

BATH AND NORTH EAST SOMERSET

CABINET

These minutes are draft until confirmed as a correct record at the next meeting.

Wednesday, 4th December, 2013

Present:

Councillor Paul Crossley	Leader of the Council
Councillor David Dixon	Deputy Leader and Cabinet Member for Neighbourhoods
Councillor Simon Allen	Cabinet Member for Wellbeing
Councillor Tim Ball	Cabinet Member for Homes and Planning
Councillor David Bellotti	Cabinet Member for Community Resources
Councillor Katie Hall	Cabinet Member for Community Integration
Councillor Caroline Roberts	Cabinet Member for Transport
Councillor Dine Romero	Cabinet Member for Early Years, Children and Youth
Councillor Ben Stevens	Cabinet Member for Sustainable Development

83 WELCOME AND INTRODUCTIONS

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

84 EMERGENCY EVACUATION PROCEDURE

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

85 APOLOGIES FOR ABSENCE

There were no apologies for absence.

86 DECLARATIONS OF INTEREST

There were none.

87 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

88 QUESTIONS FROM PUBLIC AND COUNCILLORS

There were 7 questions from the following Councillors: Anthony Clarke (3), Liz Richardson, Vic Pritchard (2), Charles Gerrish.

There were no questions from the following members of the public.

[Copies of the questions and responses have been placed on the Minute book as Appendix 1 and are available on the Council's website.]

89 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

Councillor Jeremy Sparks in a statement *[a copy of which is attached to these Minutes as Appendix 2 and on the Council's website]* explained that the issue of traffic speeds on the A37 through Clutton was one of the most common issues raised by his constituents. He presented a petition of 76 signatures asking Cabinet to reduce the speed limit from 40mph to 30mph, in line with all other rural parishes on the A37 in the area.

Rosemary Naish (Chair, Clutton Parish Council) in a statement *[a copy of which is attached to these Minutes as Appendix 3 and on the Council's website]* supported the petition presented by Councillor Sparks. She felt that the move would not be costly but would be well received and would improve safety.

Sheila Clarke (Timsbury Road Safety Group) in a statement *[a copy of which is attached to these Minutes as Appendix 4 and on the Council's website]* highlighted the difficulties encountered by residents of two care homes in South Road, Timsbury, during snowy conditions because the road is not gritted. She presented a petition of 597 signatures asking Cabinet to include South Road Timsbury in the gritting route.

David Redgewell (South West Transport Network) in a statement reminded Cabinet of its Equality duty and of its promise given the previous year to grit all Dial-a-Ride routes. On the issue of bus subsidies, he asked the Cabinet to work with other surrounding Councils to persuade the Mayor of Bristol not to withdraw £700K support, which would impact delivery of off-peak services and particularly the Bristol to Bath bus service. He further asked Cabinet to ensure that the Council would comply fully with the law and would phase out high-floor buses, particularly on the numbers 5 and 10 services.

The Chair assured David Redgewell that Leaders of the surrounding authorities were in close negotiations with the Mayor of Bristol over this issue.

Robert Morgan in a statement *[a copy of which is attached to these Minutes as Appendix 5 and on the Council's website]* observed that the Council did not appear to have a Conservation Management Plan for assets in their possession. He asked the Cabinet to ensure that officers would always observe Council policy in their dealings and highlighted a situation in his own experience.

The Chair assured Robert Morgan that he would provide a full and complete response to his statement within 5 days of the meeting.

90 MINUTES OF PREVIOUS CABINET MEETING

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

RESOLVED that the minutes of the meeting held on Wednesday 13th November 2013 be confirmed as a correct record and signed by the Chair.

91 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

There were none.

92 MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

The Chair welcomed Councillor Sally Davis (Chair of the Early Years, Children and Youth PDS Panel) and asked her to introduce the Panel's recommendations from its meeting to consider the Call-in of the Cabinet decision on restructuring of the Early Years Service.

Councillor Davis in a statement [*a copy of which is attached to these Minutes as Appendix 6 and on the Council's website*] explained the findings of the Panel. The Panel still felt that the Cabinet had not answered a number of questions. The Panel had upheld the Call-in because members had felt that Cabinet had failed to give enough detail in their previous decision as to when the proposals would be implemented. The Panel had asked that Cabinet reconsider its original decision and that the replacement decision would give more detail of how and when progress would be made.

The Chair thanked Councillor Davis for her explanation and said that Cabinet would fully consider the Panel's recommendations at item 18 of the agenda.

93 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

The Cabinet agreed to note the report.

94 HERITAGE SERVICES COLLECTIONS DEVELOPMENT POLICY

Councillor Ben Stevens introduced the item by reminding Cabinet of the need to maintain the integrity of the Council's collection. The Council had an excellent record and wished to retain accredited status for its museums and galleries. He praised the work of its museum staff and moved the proposals.

Councillor Paul Crossley seconded the proposal. He spoke particularly of the trust built up between the Council and its public donors; although occasionally there was a need to buy or sell items, the Council had always sought to honour the conditions placed upon donations. He praised the museums and art gallery staff for delivering an excellent service.

On a motion from Councillor Ben Stevens, seconded by Councillor Paul Crossley, it was

RESOLVED (unanimously)

(1) To APPROVE the Collections Development Policy.

