

Democratic Services

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Date: 20 March 2012

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To: All Members of the Council

Chief Executive and other appropriate officers

Press and Public

Dear Member

Special Council: Wednesday 28th March, 2012

You are invited to attend a meeting of the **Council** to be held on **Wednesday 28th March, 2012** at **6.30 pm** in the **Council Chamber - Guildhall, Bath.**

The agenda is set out overleaf.

Tea & coffee will be available for Councillors from 6pm in the Chamber.

Yours sincerely

Jo Morrison
Democratic Services Manager
for Chief Executive

If you need to access this agenda or any of the supporting reports in an alternative accessible format please contact Democratic Services or the relevant report author whose details are listed at the end of each report.

This Agenda and all accompanying reports are printed on recycled paper

NOTES:

1. **Inspection of Papers:** Any person wishing to inspect minutes, reports, or a list of the background papers relating to any item on this Agenda should contact Jo Morrison who is available by telephoning Bath 01225 394358.
2. **Details of decisions taken at this meeting** can be found in the minutes which will be circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting as above. Papers are available for inspection as follows:

Public Access points – Guildhall – Bath, Riverside – Keynsham, Hollies – Midsomer Norton, and Bath Central, Keynsham and Midsomer Norton Public Libraries.

For Councillors and officers, papers may be inspected via Political Group Research Assistants and Group Rooms/Members' Libraries.

3. **Spokespersons:** The Political Group Spokespersons for the Council are the Group Leaders, who are Councillors Paul Crossley (Liberal Democrat Group), Francine Haerberling (Conservative Group), John Bull (Labour Group) and Doug Deacon (Independent Group).
4. **Attendance Register:** Members should sign the Register, which will be circulated at the meeting.
5. **Public Speaking at Meetings:** The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group. They may also ask a question to which a written answer will be given. **Advance notice is required not less than two full working days before the meeting. This means that for meetings held on Thursdays notice must be received in Democratic Services by 5.00pm the previous Monday.** Further details of the scheme can be obtained by contacting Jo Morrison as above.
6. THE APPENDED SUPPORTING DOCUMENTS ARE IDENTIFIED BY AGENDA ITEM NUMBER.

7. Emergency Evacuation Procedure

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are sign-posted.

Arrangements are in place for the safe evacuation of disabled people.

8. **Presentation of reports:** Officers of the Council will not normally introduce their reports unless requested by the meeting to do so. Officers may need to advise the meeting of new information arising since the agenda was sent out.

AGENDA

1. EMERGENCY EVACUATION PROCEDURE

The Chairman will draw attention to the emergency evacuation procedure as set out under Note 7.

2. APOLOGIES FOR ABSENCE

3. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to complete the green interest forms circulated to groups in their pre-meetings (which will be announced at the Council Meeting) to indicate:

(a) The agenda item number in which they have an interest to declare.

(b) The nature of their interest.

(c) Whether their interest is **personal and prejudicial** or **personal**.

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Solicitor to the Council and Monitoring Officer before the meeting to expedite dealing with the item during the meeting.

4. MINUTES - 14TH FEBRUARY 2012 (Pages 5 - 14)

To be confirmed as a correct record and signed by the Chair(man)

5. ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE

These are matters of information for Members of the Council. No decisions will be required arising from the announcements.

6. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

If there is any urgent business arising since the formal agenda was published, the Chairman will announce this and give reasons why he has agreed to consider it at this meeting. In making his decision, the Chairman will, where practicable, have consulted with the Leaders of the Political Groups. Any documentation on urgent business will be circulated at the meeting, if not made available previously.

7. QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC

The Democratic Services Manager will announce any submissions received under the arrangements set out in note 5 above. The Council will be invited to decide what action

it wishes to take, if any, on the matters raised in these submissions. As the questions received and the answers given will be circulated in written form there is no requirement for them to be read out at the meeting. The questions and answers will be published with the draft minutes.

8. APPOINTMENT OF CHIEF EXECUTIVE AND DESIGNATION AS HEAD OF PAID SERVICE (Pages 15 - 18)

This report seeks Council's approval of the appointment of a new Chief Executive and the designation of the postholder as Head of Paid Service.

9. QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS

The Democratic Services Manager will announce any submissions received. The Council will be invited to decide what action it wishes to take, if any, on the matters raised in these submissions. As the questions received and the answers given will be circulated in written form there is no requirement for them to be read out at the meeting. The questions and answers will be published with the draft minutes.

