

Democratic Services

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Date: 7 September 2016
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To: All Members of the Council

Chief Executive and other appropriate officers
Press and Public

Dear Member

Council: Thursday, 15th September, 2016

You are invited to attend a meeting of the **Council** to be held on **Thursday, 15th September, 2016** at **6.30 pm** in the **Council Chamber - Guildhall, Bath.**

The agenda is set out overleaf.

Refreshments will be available for Councillors from 5pm 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:

Conservative	Brunswick Room, Ground Floor
Liberal Democrat	Kaposvar Room, Floor 1
Labour	Labour Group Room, Floor 2
Independent	Independent Group room
Green	Green room, Floor 2

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 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. 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.

5. 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.

6. MINUTES - 21ST JULY 2016 (Pages 7 - 14)

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

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. WORLD HERITAGE SITE MANAGEMENT PLAN (Pages 15 - 20)

The draft replacement City of Bath World Heritage Site (WHS) Management Plan (2016-2022) has been progressed to a stage where it is ready to be passed to central government for submission to the United Nations Educational, Scientific and Cultural Organisation ('UNESCO' - the body overseeing world heritage). The Council is asked to endorse the draft plan and approve the submission.

[Due to the size of the Plan itself, it is accessible via a link in the report.]

9. KELSTON PARISH MEETING: CONFERRING OF PARISH COUNCIL POWERS TO BORROW MONEY (Pages 21 - 32)

This report requests the Council to confer such parish council powers on the Kelston Parish Meeting as requested by the Parish Meeting.

10. CORPORATE AUDIT COMMITTEE ANNUAL REPORT (Pages 33 - 38)

The Corporate Audit Committee has specific delegated powers given to it from Full Council and as such is required to report back annually to Council under its Terms of Reference. This is the Annual Report of the Committee which details its work over the last year.

11. AGENDA MOTION FROM THE CONSERVATIVE GROUP - PROTECTING WOMEN AND GIRLS IN BATH AND NORTH EAST SOMERSET FROM FEMALE GENITAL MUTILATION (FGM) (Pages 39 - 40)

To be moved by Councillor Martin Veal

12. AGENDA MOTION FROM THE CONSERVATIVE GROUP - MODERN SLAVERY (Pages 41 - 42)

To be moved by Councillor Martin Veal

13. 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.

BATH AND NORTH EAST SOMERSET COUNCIL

MINUTES OF COUNCIL MEETING

Thursday, 21st July, 2016

Present:- **Councillors** Patrick Anketell-Jones, Rob Appleyard, Tim Ball, Colin Barrett, Cherry Beath, Jasper Becker, Sarah Bevan, Colin Blackburn, John Bull, Neil Butters, Jonathan Carr, Anthony Clarke, Matt Cochrane, Paul Crossley, Chris Dando, Fiona Darey, Matthew Davies, Sally Davis, Douglas Deacon, Emma Dixon, Michael Evans, Andrew Furse, Charles Gerrish, Ian Gilchrist, Bob Goodman, Alan Hale, Liz Hardman, Donal Hassett, Deirdre Horstmann, Eleanor Jackson, Marie Longstaff, Barry Macrae, Paul May, Shaun Stephenson-McGall, Alison Millar, Robin Moss, Paul Myers, Lisa O'Brien, Bryan Organ, Lin Patterson, Christopher Pearce, Vic Pritchard, Joe Rayment, Liz Richardson, Caroline Roberts, Nigel Roberts, Dine Romero, Will Sandry, Mark Shelford, Brian Simmons, Peter Turner, Martin Veal, Karen Walker, Geoff Ward, Tim Warren, Karen Warrington and Chris Watt

Apologies for absence: **Councillors** Lisa Brett, Francine Haerberling, Steve Hedges, Steve Jeffries, Les Kew, Michael Norton, June Player and David Veale

21 EMERGENCY EVACUATION PROCEDURE

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

22 DECLARATIONS OF INTEREST

Councillor Will Sandry declared an 'other' interest in the 'Protect our NHS' statement under item 7, as a Council appointed member of Sirona Community Interest Company (CIC).

Councillor Paul May declared a disclosable pecuniary interest in the 'Protect our NHS' statement under item 7, as the B&NES Non-Executive Director on Sirona CIC. Councillor May left the Chamber for the duration of this item.

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

The Chairman made the customary announcements regarding mobile phones, webcasting and Councillors accessing meeting papers on their ipads.

He asked the Council to stand for a minute's silence in recognition of the lives lost and all those affected by the recent tragedy in Nice.

24 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There were no items of urgent business; however, the Chairman took the opportunity to wish the Leader a happy birthday.

25 MINUTES - 12TH MAY & 29TH JUNE

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

RESOLVED that the minutes of the meetings of 12th May 2016 and 29th June 2016 be approved as a correct record and signed by the Chairman.

26 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC

Statements were made by the following people;

Pam Richards made a statement and presented a petition on behalf of Protect our NHS BANES (1550 online signatures, 259 local paper ones). Pam expressed concern about the current procurement process for local health and social care services. Full details can be read in the statement which has been placed on the Council's Minute book and attached to the online minutes. In response to a question from Councillor Vic Pritchard as to whether the consultation process had been robust and thorough, Pam responded that she did consider it had, but it was too expensive and complex. Councillor Sarah Bevan asked if Pam was aware of any bias, to which Pam responded that there were appropriate guidelines for any procurement process, but that she was concerned the Council was doing this in the first place. Councillor Jonathan Carr noted that Virgin Care Ltd run similar services in other parts of the country and asked Pam if she considered them to be fit and suitable to run the service, to which Pam responded that Councillors may be aware of serious incidences in the press and she did have concerns. The Chairman thanked Ms Richards for her statement which was referred to the Cabinet Member for Adult Social Care & Health.

John Branston made a statement concerning the proper application of planning procedure in relation to siting of purpose-built student accommodation. Full details can be read in the statement which has been placed on the Council's Minute book and attached to the online minutes. Councillor Patrick Anketell-Jones asked whether John considered any particular part of the process was not transparent and John responded that he did, in particular the pre-application planning process. The Chairman thanked Mr Branston for his statement which was referred to the Cabinet Member for Homes and Planning.