95 B&NES HOMELESSNESS STRATEGY

Councillor Eleanor Jackson in an *ad hoc* statement reminded the Cabinet that a task and finish group investigation into youth homelessness had been conducted in 2010. She still had to report that there were over 200 "sofa surfers" in the Somer valley however, and probably more in Bath. She asked the Cabinet to stay alert to the problem.

Councillor Simon Allen introduced the item by reminding Cabinet that the Council had a very good track record of supporting homeless adults and young people. This was achieved by working closely with partners. He highlighted some known causes of homelessness and listed a number of ways in which the Council was seeking to help by intervening before people became homeless. He committed the Council to delivering a gold standard service.

He moved the proposals.

Councillor Tim Ball seconded the proposals which he felt were excellent and long-awaited. The report showed that homelessness was preventable. He emphasised that the policy be kept up-to-date.

On a motion from Councillor Simon Allen, seconded by Councillor Tim Ball, it was

RESOLVED (unanimously)

(1) To NOTE the report; and

(2) To APPROVE the Homelessness Strategy 2014-2018.

96 SCHOOLS CARBON REDUCTION PROGRAMME - INVEST TO SAVE LOAN FUND

Councillor Dine Romero moved the recommendations. She explained that good quality data was now available about schools energy usage and was keen to see the benefits of the Invest to Save proposals.

Councillor Paul Crossley seconded the proposals. He felt that a time of climate chaos was ahead and that the solution must come from working with schools to educate young people. He promised a report back at a future date to update Cabinet on progress.

Councillor Ben Stevens expressed the hope that the proposals would lead to the Council winning another award for being proactive in green issues.

On a motion from Councillor Dine Romero, seconded by Councillor Paul Crossley, it was

RESOLVED (unanimously)

(1) To NOTE the progress made in completing energy surveys of all schools as the latest stage of the Schools Carbon Reduction Programme;

(2) To APPROVE capital allocations of £500,000 for the Invest to Save Loan Fund and £290,000 for the Schools Carbon Reduction Grant for inclusion in the Children's Service Capital Programme 2013/14 to assist schools in undertaking energy efficiency measures; and

(3) To DELEGATE to the Strategic Director, People and Communities the approval of loan funding following an assessment of the individual business plans submitted by schools.

97 CHANGE OF CONTROL - THERMAE DEVELOPMENT COMPANY LIMITED

Colin Skellet in an *ad hoc* statement explained why he felt that YTL would be well qualified to operate the spa franchise and would deliver a reliable operation which they would develop in the interest of the company, the Council and the local economy.

Councillor Peter Anketell-Jones in an *ad hoc* statement asked whether the change of operator would have any effect on entrance charges, or on the special offers presently enjoyed by local residents.

Councillor David Bellotti in introducing the item said that the key issue was about the lease for operating the spa. Cabinet would be asked to agree to transfer the operating lease from one company to its parent company. The essential principle was that the Council would not be worse off as a result – of which he was confident. He felt that it would be unreasonable to refuse the transfer. He moved slightly different proposals from those recommended in the report.

Councillor Ben Stevens said that he was satisfied that YTL would be a very capable operator. They had already shown evidence of a strong local commitment and where they were operating elsewhere they had commendably developed the local supply chain. He seconded the proposal.

Councillor Paul Crossley reminded the Cabinet of the difficult times which had led up to the birth of the spa and contrasted those difficulties with the great success of the scheme now. He expressed a debt of thanks to Thermae for operating the spa so successfully which had helped develop the local tourist economy. He emphasised that the asset was not being sold – what was to be transferred if agreed by Cabinet would be the lease to operate the facility.

On a motion from Councillor David Bellotti, seconded by Councillor Ben Stevens, it was

RESOLVED (unanimously)

- (1) To APPROVE in principle the proposed change of control;
- (2) To AUTHORISE and give delegated authority to the Chief Executive, in consultation with the Leader and the Chief Financial and Monitoring Officers, to grant consent subject to any outstanding matters being resolved to her satisfaction; and
- (3) To AUTHORISE the Chief Financial Officer, in consultation with the Chief Executive and Monitoring Officer, to enter into any necessary arrangements or take any other action to give effect to the decision, including finalising the terms of a formal deed of consent.

98 CYCLE CITY AMBITION GRANT BID

Councillor Eleanor Jackson congratulated officers on winning the award. She asked Cabinet if some of the funds might be used to place signage at a particular spot on the cycle track near Radstock, where users of the track had sometimes been confused.

Councillor Caroline Roberts agreed to bear in mind the comments made by Councillor Jackson. She said that the proposals were asking Cabinet to accept £58K match funded so as to make very welcome improvements to the Seven Dials area. She moved the proposals.

Councillor David Dixon agreed with the remarks of Councillor Jackson about the need for signage on the cycle track in Radstock and said he felt the signage should be provided soon. He referred to the proposals moved by Councillor Roberts and said he thought that a £58K investment to get a £1.2M return was excellent news. He felt that the Seven Dials was a very interesting place and the proposed development would make it even better. He seconded the proposal.

