

**Democratic Services**

Guildhall, High Street, Bath BA1 5AW

Telephone: (01225) 477000 *main switchboard*

Direct Lines - Tel: 01225 394358 Fax: 01225 394439

Web-site - <http://www.bathnes.gov.uk>

Date: 4 November 2015

E-mail: [Democratic\\_Services@bathnes.gov.uk](mailto:Democratic_Services@bathnes.gov.uk)

**To: All Members of the Council**

Chief Executive and other appropriate officers  
Press and Public

Dear Member

**Council: Thursday, 12th November, 2015**

You are invited to attend a meeting of the **Council** to be held on **Thursday, 12th November, 2015** at **5.30 pm** in the **Council Chamber - Guildhall, Bath.**

**\*\*\*PLEASE NOTE THE EARLIER START TIME\*\*\***

The agenda is set out overleaf.

Refreshments will be available for Councillors from 4pm in the Aix-en-Provence Room (next to the Banqueting Room) on Floor 1.

Yours sincerely

Jo Morrison  
Democratic Services Manager  
for Chief Executive

**Please note the following arrangements for pre-group meetings:**

|  |  |
|--|--|
| <b>Conservative</b>                    | <b>Brunswick Room, Ground Floor</b>    |
| <b>Liberal Democrat</b>                | <b>Kaposvar Room, Floor 1</b>          |
| <b>Labour</b>                          | <b>Labour Group Room, Floor 2</b>      |
| <b>Independent &amp; Village Voice</b> | <b>Independent Group room, Floor 2</b> |
| <b>Green</b>                           | <b>Green Group room, Floor 2</b>       |

**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:-** Reception: Civic Centre - Keynsham, Guildhall - Bath, The Hollies - Midsomer Norton. Bath Central and Midsomer Norton public libraries.

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

### 3. **Recording at Meetings:-**

The Openness of Local Government Bodies Regulations 2014 now allows filming and recording by anyone attending a meeting. This is not within the Council's control.

Some of our meetings are webcast. At the start of the meeting, the Chair will confirm if all or part of the meeting is to be filmed. If you would prefer not to be filmed for the webcast, please make yourself known to the camera operators.

To comply with the Data Protection Act 1998, we require the consent of parents or guardians before filming children or young people. For more information, please speak to the camera operator

The Council will broadcast the images and sound live via the internet [www.bathnes.gov.uk/webcast](http://www.bathnes.gov.uk/webcast) An archived recording of the proceedings will also be available for viewing after the meeting. The Council may also use the images/sound recordings on its social media site or share with other organisations, such as broadcasters.

4. **Spokespersons:** The Political Group Spokespersons for the Council are the Group Leaders, who are Councillors Tim Warren (Conservative Group), Dine Romero (Liberal Democrat Group), Robin Moss (Labour Group), Sarah Bevan (Independent & Village Voice Group) and Jonathan Carr (Green Group)
5. **Attendance Register:** Members should sign the Register, which will be circulated at the meeting.
6. **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.
7. THE APPENDED SUPPORTING DOCUMENTS ARE IDENTIFIED BY AGENDA ITEM NUMBER.

## 8. 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.

9. **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.

**A G E N D A**

**1. EMERGENCY EVACUATION PROCEDURE**

The Chairman will draw attention to the emergency evacuation procedure as set out under Note 8.

**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 **a disclosable pecuniary interest** or an **other interest**, (as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer or a member of his staff before the meeting to expedite dealing with the item during the meeting.

**4. MINUTES - 10TH SEPTEMBER AND 16TH SEPTEMBER 2015 (Pages 9 - 20)**

Both sets of minutes 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. 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. CONSULTATION ON PROPOSALS FOR A PARK & RIDE EAST OF BATH (Pages 21 - 28)

A new park and ride is part of a package of improvement works in and around the City, identified in the 'Getting Around Bath' transport strategy, which was approved by Council 14th November 2014. The Cabinet, at its meeting on 8th July, agreed to undertake a public consultation on the options to identify a preferred location for a new Park & Ride east of Bath. This report outlines the issues raised to date through the consultation process and the wider issues surrounding proposals for a Park and Ride facility to the east of Bath.

9. REQUIRED AND PROPOSED AMENDMENTS TO THE CONSTITUTION (Pages 29 - 182)

This report sets out several proposed amendments to the Constitution. Appendices 1 – 6 deal with updates required to Contract Standing orders; Procurement Regulations, Budget Management and Financial Regulations, following scrutiny by the Corporate Audit Committee, Appendices 7 – 8 were drawn up following discussions with the Constitution Working Group.