Susan Charles from WWISE, the Warm Water Inclusive Swimming and Exercise Network, made a statement calling for further consideration to be given to the design of Bath and Keynsham Leisure Centre pools to accommodate the pressing needs of various demographic groups for warm water swimming. She felt that the Council was failing to capitalise on this opportunity, despite giving a commitment in 2011 to give this proper consideration. In response to a question from Councillor Tim Warren about whether Susan had contacted the St Monica's Trust, she responded that she hadn't yet done so, but that that would apply only to residents, and she was thinking of the needs of all. Councillor Tim Ball asked if Susan recognised that some people specifically needed cold water for swimming and she replied that both options should be available. In response to Councillor Lin Patterson, Susan explained that the relevant Council strategies she had referred to in her statement were the Health & Wellbeing Strategy, the Fit for Life initiative, the Children & Young People's policy

and the B&NES Equality Policy. Councillor Sarah Bevan asked if it was depth or temperature which was key, and Susan responded that it was both. Councillor Jonathan Carr asked whether the cost was justified with the current budgetary pressures and Susan explained that she had understood that capital was being invested and the loan repaid over the 20 year contract. The Chairman thanked Ms Charles for her comments which were referred to the relevant Cabinet Members.

Russell Tanner made a statement raising three particular concerns with the planning process, arising from a recent case of permission being granted in Clutton: those were consideration of the environment and the need to prioritise unused and derelict land, democratic accountability of decisions which were clearly unpopular with the community and the provision of inappropriately sized housing which was unsuitable for young people hoping to get onto the housing ladder, or older people looking to downsize. In response to a question from Councillor Sarah Bevan, Russell responded that those on a low income were particularly excluded from accessing housing. Councillor Jonathan Carr asked which particular consideration was most overlooked by current planning policy in Russell's view; to which he replied that environmental aspects were not being given due consideration and that a different approach was needed due to global warming. The Chairman thanked Mr Tanner for his comments which were referred to the Cabinet Member for Homes and Planning.

David Redgewell made a statement about the need for more dialogue at the West of England level to plan devolved bus services on a sub-regional basis. In response to a question from Councillor Jonathan Carr about priorities, David confirmed that buses were a key priority. The Chairman thanked Mr Redgewell for his comments which were referred to the Cabinet Member for Transport.

Adam Reynolds presented a petition of 636 signatures and made a statement outlining a series of measures to ensure cyclists' safety on London Road. Full details can be read in the statement which has been placed on the Council's Minute book and attached to the online minutes. In response to a question from Councillor Dine Romero about further measures to promote cycling in the east of Bath, Adam responded that there was a real difficulty with on street parking. Councillor John Bull asked for clarification on an aspect of Adam's statement about the Council needing to 'do nothing' to which he explained that it concerned an experimental TRO which was now out of sync with the loading bay one. Councillor Jonathan Carr asked about measures to further improve safety and Adam responded that measures to develop off road parking would help. The Chairman thanked Mr Reynolds for his statement which was referred to the Cabinet Member for Transport.

Susan Trail, a London Road resident, made a statement about the Gateway group which had been in limbo for over a year whilst, in the meantime, damage had been caused from the loading bays and local homes and businesses were suffering. She called for a meeting of all stakeholders to address the range of conflicting issues. Councillor Dine Romero asked for further information about the loading bays so Susan explained that the protective layer for the vaults had been removed. Councillor Lin Patterson asked how the safety of cyclists could be ensured in this busy stretch of road and Susan responded that it wasn't possible to ensure their safety, although pedestrians and cyclists seemed to sort out their shared use to a certain degree. The Chairman thanked Ms Trail for her comments which were referred to the Cabinet Member for Transport.

Alex Schlesinger made a statement also referring to the Gateway group having not met since 2015, and the need to manage the conflicting concerns of all interested parties. Full details can be read in the statement which has been placed on the Council's Minute book and attached to the online minutes. Councillor Dine Romero checked with Alex that the Gateway group had not met since March 2015, which he confirmed. Councillor Sarah Bevan asked how the Gateway group had been constituted to which Alex responded that it hadn't been clear: applications had been elicited and people selected. In response to a query from Councillor Jonathan Carr about parking, Alex clarified that they weren't seeking parking but loading as, at the moment, they couldn't even get carpets delivered, nor could trades vans or scaffolding lorries attend for any work needed. The Chairman thanked Mr Schlesinger for his statement which was referred to the Cabinet Member for Transport.

Martin Price, a resident of Walcot Terrace, read a statement on behalf of the residents of Walcot Terrace calling for the original long loading bay at Walcot Terrace to be reinstated as the safest option for cyclists, pedestrians and drivers, and the best way to protect the Terrace's Grade 2 listed buildings and vaults. Full details can be read in the statement which has been placed on the Council's Minute book and attached to the online minutes. In response to a question from Councillor Dine Romero about safer options for the cycle path, Martin responded that they were asking for the 2 sections to be joined back up. Councillor Jonathan Carr referred to a large parking facility in Cleveland Place and Martin responded that it was too far for large deliveries and supermarkets would not park up and walk deliveries from there. The Chairman thanked Mr Price for his statement which was referred to the Cabinet Member for Transport.

Mike Hill made a statement in support of the Vice Chair of the Bath City Forum being a co-opted member. Full details can be read in the statement which has been placed on the Council's Minute book and attached to the online minutes. In response to a question from Councillor Tim Warren, Mike confirmed that he had been surprised that this had needed to come to Council. Councillor Dine Romero asked whether Mike was concerned that the Chair was from the Councillor members; to which Mike replied that he could see no reason why the Chair couldn't be a co-opted Member too. Councillor Jonathan Carr asked if Mike had been aware of any opposition to the proposal from the Task & Finish group and Mike responded that as far as he was concerned, everybody had been happy with the decision. Councillor Lin Patterson asked whether Mike was aware of the potential danger of collusion between the Chair and a co-opted member of the same political persuasion which wouldn't be in the best interests of the people of Bath; Mike responded that he wasn't aware and that anyone pursuing their own agenda shouldn't be on the Forum. The Chairman thanked Mr Hill for his statement which would be taken into consideration during the subsequent debate.

27 BATH CITY FORUM - TERMS OF REFERENCE

The Council considered a report regarding the Bath City Forum's Terms of Reference and requesting determination of the arrangements for the Vice Chair of the Forum.