On a motion from Councillor Caroline Roberts, seconded by Councillor David Dixon, it was

RESOLVED (unanimously)

(1) To ACCEPT the DfT Cycle City Ambition grant to develop the Seven Dials concept scheme and associated contraflow cycle facilities in Saw Close, Monmouth Street, Westgate Buildings, Lower Borough Walls, New Street and Avon Street into a detailed scheme following consultation;

(2) To DELEGATE authority to the Strategic Director for Place in consultation with the Cabinet Member for Transport to approve and implement a detailed design following consultation and approval of £58,000 match funding by Council; and

(3) To NOTE that implementation of the scheme will be subject to successful completion of statutory processes, including Traffic Regulation Orders and Cycle Track Orders.

99 **ADVICE AND INFORMATION SERVICES STRATEGY**

Joe Scofield in a statement [*a copy of which is attached to these Minutes as Appendix 7 and on the Council's website*] pointed out that large numbers of residents from the Twerton and Whiteway area had been helped by the Citizens Advice Bureau in the previous 3 years. He appealed to Cabinet to sustain the help and support offered to a large number of people.

Lin Patterson in a statement [*a copy of which is attached to these Minutes as Appendix 8 and on the Council's website*] said she felt that the strategy document made a convincing case for continuing the current level of funding for Citizens Advice Bureau. She argued that the CAB had the ability to attract and hold long serving volunteers and had an unrivalled reputation for service.

Councillor Tim Warren in an *ad hoc* statement acknowledged the hard work of officers who had produced the report in such a short timeframe. He felt however that a report to Council in January would have allowed more time to develop a strategy. He felt that the report placed before Cabinet did not address all the points made by Council. He asked a number of questions which he felt remained unanswered. In particular, the report did not explain how the service would be delivered, nor how it would be funded.

Councillor Simon Allen introduced the item. He said that if the strategy were adopted, it would start a 6-week consultation process. He had been pleased that the strategy had come about as a result of democracy in action – as a request from Council. The aim of the Council should be to ensure that people know how and where to get the information and advice they need and are able to maximise their independence by using the knowledge they have gained. The strategy would reflect recent changes in society by protecting vulnerable members of society.

He moved the proposals.

Councillor Katie Hall observed that Councils would soon have a statutory duty to provide certain information and advice services. She therefore warmly seconded the proposals.

On a motion from Councillor Simon Allen, seconded by Councillor Katie Hall, it was

RESOLVED (unanimously)

- (1) To AGREE to consult for a period of 6 weeks from 9th December to 24th January on the draft Advice & Information Strategy 2014-16; and
- (2) To ASK for a report on the outcome of the consultation at its February 2014 meeting, with a view to agreeing and publishing an Advice & Information Strategy 2014-17 in fulfilment of the commitment made at Council on 14 November 2013.

100 CONSIDERATION OF CALL-IN RECOMMENDATIONS: RE-STRUCTURING OF THE EARLY YEARS, CHILDREN'S CENTRE AND EARLY HELP SERVICES

Councillor Liz Hardman in a statement said that the proposed cuts were too deep. She felt that Cabinet had failed to respond adequately to the recommendations of the Panel or of the Minority Report. She had asked for a cost benefit analysis but this had not been provided. She repeated her request that an assurance be given that no cuts would take place before April 2015. She reminded Cabinet that volunteers did a great job but were not obliged to turn up. Rather than allocating money for cycle paths, she would have preferred to use it on keeping Children's Centres running effectively.

Councillor Eleanor Jackson in a statement said that Cabinet would be held to account for cuts in Children's Centres. She asked Cabinet to reconsider its plans because she felt that what was required was a 2-year plan for delivering essential services.

Councillor Dine Romero said that she had already responded directly to all of the Panel's recommendations. Her formal response had been attached as Appendix 2 to the report and she would be asking Cabinet to approve those responses. She had explained to the Panel that not all of the questions can be answered until a model for the future service is confirmed. The Panel also asked for a timetable, which she said has now been provided (Appx 3 of the report). The model would be in place by March 2015. She had not, however, given any assurances that no cuts would be found to be necessary before then.

She moved the proposals.

Councillor Simon Allen seconded the proposal. He confirmed that the whole Cabinet had discussed the issue in depth. He would rather have been able to avoid the current situation but the council was faced with very tough challenges and he reminded those who had Called-in the previous decision that they had offered no alternatives. He supported the approach offered by Councillor Romero and seconded the proposals because it was essential that services should be targeted towards the most vulnerable. He emphasised that no Children's Centre would be closed.

Councillor Ben Stevens supported the proposals. He responded to Councillor Hardman by observing that transferring the one-off capital funding for cycle paths to pay for the recurring revenue costs of Children's Centres was not allowed and not feasible.

Councillor Katie Hall observed that savings had to be found across the Council. She stressed the importance of Early Years intervention but said that a model must be found which would deliver the service within the available budget.

Councillor David Bellotti regretted any reduction to services for children and young people. The current circumstances offered an opportunity to reconsider how services were delivered. Given that central Government had put more funds into

health visors, this would be a good time to refocus the service. He emphasised however that there was no intention to replace all paid staff by volunteers.

Councillor Bellotti thanked Councillor Sally Davis and the PDS Panel for their hard work. He observed that all of the Panel's recommendations had been accepted by Cabinet. The only recommendation not accepted was the one asking Cabinet to reject the budget agreed by Council in February 2013. Cabinet had given assurances that other services would not be cut in order to refinance the Early Years Service. He reminded Cabinet that the Government had not yet confirmed the new Budget settlement, so it was not fair of others to ask Cabinet to commit to particular Budget items at this stage.

