service.
- 2) That Parish and Town Councils are being encouraged to work alongside the Council to help provide youth facilities.
- 3) That two priorities of the Council are a commitment to: "Improving the life chances of disadvantaged children and young people" and "Building communities where people feel safe and secure"¹
- 4) That the B&NES Sustainable Community Strategy 2009-2026 states that by 2012-15 "Young People's Centres [will] have been rolled to more areas where there are highest levels of deprivation"² and "Children and young people will have access to services within their community"³

¹ Bath and North East Somerset Council's '*Visions and Priorities*' accessed at: <http://www.bathnes.gov.uk/councilanddemocracy/VisionandPriorities/Pages/default.aspx>

² Bath and North East Somerset '*Sustainable Community Strategy 2009-2026*' at p.25 accessed from: <http://www.bathnes.gov.uk/SiteCollectionDocuments/Community%20and%20Living/Sustainable%20Community%20Strategy.pdf>

³ *ibid*, p.26

This Council Believes:

- 1) That youth centres continue to play an important role in the provision of services for young people, along with detached and mobile youth workers and third sector organisations.
- 2) That it is reasonable to ask parish and town councils to make a contribution to youth services or activities within their area.
- 3) That in order to ensure stability and consistency of youth service provision in areas such as Radstock and Keynsham one-off top-up transitory funding should be made available for 2011/12.
- 4) That a funding should be made available for a volunteer counselling service, to ensure the young people of Bath & North East Somerset have continued access to such a resource.

This Council Resolves:

- 1) To ask the Cabinet to allocate an additional £53,000 of top-up transitory funding as part of the 2011/12 Council budget to be divided between projects and/or services at Radstock Youth Centre, Keynsham Youth Centre (known as Time Out), and to provide bridging funding to support the 'Off The Record' Counselling Service.⁴
- 2) That the remaining £53,000 from the £80,000 identified in the 2010/11 budget to be spent at the discretion of the Council Leader and Deputy Council Leader, should be reallocated to the Youth Service for the purpose outlined above.
- 3) That decisions on how the top-up funding allocated to youth centres should be utilised will be taken after consulting with the relevant stakeholders, primarily the young people. Furthermore the funding should seek, as far as possible, to facilitate joint partnership working with other organisations in order to maximise its effectiveness.⁵

⁴ The one-off bridging funding will enable 'Off The Record' to continue their counselling service for another twelve months, during which time it will seek finances from other sources. This funding will be a grant, not a loan and it is recommended that approximately £23,000 should be allocated to this service from the £53,000.

⁵ For example this could include the Primary Care Trust (PCT), Town/Parish Council or a local charity.

4) That the Authority should continue to encourage Parish and Town Councils to set aside funding within their budgets for youth work in their respective areas.
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5) That the Authority should work with the Primary Care Trust to supply match funding for a volunteer Counselling Service for young people, as part of a new integrated Primary Mental Health Service.

(Note: The above resolution was carried by a majority of Councillors voting in favour with no Councillors voting against and no Councillors abstaining from voting.)

49 HOUSES IN MULTIPLE OCCUPATION

Mrs June Player made a statement about the impact of homes in multiple occupation where such lettings predominated in a particular locality rather than being shared equally throughout the area and urged the Council to support this agenda motion

A copy of the statement provided by the speakers which was circulated at the meeting is held on file in the minute book and published on the Council's website with the draft minutes of this meeting.

The speaker was thanked for her statement which it was decided would be taken into account during consideration of agenda item 15.

A briefing note on the legislative background prepared by the Strategic Director, Service Delivery and an explanatory note to assist consideration of the motion prepared by Councillor Will Sandry were circulated to all Members and the public at the meeting.

On a motion from Councillor Will Sandry seconded by Councillor Ian Gilchrist it was **RESOLVED** that:

1. Council has concerns over the level of Homes in Multiple Occupation (HMOs) in the City of Bath, particularly in the South and South West of the City.
2. Council notes that, whilst traditionally Article 4 Directions are used for previously defined areas such as a Conservation Area or an Area of Outstanding Natural Beauty, the "Direction" could mean that planning permission would be required for any further homes to be converted to Homes in Multiple Occupation in specified areas of the city. Council also notes that a City or Authority-wide Article 4 Direction would require the agreement of Secretary of State.
3. Council resolves to request that the Cabinet Member for Service Delivery investigate further the practicalities and budgetary implications of introducing an

⁶ This includes Keynsham Town Council and the successor councils to Norton-Radstock Town Council.