The Committee Administrator for this meeting is Jo Morrison who can be contacted on 01225 394358.

BATH AND NORTH EAST SOMERSET COUNCIL

MINUTES OF COUNCIL MEETING

Tuesday, 14th February, 2012

Present:- **Councillors** Simon Allen, Patrick Anketell-Jones, Rob Appleyard, Sharon Ball, Tim Ball, Colin Barrett, Gabriel Batt, Cherry Beath, David Bellotti, Sarah Bevan, Mathew Blankley, Lisa Brett, John Bull, Neil Butters, Bryan Chalker, Anthony Clarke, Nicholas Coombes, Paul Crossley, Gerry Curran, Sally Davis, Douglas Deacon, David Dixon, Peter Edwards, Michael Evans, Paul Fox, Andrew Furse, Charles Gerrish, Ian Gilchrist, Francine Haeberling, Alan Hale, Katie Hall, Malcolm Hanney, Liz Hardman, Nathan Hartley, Steve Hedges, Eleanor Jackson, Les Kew, Dave Laming, Malcolm Lees, Marie Longstaff, Barry Macrae, David Martin, Loraine Morgan-Brinkhurst MBE, Robin Moss, Paul Myers, Douglas Nicol, Bryan Organ, June Player, Vic Pritchard, Manda Rigby, Caroline Roberts, Nigel Roberts, Dine Romero, Will Sandry, Brian Simmons, Kate Simmons, Jeremy Sparks, Ben Stevens, Roger Symonds, Martin Veal, David Veale, Geoff Ward, Tim Warren and Brian Webber

Apologies for absence: **Councillors** Chris Watt

57 EMERGENCY EVACUATION PROCEDURE

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

58 MINUTES - 10TH NOVEMBER 2011

On a motion from Councillor Paul Crossley, seconded by Councillor Francine Haeberling, it was

RESOLVED that the minutes of 10th November be approved as a correct record and signed by the Chairman.

59 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Chris Watt.

60 DECLARATIONS OF INTEREST

The Council's Monitoring Officer gave specific advice regarding declaration of interests in relation to the budget report.

Councillor Eleanor Jackson declared a personal, non-prejudicial interest in agenda item 8 as Secretary of Radstock in Bloom, and a member of the Victoria Hall Committee.

Councillor Loraine Morgan-Brinkhurst MBE declared a personal, non-prejudicial interest in agenda item 8 as the Council's representative on Sirona Care and Health in a non-executive Directors role.

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

The Chairman;

1. Expressed condolences on behalf of the Council for the recent death of former Councillor Chris Cray and asked the Council to stand in silence as a mark of respect;
2. Congratulated Councillor Manda Rigby on being named as Bath Chronicle Woman of the Year, and Councillor June Player as being named Bath Chronicle Politician of the Year;
3. Indicated that he proposed to waive Council Rule 37 so as not to permit Councillors seconding motions or amendments being able to reserve their right to speak until later in the debate, but to require all seconders, if they wished to speak, to do so when they seconded the motion or amendment. The Council indicated its agreement; and
4. Informed Council that he proposed to announce a 10 minute comfort break at an appropriate point if the meeting continued beyond 8.00pm

62 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There were no items of urgent business.

63 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC

Nick Brailey made a statement (a copy of which is held on the Council's minute book and available online) expressing concern about the state of the B&NES area, and in particular Bath city centre. He invited Members to walk the city centre with him to see and discuss the issues. The statement was referred for consideration to the Cabinet Members for Neighbourhoods, Transport and Sustainable Development.

Alex Schlesinger made a statement (a copy of which is held on the Council's minute book and available online) in support of the proposed funding for regeneration of London road, asking for it to be recognised as a community in its own right and a key factor in the perception of Bath's role as a heritage venue. The statement was referred to the Cabinet Member for Sustainable Development.

David Dunlop made a statement also in support of the regeneration of the London road area. He referred to the Core Strategy and its reference to the London road area as an area of deprivation. He welcomed the Placemaking plan as playing a key role in addressing this and hoped that future Administrations would continue to support regeneration of the area. The statement was referred to the Cabinet Member for Sustainable Development.