Councillor Paul Crossley repeated that the Cabinet did not take any cuts lightly. But the model for delivery of this service was being reconsidered in the light of the Budget agreed by Council in February. Offers to get involved had been received from a number of organisations, which he felt was very promising and would lead to inevitable change, with new partners. He looked forward to all 4 political groups working together to determine the best way forward.

Councillor Romero affirmed that she would engage with a variety of providers and partners to come up with a model for delivery of a service which would meet the needs of those most vulnerable.

On a motion from Councillor Dine Romero, seconded by Councillor Simon Allen, it was

RESOLVED (unanimously)

- (1) To NOTE the outcome of the call-in by the Early Years, Children and Youth PDS Panel;
- (2) To AGREE the response to each of the recommendations of the Panel report and the Minority report (Appx 2 of the report);
- (3) To AGREE the consultation and decision timeline (Appx 3 of the report); and
- (4) To REQUEST that the Early Years, Children and Youth PDS Panel receive a presentation from Officers on the developing model at its meeting in January 2014.

The meeting ended at 8.13 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services

CABINET MEETING 4th December 2013

REGISTERED SPEAKERS

Where the intention is to speak about an item on the Agenda, the speaker will be offered the option to speak near the beginning of the meeting or just before the Agenda item.

Statements about issues NOT on the Agenda

- Cllr Jeremy Sparks
Re: A37 (Clutton) Speed Limit petition
- Rosemary Naish (Chair, Clutton PC)
Re: A37 (Clutton) Speed Limit
- Sheila Clarke (Co-ordinator, Timsbury Road Safety Group)
Re: Gritting Route, South Road, Timsbury
- David Redgewell (South West Transport Network)
Re: 2013/14 Budget Period, proposed public transport subsidies
- Robert Morgan
Re: Compliance with Council Policy by Officers of Planning and Property Services

Re: Agenda Item 17 (Advice and Information Services Strategy)

- Joe Scofield
- Lin Patterson

Re: Agenda Item 18 (Restructuring of Early Years Services)

- Cllr Liz Hardman
- Cllr Eleanor Jackson

QUESTIONS AND ANSWERS - COUNCILLORS

M 01	Question from:	Councillor Anthony Clarke
<p>In the light of the letter which I believe the Council has received from Christopher Wildman, Secretary of the National Taxis Association Region 8, will the Cabinet Member withdraw the plan to ban the use of Satellite Navigation by taxi and private hire drivers within Bath?</p>		
Answer from:		Councillor David Dixon
<p><i>The cabinet only comments on policy to licensing committee. I have no intention of withdrawing the comment from cabinet on this element that has gone to committee. They make their decision on January 7th.</i></p>		

M 02	Question from:	Councillor Anthony Clarke
<p>In the light of the announcement by the Law Commission that it plans to publish a report and draft legislation on the regulation of taxis and private hire vehicles within the next four weeks, does the Cabinet Member agree that no further work should be undertaken to change the regulations in Bath & North East Somerset until there is time to consider the Law Commission's report?</p>		
Answer from:		Councillor David Dixon
<p><i>Our current policy is outdated and many excellent opportunities to improve standards and address current changes such as that to the criminal records bureau checks. The Law Commission report has been awaited for quite some time. Once that report is finally published there will need to be consultation on that with our local trade which can then be considered as part of the future reviews of the policy and general conditions to be attached to hackney carriage and private hire licenses.</i></p>		

M 03	Question from:	Councillor Liz Richardson
<p>Can the cabinet member please provide information on the overall annual revenue savings and/or costs associated with the introduction of the parish ranger scheme, including any additional staffing costs and capital costs of any new vehicles? Can the Cabinet Member also please provide what indicators will be used to measure the</p>		

success or otherwise of the pilot scheme, including costs and savings? Is the Cabinet Member also confident that a trial of only 3 months for a winter season will provide sufficient data of cost savings and customer service for the ranger service to be set up in the other 4 areas ready for commencing in April 2014?

Answer from:

Councillor Caroline Roberts

The Parish Ranger Scheme is a new initiative for Bath & North East Somerset Council and is one of ten corporate projects supported by the Council's "10 in 100" scheme. Despite the annual cost of the scheme (estimated at £125k), there will be no annual revenue savings or additional costs. It is intended that the service will be delivered within existing resources where possible. It is intended that there will be more effective and efficient delivery of existing support, which will allow additional activities to be undertaken with Parish Councils and local communities. In future, there is the possibility of employing two young people as apprentices to the Rangers for which funding would need to be identified.

We will review the success of the scheme with the Parish Councils prior to finalising any permanent scheme. The pilot scheme in the Chew Valley area is to test how the scheme will operate with the Parish Councils, the Councillors and the local community. The Council is piloting is the practicalities of service delivery in order that we can learn valuable lessons for when the Parish Ranger Service expands to the other four cluster areas in April 2014.