10. BATH & NORTH EAST SOMERSET LOCAL DEVELOPMENT SCHEME 2015-2019 (Pages 183 - 222)

This report seeks the agreement of the revised Bath & North East Somerset Local Development Scheme in order to establish the priorities for the preparation of Planning Policy documents for the period 2015-2019.

11. THE LOCAL COUNCIL TAX SUPPORT SCHEME (LCTS) 2016-17 (Pages 223 - 228)

To consider a proposal for continuation of the Local Council Tax Support scheme (LCTS) into its fourth year, with the policy to incorporate uprating of national personal allowances and benefits as necessary.

12. PARISH COUNCILS: LOCAL COUNCIL TAX SUPPORT SCHEME GRANT (Pages 229 - 234)

The grant the Council currently pays to Parish, Town Councils and the Charter Trustees in respect of the introduction of the Local Council Tax Support Scheme has been reviewed as part of the Council's Medium Term Financial Planning process.

This report proposes reductions to the level of grant paid in 2016/17 and the phasing out of the remaining grant from 2017/18, in light of the reductions already made to the Council's core funding received from central government and the further reductions anticipated over the next four years.

A Council decision is required ahead of the Budget setting meeting in February so parishes can be notified and factor the change in grant into their upcoming precept setting decisions.

13. REVIEW OF THE COUNCIL'S STATEMENT OF PRINCIPLES UNDER THE GAMBLING ACT 2005 (Pages 235 - 296)

The Gambling Act 2005 (The Act) requires that licensing authorities review their Statement of Principles with regard to gambling every three years. Following the completion of a consultation exercise, and a recommendation from the Licensing Committee, Council is asked to consider the responses received and the officer recommendations, before adopting the proposed Statement of Principles provided in Annex B.

14. REFERENDUM ON PROPOSAL FOR BATH & NORTH EAST SOMERSET COUNCIL TO OPERATE A DIRECTLY ELECTED MAYOR AND CABINET EXECUTIVE INSTEAD OF A LEADER AND CABINET EXECUTIVE MODEL (Pages 297 - 334)

This report is to inform Council of the position following the receipt of a valid petition requesting a referendum on a move to a Directly Elected Mayor and Cabinet Executive form of governance, as required by Regulations 17 (1) and (2) of the Local Authorities (Referendums) (Petitions) (England) Regulations 2011 and Regulation 4 (1) of the Local Authorities (Conduct of Referendums) (England) Regulations 2012. It sets out the arrangements for following the process required by legislation and also makes proposals for operating a Directly Elected Mayor and Cabinet Executive model in the event of a vote in favour of a directly elected mayor in the referendum. It also includes proposals relating to fees payable for the referendum and other elections.

15. REQUEST BY DUNKERTON PARISH COUNCIL TO CHANGE ITS NAME TO DUNKERTON AND TUNLEY PARISH COUNCIL (Pages 335 - 344)

The Dunkerton Parish Council, in the district of Bath and North East Somerset wishes to change its name to Dunkerton and Tunley Parish Council.

16. TREASURY MANAGEMENT MONITORING REPORT TO 30TH SEPTEMBER 2015 (Pages 345 - 358)

In February 2012 the Council adopted the 2011 edition of the CIPFA Treasury Management in the Public Services: Code of Practice, which requires the Council to approve a Treasury Management Strategy before the start of each financial year, review performance during the year, and approve an annual report after the end of each financial year.

This report gives details of performance against the Council's Treasury Management Strategy and Annual Investment Plan 2015/16 for the first six months of 2015/16.

17. MOTION FROM THE LABOUR GROUP - TRADE UNION BILL (Pages 359 - 360)

To be moved by Councillor Robin Moss on behalf of the Labour group.

18. 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.

## **Protocol for Decision-making**

### **Guidance for Members when making decisions**

When making decisions, the Cabinet/Committee must ensure it has regard only to relevant considerations and disregards those that are not material.

The Cabinet/Committee must ensure that it bears in mind the following legal duties when making its decisions:

- Equalities considerations
- Risk Management considerations

- Crime and Disorder considerations
- Sustainability considerations
- Natural Environment considerations
- Planning Act 2008 considerations
- Human Rights Act 1998 considerations
- Children Act 2004 considerations
- Public Health & Inequalities considerations

Whilst it is the responsibility of the report author and the Council's Monitoring Officer and Chief Financial Officer to assess the applicability of the legal requirements, decision makers should ensure they are satisfied that the information presented to them is consistent with and takes due regard of them.