David Redgewell made a statement (a copy of which is held on the Council's minute book and available online) regarding rail and bus transport issues. He stressed the

importance of protecting Bath's interests in the work being done by the West of England partnership. He specifically requested that bus tender contracts should require all vehicles to be disabled accessible. Councillor Paul Crossley commended David on his persistence and commitment to campaigning on transport issues and deferred his question to Councillor Roger Symonds who asked if David had any evidence to support his assertion that WEP interests didn't go beyond Bath. David responded that the mapping in the Evening post had demonstrated this. In response to a question from Eleanor Jackson enquiring how his comments related to bus services to Midsomer Norton and Radstock, and the perceived value of the Radstock/Frome railway, David referred to a feasibility study which was welcomed and might raise some options. The statement was referred for consideration to the Cabinet Member for Transport.

Mike Clarkson made a statement in support of a petition which he submitted, signed by nearly 900 residents against the closure of the Mobile library service. (A copy of the statement is held on the Council's minute book and available online.) The statement and petition was referred for consideration to the Cabinet Member for Neighbourhoods.

The Chairman thanked all the speakers for their statements and asked Councillors to take their comments into account when considering the budget papers.

64 MEDIUM TERM SERVICE & RESOURCE PLANNING 2012/13 - 2014/15, & BUDGET AND COUNCIL TAX 2012/13

The Council considered a report setting out the Cabinet's draft medium term financial plan, and revenue and capital budgets for the 2012/13 financial year, together with a proposal for a Council Tax level for 2012/13 (Report 8).

In addition to the reports circulated with the agenda, all Councillors received a copy of the draft minute of the Resources Policy Development and Scrutiny (PDS) Panel meeting held on 6th February with the Panel's comments on the Budget proposals. Councillors also received Appendix 5 – Formal Council Tax Setting resolutions (incorporating precepts from Parishes, Fire and Police).

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

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

RESOLVED

1. To approve:

- a. The General Fund net revenue budget for 2012/13 of £120.156m with no increase in Council Tax.

- b. That no Special Expenses be charged other than Town and Parish Council precepts for 2012/13.
 - c. The adequacy of reserves at Appendix 1, Table 9 of the report, with a risk-assessed level of £10.5m.
 - d. The individual service cash limits for 2012/13 summarised at Appendix 1, Table 5 and detailed in Annex 1 of the report, subject to the removal of the proposal to discontinue the mobile library service and the adjustment of the cash limit by an additional £50,000 to be allocated from the £381,000 to be transferred to Revenue Budget contingency to provide for emerging priorities in the year ahead, to enable the continuation of the mobile library service
 - e. That the specific arrangements for the governance and release of reserves, including invest to save proposals, be delegated to the Council's Section 151 Officer, in consultation with the Cabinet Member for Community Resources and the Chief Executive.
2. To include the precepts set and approved by other bodies including the Local Precepts of Town Councils, Parish Councils and the Charter Trustees of the City of Bath, and those of the Fire and Police Authorities in its Council Tax setting.
 3. To acknowledge the Section 151 officer's report on the robustness of the proposed budget and the adequacy of the Council's reserves (Appendix 1, Annex 2 of the report) and approves the conditions upon which the recommendations are made as set out throughout Appendix 1 of the report.
 4. That, in relation to the capital budget, the Council:
 - a. approves a capital programme of £37.471m for 2012/13 and notes items for provisional approval in 2012/13 and the programme for 2013/14 to 2016/17 as shown at Appendix 1, Annex 3 of the report including the planned sources of funding;
 - b. approves the Minimum Revenue Provision Policy as shown at Appendix 1, Annex 4 of the report;
 - c. approves the Capital Prudential Indicators as set out in Appendix 1 Table 7 of the report.
 5. To note the Policy Development & Scrutiny review of Medium Term Service and Resource Plans and 2012/13 Service Action Plans and instructs the relevant officers to finalise and publish their Medium Term Service and Resource Plans and Service Action Plans by end of March 2012, in consultation with the relevant Cabinet Member and in light of feedback from the PD&S reviews, and in line with the approved cash limits.
 6. To agree the Council's proposed pay policy statement, as set out at Appendix 4 to the report.

7. To approve the technical resolutions that are derived from the budget report, and all figures in that report including the precepts for towns, parishes and other precepting bodies as set out in Appendix 5 of the report.