All work requests to the Ranger, whether from the Parish Council, the Ward Councillor or through "Council Connect" will be logged centrally and this will enable us to liaise with the Parish Councils on a regular basis to measure their satisfaction with the scheme. The Pilot scheme will run for four months in the Chew Valley area and although we appreciate that this is over the winter period we are confident that with the support of the Parish Councils and the local community there will be more than enough issues identified to assess the success and future needs of the scheme.

M 04

Question from:

Councillor Vic Pritchard

With the intention of forming an Integrated Transformation Fund by transferring funding from local NHS commissioners to the Council, will previous NHS contracts continue to be honoured, and if not where is the NHS portion of the money to be spent?

Answer from:

Councillor Simon Allen

In the June 2013 spending round covering 2015/16 a national £3.8 billion "Integration Transformation Fund" (ITF) was announced. This fund, established by the Department of Health, is to be held by local authorities and will include funding previously transferred by local NHS commissioners to the Council under Section 256 Agreements. Funding allocations for 2014/15 and 2015/16 are yet to be confirmed and detailed guidance about the use of this funding and transfer arrangements are to be published later this month (mid-December).

In order to access the ITF, each area is required to develop a local plan by March 2014. Plans for the use of the pooled monies must be developed jointly by the Clinical

Commissioning Group. Local Authority and be signed off by each of these parties and the local Health and Wellbeing Board.

The Local Government Association and NHS England issued a joint statement on 8th August 2013 which places emphasis on the opportunities provided by the ITF to “transform care so that people are provided with better integrated care and support... help deal with demographic pressures in adult social care... take the integration agenda forward at scale and pace... to align the ITF with the strategy process... support the development of the shared vision for services... support the aim of providing people with the right care, in the right place, at the right time, including through a significant expansion of care in community settings.”

Although detailed guidance is yet to be issued, it is reasonable to assume that the purpose of the ITF will be broadly in line with the purpose of the funding that currently flows into the local health and social care system and commonly referred to as “Section 256” funding. Section 256 funding is intended for use in addressing pressures in the health and social care system, including those arising from demographic change; reducing admission to and length of stay in hospital; and to fund community based interventions that prevent an escalation of people’s need and support them to live as independently as possible, in the community for as long as possible.

Bath and North East Somerset has a good track-record of investment of Section 256 funding in early intervention and preventative services and to achieve system change with the aim of achieving longer-term sustainability in the health and social care system. This should provide a sound foundation for the development and agreement of local plans for the use of the ITF, which will need to take into account services currently funded from Section 256 monies and other sources of funding that will be included in the ITF. Decisions in relation to commissioning intentions for 2015/16, including any necessary tendering or contractual implications, will need to be considered by both the Council and the CCG in light of the agreed plans.

M 05	Question from:	Councillor Victor Pritchard
New rules require providers of neuro-rehabilitation to register with UKROC. What provision has been made to ensure everyday working at each respective provider is monitored by UKROC?		
Answer from:		Councillor Simon Allen
<p><i>As the Cabinet Member for Wellbeing, I do not have responsibility for the quality assurance of the providers of neuro-rehabilitation required to register with UKROC, which sits with the commissioner of these services, NHS England. However, I have sought advice from Dr Lou Farbus, Head of Stakeholder Engagement (Specialised Commissioning for the South West) within NHS England, Bristol, North Somerset, Somerset, South Gloucestershire Area Team (SNSSSG area team) who has provided the following response.</i></p> <p><i>The UK specialist Rehabilitation Outcomes Collaborative (UKROC) has been set up through a Department of Health NIHR Programme Grant to develop a national database for collating case episodes for inpatient rehabilitation. In the first 5 years it will focus on neuro-rehabilitation and ultimately include data from all specialist Level 1 and 2 neuro-</i></p>		

rehabilitation services, across the UK.

Further information, including definitions of level of care required for registration on the database can be found at: <http://www.csi.kcl.ac.uk/ukroc.html>

As stated in the question, all providers commissioned to provide Level 1 and 2a neuro-rehabilitation should be registered with UKROC. Quality information is reported to NHS England and monitored by BNSSSG area team's quality surveillance group.

Dr Farbus's update report to the November 2013 Wellbeing Policy Development & Scrutiny Panel on the re-provision of neuro-rehabilitation since April 2013 can still be accessed via the Council's website.

M 06	Question from:	Councillor Anthony Clarke
<p>As the Cabinet Member may be aware, the police in Bristol have recently launched a new operation to educate cyclists and motorists in Bristol on the proper use of the road, particularly in relation to obeying the rules at busy junctions. Noting the Cabinet report in relation to the Sevens Dials scheme, as well as concerns over cycling safety at other busy junctions in Bath and the wider area, does the Cabinet Member plan on entering into any discussions with the Police about launching a similar operation here?</p>		
Answer from:		Councillor Caroline Roberts
<p><i>The West of England Road Safety Partnership (including representatives of Bath & North East Somerset Road Safety Team) have been liaising with the Police for some time over the roll-out of on-site events to educate both cyclists and motorists, about a better and safer understanding of how to share road space.</i></p> <p><i>The Bristol event was the first such operation and the Council's Road Safety Team is currently liaising with local Police to organise similar events in Bath & North East Somerset, which would seek to inform road users of techniques to avoid collisions on our busy roads. Through these operations we also hope to raise the profile of the Adult Cycle Training which is offered free to all Bath & North East Somerset residents by the Council.</i></p> <p><i>The Council's professional officers ensure that schemes such as the Seven Dials project are subject to design procedures, safety audits and post implementation monitoring to deliver safe and successful projects.</i></p>		