On a motion from Councillor Bob Goodman, seconded by Councillor Joe Rayment, it was

RESOLVED

1. To note that the Bath City Forum has proposed a number of changes to the Terms of Reference agreed by Council for the Forum in July 2015, as set out in paragraph 5.3 of the report;
2. To note that, in accordance with the decision of the Council, the Chief Executive has, in consultation with Group Leaders, agreed the changes proposed by the Bath City Forum to its Terms of Reference, with the exception of the proposal that the Vice Chair of the Forum be a co-opted Member; and
3. To agree that the Vice Chair of the Forum be a co-opted Member.

[Notes;

1. *During debate, an unsuccessful amendment was moved by Councillor Jonathan Carr (seconded by Councillor Lin Patterson) calling for the Chairperson of the Forum to be from a different political group than the 2 previous Chairs. This was put straight to the vote following a proposal from Councillor Eleanor Jackson (seconded by Councillor Tim Warren) and passed, that the question now be put. The amendment from Councillor Carr was lost, with 2 Councillors voting in favour, 3 abstentions and all other Councillors voting against.*
2. *The substantive motion was carried with 54 Councillors voting in favour and 2 Councillors abstaining.]*

28 INDEMNITIES FOR MEMBERS & OFFICERS

The Council considered a report recommending an extension of the current indemnity to be granted to Members and officers of the Council, as recommended by the Standards Committee.

On a motion from Councillor Tim Warren, seconded by Councillor Dine Romero, it was unanimously

RESOLVED to adopt the indemnity to Members and officers in the terms set out in the appendix to the report.

29 TREASURY MANAGEMENT OUTTURN REPORT 2015/16

The Council considered a report giving details of performance against the Council's Treasury Management Strategy and Annual Investment Plan for 2015/16.

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

RESOLVED

1. To note the 2015/16 Treasury Management report to 31st March 2016, prepared in accordance with the CIPFA Treasury Code of Practice; and
2. To note the 2015/16 Treasury Management Indicators.

30 AMENDMENTS TO THE CONSTITUTION

The Council considered a report setting out several proposed amendments to the Constitution, following discussions with the Constitution Working group. The report also proposed an addition to the Council's Code of Conduct.

On a motion from Councillor Tim Warren, seconded by Councillor Robin Moss, it was unanimously

RESOLVED

1. To approve the amendments to the Council's Constitution as set out in Appendix 1 to the report; and
2. To approve the additional wording for the Council's Code of Conduct as set out in paragraph 5.4 of the report.

31 DESIGNATION OF CHIEF EXECUTIVE AS HEAD OF PAID SERVICE

The Strategic Director – People & Communities, and the Monitoring Officer, left the Chamber for consideration of this item on the agenda.

The Council considered a report advising of the arrangements for the secondment of Ashley Ayre to the post of Chief Executive, and seeking approval for his designation as Head of Paid Service with effect from 1st September 2016. The report also sought approval for the appointment of Returning Officer and Electoral Registration Officer.

During debate, Councillors paid tribute to the current Chief Executive, Dr Jo Farrar as this was her last Council meeting.

On a motion from Councillor Tim Warren, seconded by Councillor Dine Romero, it was unanimously

RESOLVED

1. to note the secondment of Ashley Ayre to the post of Chief Executive on a spot salary of £151,500.00 per annum within the approved pay range;
2. to approve the designation of the postholder as Head of Paid Service under section 4 of the Local Government & Housing Act 1989 with effect from 1st September 2016; and
3. to approve the designation of the Head of Legal and Democratic Services and Council Solicitor as Returning Officer and Electoral Registration Officer, with effect from 1st September 2016.

32 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS

The Chairman made reference to the questions from Councillors Joe Rayment and Eleanor Jackson, and agreed responses, which had been circulated to the meeting.

Councillor Joe Rayment made a statement calling upon Councillors to be mindful of language they used in the Chamber and refrain from making negative comments about age or other protected characteristics. Members took on board his comments.

The meeting ended at 8.45 pm

Chairman

Date Confirmed and Signed

Prepared by Democratic Services

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Bath & North East Somerset Council		
MEETING:	Council	
MEETING DATE:	15 September 2016	
TITLE:	The City of Bath World Heritage Site Management Plan	
WARD:	All wards within The City of Bath and surrounding parishes	
AN OPEN PUBLIC ITEM		
List of appendices to this report:		
Appendix 1 – City of Bath World Heritage Site Management Plan 2016-2022		
The City of Bath World Heritage Site Management Plan 2016-2022 (endorsement draft) can be viewed at www.bathworldheritage.org.uk/management-plan		
Appendix 2 - Accessibility action changes		

1 THE ISSUE

- 1.1 The draft replacement City of Bath World Heritage Site (WHS) Management Plan (2016-2022) has been progressed to a stage where it is ready to be passed to central government for submission to the United Nations Educational, Scientific and Cultural Organisation ('UNESCO' - the body overseeing world heritage). The Council is asked to endorse the draft plan and approve the submission.

2 RECOMMENDATION

- 2.1 Endorse the draft replacement City of Bath World Heritage Site Management Plan and recommend to the Cabinet Member for Economic Development that it is approved for submission to UNESCO.
- 2.2 Note that further minor editorial changes may be made to the document, as agreed with the Cabinet Member for Economic Development, prior to submission.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 The WHS Management Plan is being prepared within allocated budgets.
- 3.2 The Plan contains 47 actions, some of which are funded, and others for which funding must be sought (from external sources such as the Heritage Lottery

Fund). These include aspirations such as action 16 – ‘Continue to seek suitable premises for a one-stop History Centre to house the Council’s Designated archives collection’. The Plan clarifies that inclusion of such items carries no guarantee that funding will be found and cannot be a promise of delivery. The plan must strike a balance between being visionary and deliverable, and inclusion of aspirations proves useful when bidding for funds from external sources.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 UNESCO World Heritage Site (WHS) status is the highest accolade relating to heritage and remains a globally recognised, respected and coveted brand. The inscription is first and foremost a responsibility, indicating that we are the guardians of heritage which is of importance to all humankind and which should be conserved for this and future generations. The status also brings economic benefit, principally in terms of generating increased tourism, plus civic pride and the general perception of Bath as a place of quality.
- 4.2 UNESCO Operating Guidelines (2015) require all sites to have a management plan. The production and timely despatch of this document is therefore a necessary action in the retention of WHS Status. The draft plan before the Council is the third such plan, replacing previous versions of 2003 and 2010.
- 4.3 It should be noted that in accordance with best practice, this plan is overseen by the WHS Steering Group, a well-established (2001) group of 16 organisations with an independent chair (Mr Peter Metcalfe). The Council takes the role of ‘principal steward’ of the WHS, providing the secretariat to the group and employing the WH Manager who (amongst other duties) writes the management plan. This is not therefore a Council document, although the Council plays the major part in production and implementation.