THE COUNCIL APPROVES THE BUDGET AND COUNCIL TAX FOR 2012/2013 AS INDICATED ABOVE AND ACCORDINGLY RESOLVES:

8. That the 2012/13 expenditure is funded as follows:

| | Total £ |
|--|--------------------|
| 2012/13 Gross Expenditure | 316,741,984 |
| 2012/13 Income (service income and specific grants) | 195,455,389 |
| Formula Grant* | |
| Revenue Support Grant = £788,809 | 41,481,012 |
| Redistributed Business Rates = £40,692,203 | |
| 2012/13 Council Tax Freeze Grant | 1,936,183 |
| Collection Fund Surplus | 422,000 |
| 2012/13 Gross Income | 239,294,584 |
| Council Tax Requirement (excluding Parish Precepts) | 77,447,400 |

* Includes 2011/12 recurring Council Tax Freeze Grant

9. a) That it be noted that on 21st December 2011, the Divisional Director of Finance (as authorised section 151 officer) agreed **64,440.11** Band D property equivalent as the Council Tax Base for the year 2012/13 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]

10. That the following amounts be now calculated by the Council for the 2012/13 financial year in accordance with Sections 31 to 36 of the Local Government and Finance Act 1992, as amended:

- a. **£318,908,481** (=£316,741,984 (gross expenditure including contribution to reserves) +£2,166,497 (Parish precepts)) being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the 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 1988 Act, and any amounts transferred from general fund to collection fund under section 98(5) of 1988 Act.]

- b. **£239,294,584** (gross income) being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the 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. **£79,613,897** 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 Act as its **Council Tax requirement** for the year.
- d. **£1,235.47** being the amount at 5(c) above divided by the amount at 4(a) above, calculated in accordance with Section 31B of the Act, as the basic amount of Council Tax for the year.
[This is the average Council tax including B&NES and parish precepts]
- e. **£2,166,497** being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act.
[This is the total of parish precepts]
- f. **£1,201.85** 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 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 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 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

11. That it be noted that for the year 2012/13 Avon and Somerset Police Authority met on 8 February 2012 to determine 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:-

12. Avon and Somerset Police Authority
Valuation Bands

| A | B | C | D | E | F | G | H |
|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| £112.02 | £130.69 | £149.36 | £168.03 | £205.37 | £242.71 | £280.05 | £336.06 |

13. That it be noted that for the year 2012/13 Avon Fire Authority met on 10 February 2012 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:-

14. Avon Fire Authority
Valuation Bands

| A | B | C | D | E | F | G | H |
|---------------|---------------|---------------|---------------|---------------|---------------|----------------|----------------|
| £41.85 | £48.82 | £55.80 | £62.77 | £76.72 | £90.67 | £104.62 | £125.54 |

15. 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 2012/13 financial year for each of the categories of dwellings shown, as listed in Annex 1 (5).

16. To note that, on average (for a Band D, 2 adult household), the Council Tax for 2012/13 will be as follows:

| <i>Reference Band D 2011/12 £</i> | | £ Band D 2012/13 | % Increase on 2011/12 |
|-----------------------------------|--------------------------------------|------------------|-----------------------|
| 1,201.85 | Bath and North East Somerset Council | 1,201.85 | 0.00 |
| 31.37 | Average Parish Precept | 33.62 | 7.17 |
| 60.38 | Avon Fire Authority | 62.77 | 3.96 |
| 168.03 | Avon and Somerset Police Authority | 168.03 | 0.00 |
| 1,461.63 | Total Tax charged | 1,466.27 | 0.32 |

[Overall annual increase in average Band D Council Tax is £4.64]

17. To agree that the Council's basic amount of Council Tax for 2012/13 is not determined to be excessive in accordance with principles approved under section 52ZB Local Government Finance Act 1992.

(Notes:

1. *The above motion was carried with 36 Councillors voting in favour, 28 Councillors voting against and no Councillors abstaining from voting. An adjustment to the wording was suggested on behalf of the Conservative group by Councillor Martin Veal, seconded by Councillor Les Kew, which was accepted by the mover and seconder of the motion. This wording is incorporated and underlined in paragraph 1 d. of the resolution above. The General Fund net revenue budget figure in Paragraph 1 a. of the resolution above reflects the adjustment.*
2. *An amendment was moved on behalf of the Conservative Group by Councillor Francine Haerberling, seconded by Councillor Tim Warren, to move the recommendations as printed subject to the amendment to paragraph 4 a. above to add the words “subject to the deletion of the provisionally approved proposal concerning gypsy and traveller sites and an allocation of £1.8 million for provisional approval to enable the delivery of new affordable housing and consideration given to developing initiatives to support first time buyers onto the housing ladder.” A named vote was taken on the amendment which was not carried, with 36 Councillors voting against and 28 Councillors voting in favour and no absentions: **For** - Councillors Patrick Anketell-Jones, Colin Barrett, Gabriel Batt, Matthew Blankley, Bryan Chalker, Tony Clarke, Sally Davis, Peter Edwards, Michael Evans, Charles Gerrish, Francine Haerberling, Alan Hale, Malcolm Hanney, Lew Kew, Dave Laming, Malcolm Lees, Marie Longstaff, Barry Macrae, Paul Myers, Bryan Organ, Vic Pritchard, Brian Simmons, Kate Simmons, Martin Veal, David Veale, Geoff Ward, Tim Warren, Brian Webber. **Against** – Councillors Simon Allen, Rob Appleyard, Sharon Ball, Tim Ball, Cherry Beath, David Bellotti, Sarah Bevan, Lisa Brett, John Bull, Neil Butters, Nicholas Coombes, Paul Crossley, Gerry Curran, Doug Deacon, David Dixon, Paul Fox, Andrew Furse, Ian Gilchrist, Katie Hall, Liz Hardman, Nathan Hartley, Steve Hedges, Eleanor Jackson, David Martin, Loraine Morgan-Brinkhurst MBE, Robin Moss, Doug Nicol, June Player, Manda Rigby, Caroline Roberts, Nigel Roberts, Dine Romero, Will Sandry, Jeremy Sparks, Ben Stevens, Roger Symonds.*

65 2012/13 LTP TRANSPORT IMPROVEMENT SCHEMES - CAPITAL PROGRAMME

The Council considered a report, supplementary to the budget report, seeking approval for consultation on the Local Transport Plan Transport Improvement Schemes.

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

RESOLVED

1. To agree that the 2012/12 LTP Transport Improvement Capital Programme in Appendix 1 to the report be approved for consultation; and
2. That the Group Manager, Transport and Planning Policy, be given delegated authority to alter the programme, in consultation with the Cabinet Member for

Transport, following consultation, and as may prove necessary during 2012/13 within the overall approved capital budget allocation.

66 TREASURY MANAGEMENT STRATEGY STATEMENT AND ANNUAL INVESTMENT STRATEGY 2012/13

The Council considered a report which fulfils the Council's legal obligation under the Local Government Act 2003 to have regard to both the CIPFA Code and the CLG Guidance in approving the Treasury Management Strategy Statement and the Investment Strategy.

The report had also been scrutinised by the Corporate Audit Committee (7th February 2012) and the Cabinet (8th February 2012).

On a motion from Councillor David Bellotti, seconded by Councillor Andy Furse, it was

RESOLVED to agree that

1. The actions proposed within the Treasury Management Strategy Statement (Appendix 1 of the report) be approved;
2. The Investment Strategy, as detailed in Appendix 2 of the report, be approved;
3. The changes to the authorised lending lists, detailed in Appendix 2 and highlighted in Appendix 3 to the report, be approved;
4. CIPFA's revised Code of Practice on Treasury Management, as detailed in paragraph 5.5 of the report, be adopted; and
5. The revised Treasury Management Policy Statement, as detailed in Appendix 4 to the report, be approved.

67 ANNOUNCEMENT OF CHAIR(MAN) DESIGNATE FOR 2012/13

This report allows Council to indicate which Councillor is likely to take over as Chair(man) from the Annual General meeting in May. This allows advance planning of the Chair(man)'s diary but will still require a formal election to take place at the May meeting.

On a motion from Councillor John Bull, seconded by Councillor Paul Crossley, it was

RESOLVED that Councillor Rob Appleyard be named as Chair(man) Designate for the 2012/13 Council year and Councillor Neil Butters be named as Vice-Chair(man) Designate for the 2012/13 Council year.

68 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS

There were none.

The meeting ended at 9.20 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

| Bath & North East Somerset Council | |
|---|---|
| MEETING: | Council |
| MEETING DATE: | 28 March 2012 |
| TITLE: | Appointment of Chief Executive and designation as Head of Paid Service |
| WARD: | ALL |
| AN OPEN PUBLIC ITEM | |
| List of attachments to this report: None | |

1 THE ISSUE

- 1.1 This report seeks Council's approval of the appointment of a new Chief Executive and the designation of the post holder as Head of Paid Service.