M 07	Question from:	Councillor Charles Gerrish
<p>I note the entry in the Medium Term Financial Plan as exhibited in the Planning Transport and Environment PD&s panel £1,325,000 to be spent on the Midsomer Norton Business Centre.</p> <p>I welcome the contribution from the Alcan 106 Agreement but ask, would it not be more appropriate to consider the work of the Midsomer Norton Economic Development Partnership who have discussed the location of the business centre being in the town centre in order to additionally support the regeneration of the retail core of the town?</p>		

Answer from:

Councillor Ben Stevens

There are a number of options for bringing forward additional employment space in Midsomer Norton, but no decisions have yet been made about the location. The Council will work with local partners, including the Midsomer Norton Economic Development Partnership to establish the most appropriate type of space, the best location and the deliverability of options.

QUESTIONS AND ANSWERS - PUBLIC

There were none

Several months ago I created a public petition regarding what has to be one of the most common issues raised to me by my residents; the speed of the traffic on the A37 through Clutton.

This is a stretch of road which has seen several nasty accidents in the past few years which I can remember, some of them fatal. In most of the worst; vehicle speed was a significant contributing factor. In response to this I decided to organise this petition which gained a fair number of signatures and I need to feel that it was not carried from door to door in order to get people to sign. I wanted to ensure that I was properly gauging public opinion so for this reason the papers were left in the local post office (whom I am grateful to for hosting it) and advertised in the local press so that people had to go out of their way to sign it.

Essentially the petition is calling for the speed limit to be reduced from 40 to 30 miles per hour in line with every other rural parish on the A37 in Bath and North East Somerset.

Do I honestly believe that a 30 limit would overnight cause all drivers to actually stick to such a restriction? No. Currently the limit is 40 and I would imagine that a lot of the traffic outside of peak hours is most likely travelling at more like 50. However, it would send a clear signal that this is a residential area and drivers need to pay due care and attention to this.

As you are probably aware; Clutton currently is due to expand in the next few years and there is currently planning permission for roughly 60 new houses in total and this is not counting any more successful planning applications in the future. This is bound to increase the traffic flow on some of the dangerous junctions. Also, thanks to this Cabinet there is also a relatively new puffin crossing on this stretch. I'm sure that people would feel safer using this in the knowledge that it is less likely that they may have a vehicle heading for them at some considerable speed. Another possible future change which could easily lead to more residents needing to cross this road is talk of a new farm shop on the west side of the A37 which is another thing which needs to be considered.

Therefore I am here to present this petition to the Cabinet member for transport. My residents, the parish council and I would be most grateful for her assistance where she can in this matter.

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A37 Traffic Speeds in Clutton

Statement for Cabinet on Weds 4th 2013, by Rosemary Naish, Clutton Parish Council Chair.

The one topic that Clutton Parish Council receives more public concerns about than anything else is roads and road safety.

In Pensford and Temple Cloud the A37 is narrow and twisty with restricted views and is subject to 30mph speed limits. The Clutton stretch of the A37 is wide and fairly straight, and to a motorist in a hurry is very tempting. There is a 40mph limit, but in a 24 hours/ week long survey, of traffic volumes and speeds, conducted by Avon and Somerset police, in 2009, the average volumes of vehicles in a 24 hour period was just over 20,000 and the 85th percentile speed during the peak hours was around 44 - 45 mph with the speeds in excess of 70 mph recorded. Since then speeds haven't reduced but volumes of traffic have increased.

Although the A37 doesn't run through the village centre, anybody commuting to Bristol or Wells (our main commuting destinations) has to either cross the road to catch a bus, or pull out across fast moving traffic. Nowadays we have a pedestrian crossing, so getting to the bus stop or going to the pub or the football club is relatively safe, but for drivers pulling out of Cooks Hill the visibility is restricted northwards because of the cottages, and limited southwards because of the bend in the road. It makes it a difficult and sometimes very dangerous manoeuvre.

The only sure way to slow traffic down to a safe speed would be a permanent speed enforcement presence on the road - unlikely because of the cost, but a 30mph limit would go a long way to reducing speeds and would be also be cheaper.

Please take action on Councillor Sparks ' petition - it will be very well received by the villagers of Clutton, it should not cost much and most importantly it will improve safety.

Thank you.

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Timsbury Road Safety Group Petition Statement

Good evening. My name is Sheila Clarke and we are representing the Timsbury Road Safety Group and we wish to lodge with you our petition. The petition asks for a short section of South Road, Timsbury to be added to the BANES gritting schedule in times of severe weather. **The section of road measures just 200 metres.**

On this stretch of road there are two care homes: The Laurels, a Residential Care Home for the Elderly and Infirm and the Leonard Cheshire Disability Residential Home with Nursing.

Together they provide residential care for 69 residents, as well as day-care for eight people. They are looked after by 140 full and part-time staff and a significant number of volunteers – all of whom can be extremely vulnerable during severe weather conditions.