5 THE REPORT

- 5.1 As outlined in 4.2, a management plan is a UNESCO requirement. It follows an established format and sets out what the site comprises of, why it is of significance, how it is managed/protected and identifies actions to address challenges and realise opportunities.
- 5.2 The current ‘state of conservation’ of Bath WHS is very good. Key monitoring indicators such as the national ‘Heritage at Risk’ register show that of the 5,000 listed buildings in Bath, only three (of grades I and II*) are at risk, and two of these are under repair. The surrounding landscape would benefit from greater management, but a Heritage Lottery Fund application (as part of the Bathscape Project) has been submitted to help address this. Similarly, interpretation of the site could be improved and the Archway Project (containing a World Heritage Interpretation Centre) is again an active project. The focus of this plan is therefore on ‘raising the bar’ with regard to standards in what is already a well-managed WHS and seeking to ensure that as we move forward in a period of economic and physical growth that interventions made do not harm the values for which the site was inscribed.
- 5.3 The priorities of the Plan, set by the Steering Group and tested through full public consultation are as follows: Managing development, transport, public realm, interpretation and education, and environmental resilience.

- 5.4 Public consultation was conducted over 8 weeks in early Summer 2016 and full details are given in the Statement of Public Involvement which is made available alongside the Plan. Section 8 below gives an overview of the consultation.
- 5.5 None of the priorities of the plan were challenged during consultation and consequently post-consultation changes mostly comprise of minor wording alterations. This is considered to be partly due to stakeholder engagement undertaken before the plan was compiled (see section 8).
- 5.6 Transport was the most frequently cited issue during consultation. 58 of the 98 comments received included concern about a potential new eastern Park and Ride (P&R) site. In describing the management of the Site, the WHS Management Plan frequently defers to other strategies and in this case to the Getting around Bath Transport Strategy (2014) which provides proposals for establishing an efficient and sustainable transport system. The WHS Management Plan does not therefore directly address individual transport proposals, but in response to concerns from consultation respondents several references to P&R have been amended or deleted to ensure that the Plan is neutral with regard to this matter.
- 5.7 The transport action in the plan was also modified to make it clearer. The action relating to flooding was strengthened in response to concerns by resident's associations, and a new action was added to monitor proposals for coach parking, which is currently under review. One amendment which is proposed after the endorsement draft of the plan had gone to the print designer is minor wording change to the action on accessibility in line with advice received from the Council's Corporate Equalities and Diversity Officer. This is included at Appendix 1 to ensure this change is visible to all.
- 5.8 After the Plan has been endorsed, minor editorial changes will be made (mostly to images) and it will be submitted to the Department for Culture, Media and Sport for that department to in turn submit it to UNESCO.
- 5.9 With regard to timetable it should be noted that this plan also looks to the Placemaking Plan (amongst other strategies) for delivery of some objectives and in places uses consistent wording. It is acknowledged that the Placemaking Plan has its own timetable and may change following the forthcoming Examination in Public. Given the timetable of the Placemaking Plan (the Inspector's Report is not expected until early 2017), it was not considered prudent to hold back submission of the WHS Management Plan. If any major revisions occur which require changes to the WHS Management Plan, an addendum can be produced.

6 RATIONALE

- 6.1 The rationale for recommending endorsement rather than adoption of the Plan is that (as outlined in section 4.3) this is a Steering Group document rather than a Council document.

7 OTHER OPTIONS CONSIDERED

- 7.1 Production of a management plan is a UNESCO requirement and in this respect there are no alternative options. Not to produce a plan would call into question the Steering Group and Council's good management of the Site with both the UK Government and UNESCO.

7.2 The Plan follows a standard format and by necessity is lengthy. It is therefore proposed to take the option of producing a summary version for (predominantly electronic) distribution which can be shared more easily and which will encourage greater public engagement.

8 CONSULTATION

8.1 A stakeholder event with an invited audience of 154 people was held in April 2015 and issues captured here were used to compile the draft.

8.2 Full public consultation was conducted during an eight week period from 23rd May to 15th July 2016. A wide range of methods were used including the Council's on-line consultation system, exhibition stalls at World Heritage Day and the Bath City Conference, individual emails to the 150 invitees to the previous stakeholder event, direct messages to all ward councillors, a press release, posters, social media alerts and others. Public consultation generated 98 responses. These comprised of responses from 73 individuals, 17 organisations, 5 council departments and 3 ward councillors. When added to the list of issues raised during the pre-consultation stakeholder event this gives a total of 232 responses.

8.3 The Council's Monitoring Officer and Section 151 Officer have been given the opportunity to review and feed into this report.

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	Tony Crouch, World Heritage Manager, 01225 477584
Background papers	<p>The Statement of Community Involvement relating to this plan can be viewed at www.bathworldheritage.org.uk/management-plan</p> <p>UNESCO Operational Guidelines concerning World Heritage Site Management: http://whc.unesco.org/en/guidelines/</p>
Please contact the report author if you need to access this report in an alternative format	

APPENDIX 1

The City of Bath World Heritage Site Management Plan 2016-2022 (endorsement draft) can be viewed at www.bathworldheritage.org.uk/management-plan

APPENDIX 2

Accessibility action changes

One late change to the draft Plan relates to the question of the wording of the action relating to accessibility. At the WHS Steering Group of 28 July there was debate over the wording of this action, as captured in the minutes below:

Action 39 refers to seeking to make the historic environment more accessible for those with limited mobility. Historic England had suggested that this might be widened to include those with disabilities. The meeting raised no objection to this, but had concerns over the wording used. SB pointed out that the language on this shifted and evolved and what one group or individual accepted could cause offence to others. Advice was sought from the Council's Equalities and Diversity Officer (Louise Murphy), who was unfortunately out of office for the week. However, language used on the award winning accessibility guide introduced by the Roman Baths is consistent with the suggestion to use the terms both 'limited mobility and disabled'. It is therefore proposed that the action should read as below, and this will be checked with Louise next week:

Action 39. Continue to identify and implement opportunities to make the historic environment more accessible for those with limited mobility and disabilities.