2 RECOMMENDATION

Council is asked to agree:

- 2.1 The appointment of Chief Executive be offered to Jo Farrar on a spot salary of £150,000 pa within the approved range subject to;
- (i) satisfactory completion of necessary checks and in accordance with other advertised terms and conditions;
 - (ii) Councillor Crossley, Leader of the Council, being authorised to negotiate and agree, in consultation with Members of the Restructuring Implementation Committee, a start date.
- 2.2 The designation of the postholder as Head of Paid Service under section 4 of the Local Government & Housing Act 1989.

3 FINANCIAL IMPLICATIONS

- 3.1 The recurring costs associated with the post of Chief Executive/Head of Paid Service will be met from within the existing Budget provision for pay and related employer on-costs.

4 CORPORATE PRIORITIES

- 4.1 The Council's senior management structures are targeted to allow the Council the maximum opportunity to deliver on its vision in an environment where the scale of the financial challenge is great and accepting there will be changes in terms of when and how priorities are delivered. The Council's role will be changing and as a Strategic Commissioning organisation the role will be to be very clear on the overall needs and opportunities in the area and for commissioning or enabling/encouraging the appropriate outcomes. There will be a need for the Council to continue to prioritise the vulnerable and ensure there is an emphasis on disadvantaged communities.

5 THE REPORT

- 5.1 In September 2011, Council agreed that the post of Chief Executive/Head of Paid Service should be retained within the new senior management structure and that all necessary steps be taken to appoint a successor to John Everitt, following the announcement of his retirement. Under the Council Standing Orders, responsibility for making recommendations in respect of the appointment of the Head of Paid Service rests with the Restructuring Implementation Committee.
- 5.2 For this key appointment, the committee has taken independent advice from the HAY Group in respect of the pay and grading and from Harvey Nash, recruitment consultants with a wide experience in senior public sector appointments, for all recruitment and selection matters.
- 5.3 The post was advertised nationally, in January 2012, attracting a strong field of over 50 applicants. Following technical interviews/reports in February and an assessment centre involving tests, exercises a wide range of local stakeholders panels, 5 candidates were interviewed for the appointment by the Restructuring Implementation Committee on 13 March 2012, advised by a Director from Harvey Nash.
- 5.4 The Committee was very impressed by the overall standard of all the shortlisted candidates. After careful consideration of all of the assessment information as well as the final interviews, its unanimous decision was to recommend the offer of appointment of Jo Farrar currently Chief Executive of Bridgend County Borough Council whom it considered demonstrated the necessary vision, strategic skills and experience to meet the future needs of the Council and challenges ahead. In accordance with the guidance from the HAY Group, it further recommends that the appointment be offered on a spot salary of £150,000 per annum with other conditions of employment being in accordance with those determined for Chief Executives nationally by the Joint Negotiating Committee for Local Authority Chief Executives as supplemented by locally agreed terms and conditions where agreed from time to time.

5.5 Subject to Council agreeing the Committee’s recommendations in this report and the completion of necessary checks, it is anticipated that Ms Farrar will be able to take up the appointment in early August.

6 RISK MANAGEMENT

6.1 A risk assessment related to the issue and recommendations has not been undertaken. Section 4 of the The Local Government and Housing Act 1989 requires all local authorities to appoint a Head of Paid Service.

7 EQUALITIES

7.1 An impact assessment has not been carried out. The recruitment and selection of the candidate was conducted in accordance with the Council’s recruitment and selection procedures and taking account of its Equalities Policy.

8 CONSULTATION

8.1 Recognised trade unions were formally consulted as part of the Council decision making process regarding the retention of the post of Chief Executive/Head of Paid Service and were represented in the stakeholder panels referred to in paragraph 5.3 above.

9 ISSUES TO CONSIDER IN REACHING THE DECISION

9.1 Human Resources; Corporate; Impact on Staff; Other Legal Considerations.

10 ADVICE SOUGHT

10.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

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| Contact person | William Harding Head of Human Resources, tel 01225 477203 |
| Background papers | Reports to: Council - 16 November 2010 'The Future Council'; Council – 15 September 2011 'Future Council – statutory responsibilities' Restructuring Implementation Committee - 25 July 2011 'Future Council – implementation proposals' Restructuring Implementation Committee – 19 January 2012 Future Council implementation: Chief Executive remuneration |
| Please contact the report author if you need to access this report in an alternative format | |

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