Past experiences have proved that emergency medical care, nursing and support staff and family visitors have found it very difficult to get to the homes because of ice and snow. **Essential supplies, including fresh meat has had to be delivered in a wheelbarrow!**

For two years now BANES have offered reasons why gritting the approach road to these homes cannot be gritted. These include; BANES already meet their obligations; Timsbury has its share of gritted roads; there is nowhere for the gritting vehicle to turn around; There is not time on the schedule to grit that 200m and there is not enough room for the extra grit on the vehicle.

With respect we do not accept these reasons. We feel that BANES is ignoring their duty of care to vulnerable residents who often need emergency care – one resident requires weekly dialysis in Bristol. We feel that gritting should be applied on a basis of NEED not SHARE. Permission has already been granted for the gritting vehicle to turn around in the Leonard Cheshire Home and there is plenty of room to do so. The extra gritting would take 3 minutes including turning. The extra amount of grit needed for 200m, based on published gritting densities, would be 10Kg – equivalent to 10 bags of sugar!

Gritting staff have access to up-to the-minute weather forecasts so can immobilise the gritting vehicle at the most effective time. Mechanical gritting is far more cost effective than manual spreading.

Our petition has the support of the Parish Council, District Councillor, local MP, the Chief Executive of South Western Ambulance, NHS Foundation Trust, local GP's the Disability Access Group and **600 villagers.**

We appeal to BANES to reconsider this extremely concerning matter, include this 200m section of road in the gritting schedule and give peace of mind to these vulnerable residents without delay.

Thank you.

Sheila Clarke
Co-ordinator of Timsbury Road Safety Group
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Statement to Cabinet by Mr Robert Morgan 4th December 2013

I have been trying to achieve justice from the Council for the last 3 years in respect of my stall in the Guildhall Market.

I do not ask for special treatment, or for your intervention in the legitimate decision-making processes of the Council. I do ask you to do what you can to ensure that those processes are fair, legal and in line with published Council policies and procedures.

I submitted a complaint under the Council's complaints procedure. The procedure says that deficiencies will be remedied and action taken to avoid similar complaints in the future. I have since discovered that my complaint was very similar to one raised about another stall in the market in 2006. This was investigated at Stage 2 of the Complaints Procedure, but the recommendations of the investigating officer have not been implemented. In my case, officers refused to investigate my complaint at Stage 2 of the Council's Complaints Procedure, and directed me to escalate it to the Local Government Ombudsman.

Perhaps they felt secure in the knowledge that the odds of getting a finding of fault against a Council from the Ombudsman are about 1 in 150. However, the Ombudsman has now issued her final view and has found the Council at fault in every area where she was able to comment.

Officers have contravened the Law of Property Act 1925 by putting my tenancy into an unofficial and unauthorised "in dispute" status, without taking the actions prescribed by the Act.

They claim that I have committed a criminal offence under the Listed Building Legislation but have brought no proof, neither have they explained why my interpretation of the Act is incorrect. I have shown them the Central Government Guidance that lays out the tests as to whether an offence has been committed, and I have asked that, if they do allege that an offence has been committed, they follow the Council's published Planning Enforcement Policy to test that allegation. This they have failed to do.

By repeating the allegation of criminality and refusing to withdraw it, officers have committed an offence under Section 6 of the Human Rights Act. Under the Act, I should be presumed innocent until found guilty, and I should be given a timely and fair trial.

My first question to officers when I was offered tenancy of the stall was "What are the criteria against which any request to make changes to the stall will be assessed? One would think that this was a fairly simple question, and one that should elicit a straightforward answer. Not a bit of it. Although English Heritage Guidance recommends that Local Authorities should have a Conservation Management Plan for assets in their possession, officers in Bath have decided to ignore this best practice guidance, as they have also apparently decided to ignore the findings of a historical survey of the market by an independent expert. Production of this survey was the only recommendation from the previous complaint that was acted upon.

Officers have wasted hundreds of hours, and hence thousands of pounds of Council money, in pursuing this vendetta against me, without ever addressing the true issues. The case has highlighted multiple problems with the way that the Council works, and I look to you for suitable remedies.

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Statement: Cllr Sally Davis, Chair EYCY Panel

The Call-in stated:

This decision is called-in on the grounds that the Cabinet has failed to respond adequately to either the recommendations of the EYCY PDS Panel or the recommendations contained in the Minority Report.

Specifically:

The Cabinet has not answered the questions raised by the EYCY PDS Panel including which services will be provided under the proposed new model, who will run the various Children's Centres and to whom these services will be available;

The Cabinet has not formulated any response either to the recommendations of the Early Years, Children and Youth PDS Panel or to the Minority Report

The Cabinet has provided no timetable for formulating such a response; and

The Cabinet has given no indication about whether it is prepared to reconsider its overall budget to identify alternative areas of saving, as recommended by both the EYCY PDS Panel and the Minority Report.

The reason it was upheld was because Panel members felt that although the October Cabinet noted the EYCP PDS Panel report & the minority reported they had not given details as to when recommendations would be implemented.

As a Panel we were criticized by some Cabinet members for not coming up with more detailed recommendations & perhaps I should have emphasized all the work we had undertaken to get to the stage to produce a report.

The Panel felt they had given Cabinet recommendations which could be pursued, Cllr Romero said it would give them options to investigate further, she was well aware of the work undertaken in the time we had & realized we could not have come up with fully worked options.