Louise Murphy subsequently responded and proposed the following:

Action 39. Continue to identify and implement opportunities to make the historic environment more accessible for disabled people, considering a wide range of physical and sensory impairments.

The wording as suggested by Louise is accepted and is shown within this report as the proposal arrived after the 'Endorsement Draft' of the Plan had been received from the print designer.

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Bath & North East Somerset Council		
MEETING:	Council	
MEETING DATE:	15 September 2016	
TITLE:	Kelston Parish Meeting: Conferring of Parish Council powers to borrow money	
WARD:	Bathavon North Ward	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix 1. Minutes from a Meeting held by Kelston Parish on 21 July 2016		
Appendix 2. Letter from Douglas Creed, Chair, Kelston Parish Meeting dated 5 September 2016		
Appendix 3. Promotional Leaflet – Kelston Community Broadband		
Appendix 4. Draft Order		

1 THE ISSUE

- 1.1 This report requests the Council to confer such parish council powers, on the Kelston Parish Meeting (Parish) as requested by the Parish Meeting.

2 RECOMMENDATION

- 2.1 The Council is asked to;

2.1.1 Make an order under Section 109 (1) of The Local Government Act 1972 Act (1972 Act) to confer on the Kelston Parish Meeting the power, available to parish councils, to borrow money;

2.1.2 Agree, that if Council so resolve, the order has immediate effect

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 The conferring of this power upon Kelston Parish Meeting does not itself have any resource implications for the Council. Whilst the Council is required to comply with certain statutory notification this will be at a minimal cost.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 The Statutory considerations are set out in the report. Since there is no delegated authority to officers to make the necessary order the application is required to be considered and, if agreed, approved by Full Council which would make the order.

5 THE REPORT

- 5.1 The Parish resolved at a Meeting held on 21st July 2016 to request that the Council confer upon the Parish all powers of a parish council and the specific powers necessary to carry out borrowing as a parish council. The Minutes of the Meeting are attached at Appendix 1.
- 5.2 A letter dated 5 September 2016 from the Chair of the Parish requesting that “....B&NES confer upon the Parish meeting all powers of a parish council and the specific powers necessary to carry out borrowing as a parish council..” is attached to this report at Appendix 2.
- 5.3 The Council is only required to make a resolution as to the conferring of the specific power to borrow money
- 5.4 A leaflet as to the difficulties with slow broadband experienced in Kelston is attached at Appendix 3 and is understood to have been distributed to each household with an option to vote for upgraded broadband. It is not known what the response was. It appears that there has been adequate information given to the residents of the parish, by virtue of the distribution of the leaflet, to ensure that their views have been canvassed.
- 5.5 The Parish had previously applied for vouchers under prior Government broadband scheme. The scheme was apparently terminated before Kelston’s applications were processed. Information is provided in the leaflet which indicates that new provision can be made by ...”using a combination of new connection vouchers and public loans”.
- 5.6 Section 109 (1) of the 1972 Act states that, on the application of the parish meeting of a parish, not having a separate parish council, the district council may....(subject to grouping provisions) by order confer on the parish meeting any functions of a parish council. The power, however, only exists for the particular function that is conferred on the parish meeting and does not “convert” a parish meeting to a parish council.
- 5.7 Under Section 109 (2) of the 1972 Act where a district council makes such an order it is required to send two copies to the Secretary of State.
- 5.8 Paragraph 1 Schedule 2 of The Local Government Act 2003 (2003 Act) allows a parish council to borrow a sum of money. Before doing so, it must first receive an approval to borrow from the “appropriate person”, who is the Secretary of State (SoS) for the Department for Communities and Local Government (DCLG). There is no national limit on the total annual amount of borrowing approvals that will be granted and the amount that an individual council will be authorised to borrow will normally be limited to a maximum of £500,000 in any single financial year for any single purpose.
- 5.9 The SoS will generally apply the following criteria in deciding whether to give borrowing approval:

- 5.9.1 the borrowing should be for a purpose that would be capital expenditure as defined in section 16 of the 2003 Act;
- 5.9.2 the amount to be borrowed should not be less than £5 multiplied by the number of local government electors for the area of the council on the first day (1 April) of the current financial year. There are currently 131 registered electors in Kelston and so the minimum that could be borrowed would be £650.00;
- 5.9.3 any unallocated balances (including, where appropriate, capital receipts), beyond those required for the prudent financial management of the council, should be used in the project for which borrowing is required;
- 5.9.4 a parish council should have a realistic budget (this must be reasonably affordable, taking account of its effect on the council's precept) for the servicing and repayment of the debt;
- 5.9.5 Whilst the purchase of the asset, defined as civil works and cabling to provide broadband, would fall within the definition of capital expenditure, careful consideration would need to be given as to whether the precept would need to be increased in order to meet the amount of and the life of the loan. The Council understands that the the asset would have a maximum life of seven years.
- 5.10 The total loan required is said to be £130,000.
- 5.11 Under the Value Added Tax Act 1994 s.33 certain local authorities can obtain a refund of VAT. Section 96 (4) defines local authorities as;
- the council of a county, [county borough,] district,
 - London borough,
 - parish or group of parishes (or, in Wales, community or group of communities),
 - the Common Council of the City of London,
 - the Council of the Isles of Scilly, and any joint committee or joint board established by two or more of the foregoing
- 5.12 Parish Meetings are not defined in the Act as a local authority and therefore cannot reclaim VAT payable for the loan under section 33. The Parish is, however, researching whether it can be defined as a local authority under VAT rules and therefore obtain an exemption from paying VAT.
- 5.13 The Parish has informed the Council that it has robust business plan which was "constructed by an independent financial consultant within which conservative goals in terms of uptake, revenue and costs have been set". In addition that the Parish has taken independent legal advice and is "comfortable that all the necessary commercial aspects of the project have been addressed".