“Article 4 Direction”, and if deemed practical and financially viable seek to implement such a Direction.

4. Council resolves to request that the Cabinet Member for Service Delivery include measures within the draft Core Strategy, to be presented to Council on 2nd December 2010, to address the further proliferation of HMO’s within Bath and allow for an increased level of dedicated student accommodation on-campus.

(Notes: 1. The wording of the above resolution was approved following an amendment proposed by Councillor Charles Gerrish and accepted by the mover and seconder of the motion. It replaced the wording of the motion printed with the agenda papers, the effect of which would have been to request the Cabinet Member to ensure that there were sufficient resources in the budget proposed by the Cabinet for 2011/2012 to enable Planning Services to investigate the practicalities of introducing an Article 4 Direction and to introduce such a Direction under the Local Development Scheme programme of work. 2. The above resolution was carried by a majority of Councillors voting in favour with no Councillors voting against and one Councillor abstaining from voting.)

50 REVIEW OF THE COUNCIL’S STATEMENT OF LICENSING POLICY

The Council considered a report on the outcome of the three year review of the Council’s Statement of Licensing Policy.

On a motion from Councillor Tim Warren seconded by Councillor Tim Ball it was **RESOLVED** that the Council adopts the Policy set out in Annex B to this report, having had regard to the responses received following the consultation process which are set out in Annex A.

(Note: The above resolution was carried by a majority of Councillors voting in favour with two Councillors voting against and one Councillor abstaining from voting.)

51 DRAFT REPLACEMENT WORLD HERITAGE SITE MANAGEMENT PLAN

The Council considered a report on the draft replacement City of Bath World Heritage Site Management Plan which had been drawn up under the guidance of the World Heritage Site steering group and following public consultation and which was being submitted to the Council for endorsement prior to its approval by the Cabinet Member for Development and Major Projects.

On a motion from Councillor Terry Gazzard seconded by Councillor Francine Haeberling it was **RESOLVED** that the Council:

1. Endorses the draft replacement City of Bath World Heritage Site Management Plan, and recommends to the Cabinet Member for Development and Major Projects that it is approved for submission to UNESCO.
2. Notes that further minor editorial changes will be made to the document prior to final submission.

(Note: The above resolution was carried by a majority of Councillors voting in favour with one Councillor voting against and one Councillor abstaining from voting.)

52 2010/11 HALF-YEARLY TREASURY MANAGEMENT PERFORMANCE REPORT

The Council considered a report on the outturn performance for the six months to 30th September 2010 measured against the Treasury Management Strategy and Annual Investment Plan 2010/11.

On a motion from Councillor Malcolm Hanney seconded by Councillor Francine Haeberling it was **RESOLVED** that the Council notes:

1. The Treasury Management to 30th September 2010 prepared in accordance with the CIPFA Treasury Code of Practice.
2. The Treasury Management indicators to 30th September 2010.

(Note: The above resolution was carried by a majority of Councillors voting in favour with no Councillor voting against and two Councillors abstaining from voting.)

53 POLITICAL PROPORTIONALITY

The Council considered an agenda note on the reasons why a review of political proportionality was required to reassign the number of seats on various Council Committees and their allocation to political groups.

On a motion from Councillor Francine Haeberling seconded by Councillor Paul Crossley it was **RESOLVED** that:

1. The allocation of seats on all relevant Committees be amended from 34 (Conservative): 28 (Liberal Democrat): 5 (Labour): 2 (Independent) with one Unaligned seat to 35 (C): 28 (LD): 5(L): 2(Ind).
2. The membership of the Safer and Stronger Communities Overview and Scrutiny Panel be set at 4 (C):3 (LD) rather than as previously 3 (C): 3 (LD):1 (Unaligned).

7. (Note: The above resolution was carried by a majority of Councillors voting in favour with no Councillor voting against and no Councillors abstaining from voting.)

54 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS

There were three questions from Members of the Council as listed in the Appendix to these minutes. The questions asked and the answers given in writing as circulated at the meeting are held on file in the minute book and published on the Council's website with the draft minutes of this meeting.

The meeting ended at 11.00 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services