Unfortunately it did not seem as if all Cabinet members appreciated all the research which had taken place & the simple noting of the report without actually giving time frames for action or how services might be delivered in the future did not give Panel members the confidence that the recommendations would be addressed.

At the Call in meeting Panel members were given a Cabinet Response Table which did give some dates but this was not discussed at the October Cabinet meeting. However, we only saw this as our meeting progressed & although Cllr Romero felt sure her colleagues agreed with the Response Table a majority voted to uphold the call in & refer it back to Cabinet to enable you to show your support for the decision response & to highlight areas which you

could focus on &/or take further bearing in mind some of the reservations expressed in the original Panel recommendations.

In summary, we heard some reassuring words from Cllr Romero at the call-in meeting, but felt the whole Cabinet needed to be given an opportunity to consider these matters.

This is clearly an issue of great concern to many residents and councillors. We have been told by Officers that the model proposed could be 'scaled up or down' depending upon the resources available. Cllr Romero has previously stated that she will be trying to persuade her Cabinet colleagues of the need to redirect more resources to Children's Centres in their budget proposals. I am sure that it would be welcomed if the Cabinet were able tonight to give a clearer commitment to finding this additional resources for the next budget, and give an indication of the level of funding which may be found.

I therefore look forward to seeing how this issue will be dealt with by Cabinet tonight, and hope that our call in reasons will be taken seriously.

Cllr Sally Davis (Chair of EYCP PDS Panel)

I wanted to give some facts ahead of what I suspect will be a decision to cut advisory services by 55%.

Volunteering as a Citizens Advice Bureau receptionist, I have access to the CAB database. I was interested to know the number of clients in Twerton and Whiteway who have been helped by the Citizens Advice Bureau over the last 3 years.

So I entered the postcode "BA2 1" which is a postcode covering Twerton and Whiteway. The answer came back... the CAB has 1,479 clients in that area. A lot of people from Twerton and Whiteway are helped by the CAB.

And, you can tell that these requests to the CAB from Twerton and Whiteway are about very real situations of need.

Because if you input other postcodes, representing more affluent areas of Bath, a fewer number of clients exist for those parts of Bath. For example, the Lansdown postcode BA1 5, when entered into the CAB database, returns just 392 clients compared with Twerton and Whiteway's 1479.

One of the arguments put forward in favour of the 55% cut, has been that a reformed advisory service can target vulnerable people who aren't linked in with the CAB now.

So I was interested to see how far the CAB has made inroads into Whiteway, which has a reputation for being one of the hardest to reach communities in Bath. It turns out that [redacted], which is just one street in Whiteway, has 125 clients who have received help from the CAB.

And [redacted] has 59 clients who have received help from the CAB. [redacted] has 121 houses, so with 59 clients, that averages out at about 50% of households in Roseworn Close being helped.

I said earlier that Twerton and Whiteway together have 1,479 clients helped by the CAB. The population of the Twerton Ward is just over 5,300. So something like 1 in 5 households here have received help

So knowledge of the CAB as a source of help is going to be quite ^{people} among these communities and is probably circulated around the community grapevine to some extent.

I just see a Council Cabinet about to harm these communities unnecessarily by removing a very important lifeline of help and support.

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Cabinet meeting 4 December, 2013

**Response to the Proposed Advice and Information Strategy Document
regarding the Citizens Advice Bureau (CAB)**

This strategy document makes a convincing case for continuing the current level of funding for CAB. As such, *if* this document is the focus of the consultation, I am sorry to say it ~~is~~ would be misleading the public ~~by~~ ^{to} not clarifying ~~ing~~ plans for a 55% cut.

Instead, Section 3 praises the massive contribution of CAB to debt advice. But is this contradicted where the last page proposes to “Procure a financial wellbeing advice service for Bath & North East Somerset?” ^{Could this lead to} ~~Would this be~~ wasteful duplication?

Section 4 acknowledges that “Information...crosses public sector boundaries” listing the types of problems that can be brought. It should be glaringly obvious that many need help with several of these problems, and CAB excels in working with complex difficulties.

The aim to “communicate more clearly where people need to go for specific types of advice,” describes exactly a function of CAB as a general and gateway service ideally placed to signpost and refer, especially under the APEX consortium model recently funded by the Lottery.

Sections 5, 6 and 7 list aims, outcomes and themes precisely fulfilled by CAB, but only an adequately funded CAB.

I’m concerned that the intention for “greater emphasis on ... monitoring data.” (p.23) should avoid leading to an exaggerated, time-consuming tick-box mentality that has crippled other services.

Even more concerning are the graphs showing diversity and overlaps in current advice provision, (p. 24) meant to prove duplication of services, particularly by non-funded agencies, presumably meant to imply these could be relied upon to pick up CAB functions following a slimmed down CAB. However, I have set up and been involved with various charities for 25 years and warn you that in the current and forecasted economic climate these should not be relied upon in the longer term. Charities wax and wane and very few can claim the record and resilience of the CAB. ***A strategy based on a snapshot view of provision will prove short sighted and disastrous if used as justification for reducing funding to CAB.*** The truth is, we need all these agencies in a time of increasing demand, particularly CAB, with its remarkable ability to attract serious, long serving volunteers, based on an unrivalled reputation for service.

Lin Patterson

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