6 RATIONALE

6.1 The rationale for referring this specific issue to Council for resolution is set out in the report.

7 OTHER OPTIONS CONSIDERED

7.1 Kelston Community Network Community Interest Company (CIC) was established by several residents of the Parish in September 2015. A CIC is defined as "...a limited liability company incorporated under the Companies Act 2006 by the Registrar of Companies with the specific aim of providing benefit to a community. It must conform to company and insolvency law in the same way as other UK companies and is regulated under company and other law".

7.2 A CIC is required to adopt certain statutory clauses in its constitution which includes a clause to lock in the assets to providing benefit to the community. This means that, subject to the CIC meeting its obligations, its assets must either be retained within the CIC, to be used for the community purposes for which it was formed, or, if they are transferred out of the CIC, the transfer must be made under certain circumstances.

7.3 Subject to its articles CICs have the same borrowing powers as any other company and generally will be able to borrow and pay normal commercial rates of interest to lenders. Therefore, depending on the CIC's constitution, the Parish can obtain a loan using its status as a CIC but this would be subject to a higher rate of interest. It is understood, however, that the CIC cannot obtain a loan from the PWLB as it is not a local authority and therefore cannot benefit from the lower interest rate available to a local authority. If a loan was obtained by other means then it appears that the Parish need not make an application under s.109 of the 1972 Act.

7.4 In addition it has been proposed that the Parish Meetings of Kelston and North Stoke are joined in order to become a Parish Council so that the new Parish Council can exercise its borrowing power to obtain the loan. This can be achieved either under s.11 of the 1972 Act (Orders for grouping parishes, dissolving groups and separating parishes from groups) or by way of a community governance review (CGR) under the Local Government and Involvement in Public Health Act 2007. The former is a much shorter procedure. If a grouping order was made and a new Parish Council was established, it would still be limited to the legal restrictions set out in the 2003 Act. A CGR can take 12 months before a grouping order, under the 2007 Act, can be made.

8 CONSULTATION

8.1 Consultation on the conferring of parish council powers on the Parish is not legally required under the 1972 Act but see paragraph 5.4.

8.2 Consultation on this report has taken place with the Monitoring Officer and Section 151 Officer who have cleared it for publication.

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	<p>Maria Lucas maria.lucas@bathnes.gov.uk 01225 395171</p> <p>David Dixon, Community Engagement Manager, Strategy & Performance. Tel 01225 396532</p>
Background papers	<p>The Local Government Act 1972</p> <p>The Local Government Act 2003</p>
<p>Please contact the report author if you need to access this report in an alternative format</p>	

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Minutes of the Kelston Parish Meeting held 21 July 2016

Present:

Doug Creed (chair), Stephen Constant (recorder and vote counter), David Mathews, Hugh Padfield, Edward Weston, Vera Constant, Claire & Kevin Warren, Graham & Angela Meader, Sue & Geoff Stiling, Lee Trivett, Pat & Alan Jeffries, John Dinham, David Withers, John Holden, Jackie Holden, Max Holden, Harry Holden ,Chris Payne, Kat Daweschmeisser, Mandy Weston ,Rachel & Richard Guest, Adam Burge, Murray Sayce. Cathy Creed

In attendance: , David Bland (advisor to the project), Dave Dixon (B&NES), John Quinlan (North Stoke representative)

Apologies: Alison Millar (B&NES Councillor)Vivien Waters, Vanessa Sayce, Chrissie Cullimore, Richard Tredwin, Kate Pennington, Ken & Trish Bryer

The Chair of the meeting, Doug Creed, summarised the work carried out by the Kelston broadband group so far and the decisions required of this meeting to determine our future strategy:

What's our aspiration?

- ☐ to ensure Kelston Parish no longer suffers from extremely poor broadband performance
- ☐ to ensure our residents and businesses have the internet performance they need and want
- ☐ to ensure this this can be delivered at an affordable price and that it is future-proofed

How did we get to where we are now?

- ☐ we started nearly three years ago with BT, as we are supposed to be 'commercially covered' by them
- ☐ despite many meetings with BT and B&NES, it transpires that there are no BT plans to upgrade us, and that we are excluded from the government superfast programme
- ☐ around this time last year we developed a scheme whereby the businesses in Kelston could apply for Connection Vouchers totalling £93,000 from Bristol City
- ☐ residential properties were not eligible for vouchers, but they would be able to connect to the network by paying a connection charge circa £450. A very high proportion of residents indicated their willingness to join
- ☐ this failed at the last minute in October last year when the scheme was suspended. All our applications had been made, but the necessary information Bristol required — on council tax and business rates — was not supplied by B&NES
- ☐ we looked at a variety of other ways of funding the network build. The most promising was (and is) to obtain a low-interest long-term loan from the Public Works Loan Board to cover

the capital expense of building the network

- ❓ though the PWLB (part of HM Treasury) has not made loans previously for broadband infrastructure, it does make loans to parishes for a wide range of purposes such as village halls, waste treatment plants etc etc
- ❓ we undertook considerable work in Westminster with HM Treasury Debt Management Office, the Department of Communities and Local Government, and the Department of Culture, Media and Sport (who run the government Broadband Delivery UK programmes). All agreed that PWLB funding could be approved for parishes to build broadband infrastructure
- ❓ As an indicative rate, borrowing £100,000 from PWLB for a twenty year fixed term period would cost the parish £500 per month, or the equivalent of £5 per month for each home and business
- ❓ The current PWLB loan rate for this period is 1.99%, less than 20% of the cost of BT or other network operator capital
- ❓ As part of the Universal Service Obligation (i.e. to provide everyone with a minimum speed of 2 Mbps by next April), new Connection Vouchers are now available. They are valued at up to £500 each, but are available to residents and businesses alike. Each premise has to make a separate application, and — if eligible — can spend their voucher with the community network or with alternative providers (such as satellite) should they wish. Note that the parts of the parish close to the Bath boundary and those at Kelston Mills may not be eligible for vouchers, as they may already be able to receive speeds above the 2Mbps minimum

What do we need to go ahead?

- ❓ To finalise our business plan we need to know
 - o whether the parish wishes us to proceed
 - o what are the geographic boundaries of the network
 - o who wants to be connected

Note: being connected to the network does not imply that you will take service and incur any monthly fee. If a premise is entitled to a connection voucher, then it would make sense to use that voucher to connect to the network even if you do not make any use of a broadband service — it will make the property more sellable/rentable and more valuable and costs you nothing

- ❓ Because Kelston is a Parish Meeting and does not have a Parish Council, we understand that we need B&NES approval to apply for a loan. Note: Kelston is one of only three parishes in the whole of North East Somerset that doesn't have a parish council — the others are North Stoke and St Catherine. Several smaller parishes than Kelston such as Chelwood & Newton St Loe do have parish councils
- ❓ We further understand that Parish Meetings without a council cannot reclaim VAT — this means our costs would increase by 20%. We will seek further advice in this respect to see if

VAT relief can be obtained, but it is thought unlikely

- [?]** The simplest way to overcome both of the two preceding points would be to form a group parish council covering the separate parishes of Kelston and North Stoke, and to build a broadband network that covers both parishes

Resolutions

- 1. That the Kelston Parish Meeting requests that B&NES confer upon the parish meeting all powers of a parish council and the specific powers necessary to carry out borrowing as a parish council.**

FOR: 29

AGAINST: 0

- 1. That the Kelston Parish Meeting requests that its Chair, Doug Creed, liaises with his counterpart at North Stoke Parish Meeting, to ascertain the benefits of establishing a group parish council to serve the separate needs of the two parishes.**

FOR: 29

AGAINST: 0

After the carrying of the two resolutions it was agreed that villagers should be asked to make applications for vouchers from B&NES immediately. Villagers will be informed of exactly how to apply for the vouchers.

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Kelston Parish Meeting

Vine Cottage
Church Lane
Kelston
Bath BA1 9AG
phone: 07802 173086
e: cathyanddouglas@gmail.com

Bath & North East Somerset Council
The Guildhall
High Street
Bath BA1 5AW

5th September 2016

Dear Sirs

On the 21st of July 2016 I chaired the Parish Meeting in Kelston Village Hall. I have enclosed a copy of the minutes of that meeting.

At the meeting we discussed the issue of the provision of high speed broadband in Kelston Parish and two resolutions were passed. They were as follows.

Resolutions

That the Kelston Parish Meeting requests that B&NES confer upon the Parish meeting all powers of a parish council and the specific powers necessary to carry out borrowing as a parish council.

FOR: 29
AGAINST: 0

That the Kelston Parish Meeting requests that its Chair, Doug Creed, liaises with his counterpart at North Stoke Parish Meeting, to ascertain the benefits of establishing a group parish council to serve the separate needs of the two parishes.

FOR: 29
AGAINST: 0

As Chair of the Parish meeting I would like to request that Bath & North East Somerset Council confer upon the Parish meeting the powers necessary to allow it to carry out borrowing as a Parish Council including, inter-alia, the recovery of VAT.

We are already working with North Stoke Parish Meeting, with assistance from B&NES ward councillors, to explore the benefits of Parish grouping with them.

Yours faithfully

Douglas Creed
Chair, Kelston Parish Meeting

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BATH AND NORTH EAST SOMERSET COUNCIL

Local Government Act 1972 ORDER

To confer on Kelston Parish Meeting functions of a Parish Council

RECITALS

- (1) The Parish of Kelston ("the Parish") is situated within the area of Bath and North East Somerset Council ("the Council")
- (2) There is no separate Parish Council for the Parish
- (3) On the 21st July 2016 the Parish Meeting for the Parish resolved that an application should be made to the Council conferring on the Parish Meeting certain functions of a Parish Council to enable it to borrow money under Paragraph 1 Schedule 2 of The Local Government Act 2003 in order that it may take out a loan from the UK Debt Management Office - Public Works Loan Board for the purposes of expenditure on improved broadband network for the benefit of the local community and local businesses in Kelston.
- (4) On the day 2016 the Council resolved to exercise their statutory powers under Section 109 of the Local Government Act 1972 to make the required order.

NOW THEREFORE the Council in exercise of their powers under Section 109 of the Local Government Act 1972 and all other enabling powers HEREBY makes the following order:-

1. Powers Conferred on Kelston Parish Meeting

The powers of a Parish Council to borrow money under Paragraph 1 Schedule 2 of The Local Government Act 2003 shall be exercisable by the Parish Meeting of Kelston for the sole purpose of borrowing money in order that it may take out a loan from the UK Debt Management Office - Public Works Loan Board for the purposes of expenditure on improved broadband network for the benefit of the local community and local businesses in Kelston.

2. Citation

This order may be cited as the Kelston Parish Meeting Order 2016.

3. Date of Operation

This Order is dated the ... day of 2016 and shall come into operation on the said date.

Signed.....

Solicitor to the Council

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Bath & North East Somerset Council		
MEETING:	Council	
MEETING DATE:	15 th September 2016	AGENDA ITEM NUMBER
TITLE:	Annual Report – Corporate Audit Committee	
WARD:	ALL	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix 1 – Annual Report		

1 THE ISSUE

- 1.1 The Corporate Audit Committee has specific delegated powers given to it from Full Council and as such is required to report back annually to Council under its Terms of Reference.
- 1.2 This is the Annual Report of the Committee which details its work over the last year.

2 RECOMMENDATION

Council is asked to agree that:

- 2.1 The Annual Report of the Corporate Audit Committee is noted

3 FINANCIAL IMPLICATIONS

- 3.1 There are no direct financial implications relevant to this report

4 CORPORATE PRIORITIES

- 4.1 Completion of the Corporate Audit Committee's work assists the organisation in efficiently and effectively contributing to the Council's priorities.

5 THE REPORT

- 5.1 Appendix 1 details the eleventh annual report of the Corporate Audit Committee since it was established by the Council on 12 May 2005. It reviews the work done by the Committee over the past 12 months, its future work plan, membership and support of the Committee.
- 5.2 The Committee's work has continued to develop as detailed at Appendix 1 and as part of its responsibilities it has reviewed its terms of reference and the key areas of responsibility are still considered appropriate and meet current best practice.
- 5.3 Whilst the Committee's work in 2016/17 will be broadly similar to the year recently ended it will keep under close review a number of key issues including the financial resilience of the organisation through its framework for managing risk and governance, future contracting arrangements for External Audit and any impact of early closure arrangements for the Accounts.

6 RISK MANAGEMENT

- 6.1 A proportionate risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.
- 6.2 The Corporate Audit Committee has specific responsibility for ensuring the Council's Risk Management and Financial Governance framework is robust and effective.

7 EQUALITIES

- 7.1 A proportionate equalities impact assessment has been carried out using corporate guidelines and no significant issues have been identified.

8 CONSULTATION

- 8.1 The report was distributed to the Chief Executive, Council's Monitoring Officer, S151 Officer and Chair of the Audit Committee for consultation.

9 ISSUES TO CONSIDER IN REACHING THE DECISION

- 9.1 No specific issues to consider.

10 ADVICE SOUGHT

- 10.1 The Council's Chief Executive, Monitoring Officer (Council Solicitor) and Section 151 Officer have had the opportunity to input to this report and have cleared it for publication.

Contact person	<i>Jeff Wring (01225 477323)</i>
Background papers	<i>None</i>
Please contact the report author if you need to access this report in an alternative format	

CORPORATE AUDIT COMMITTEE

ANNUAL REPORT TO COUNCIL 2015/16

1. INTRODUCTION

This is the eleventh annual report of the Committee since it was established by the Council on 12 May 2005. It covers the work done during the year September 2015 to June 2016.

2. REVIEW OF WORK DONE IN 2015/16

a. Financial Governance – Annual Accounts

- i. The Committee approved on behalf of the Council an unqualified set of accounts for the year ended 31 March 2015 within the statutory deadline. This included the accounts for the Pension Fund.
- ii. The Committee then considered the formal governance reports for the Council and Pension Fund submitted by the external auditors (Grant Thornton) on their audit of the accounts.
- iii. The Council report highlighted some presentational and technical changes to the accounts and recommendations to improve the Asset registers for accounting purposes. However there were no proposed changes to the General Fund Balances and Reserves. The auditors also noted that the accounts were presented promptly and that they were supported by good quality working papers.
- iv. The report on the Pension Fund Accounts highlighted that the financial statements were produced to a good standard, supported by good quality working papers and there were no material adjustments to the accounts.
- v. Both Governance reports were therefore noted and the audit of the accounts formally completed.

b. Financial Governance – Treasury Management

- i. The Committee considered the Treasury Management Outturn for 2014/15 which concluded that all prudential indicators were in line with projections and that the average rate of investment return was 0.42% which is 0.02% above the benchmark rate.
- ii. In addition the committee received an update report six months into the 2015/16 year which showed an average rate of investment return of 0.47% which is 0.06% above the benchmark rate and all actions on target in line with the strategy..
- iii. Finally the Committee received an extensive briefing from its Treasury Management advisors – Arling Close – on the state of the economy, the

Appendix 1

Council's role and the various mechanisms we can use to maximise financial returns. Managing the level of risk and return also featured heavily alongside the essential role of Members in scrutinising our strategy.

- iv. Members then reviewed the Treasury Management and Annual Investment Strategy for 2016/17. This set out the treasury limits in force, treasury management indicators, current position, borrowing requirement, prospects for interest rates and the borrowing and investment strategies.
- v. The committee agreed that current performance is good despite this being a very difficult and challenging arena due to the uncertainties within the global financial economy and therefore scrutiny will continue to be important to ensure Council resources are invested wisely

c. External Audit -

- i. Alongside the audit of the accounts for 2014/15 the external auditor also conducted work in relation to concluding a satisfactory VFM opinion for the Council following assessments of our financial resilience, economy, efficiency and effectiveness and a broadly satisfactory review of our four main grant returns.
- ii. The external auditor also presented their new audit fees for the Council and Pension Fund as well as their audit plans for 2015/16. No significant variances were proposed from the previous audit approach and update reports on their work continued to be presented to the Committee alongside references to key national reports and reviews which could impact on the governance framework.

d. Corporate Governance –

- i. The Accounts and Audit Regulations require the Council to carry out an annual review of its governance arrangements, and to produce an annual statement detailing the results of that review. In addition there was a review of progress against actions identified in the 2014/15 statement.
- ii. In relation to the 2015/16 review, two reports were received to introduce the Committee to their role and the overall process of the review.
- iii. It was pleasing to note that no significant issues were identified for 2015/16 which is a positive sign of an effective internal control environment. The formal statement is then to be signed by the Leader of Council and Chief Executive prior to the statutory deadline.
- iv. During the year the Committee also received a report on proposed changes to the Council's Financial Regulations and Contract Standing Orders including those affecting Schools and the Committee recommended them on for formal approval by Council.

Appendix 1

e. Internal Audit –

- i. The Committee received a report on a new approach to the preparation of the Audit Plan – the reasonable assurance model – which looked at eight core themes of an organisation. It was supportive of this new methodology as well as the new style and presentation of the plan which demonstrated the linkages between the Council's priorities and the different elements of the Council's internal control framework.
- ii. The Committee was satisfied with the balance of the plan in relation to the Council's key corporate risks as well as the mix of its planned projects, unplanned commissions and follow-up of previous reports.
- iii. In relation to performance the Committee commended the service on its performance against the plan with almost 94% of the plan completed as at the end of 2015/16 – a significant increase on the previous year - alongside a number of other key indicators such as customer satisfaction and the level of productivity.
- iv. The committee noted the annual opinion on the internal control framework and that with increased pressure on budgets, choices on the degree of internal control had to be made and there was therefore an imperceptible rise in the level of the risk being accepted.
- v. Updates were also received around the new 'Audit West' partnership arrangements with the new integrated service formally in operation under a five year contract. All staff have now successfully integrated into a single structure and benefits were well in advance of original projections.
- vi. The potential to now build on these arrangements is already being realised with new audit methodologies introduced, significant productivity gains through simplification and use of one single process across partners and increased use of areas such as Data Analytics to maximise the sharing of resources.
- vii. The committee was pleased to see the new arrangements working effectively and remains keen to support further progress so that the partnership continues to deliver value to the Council.

f. Counter Fraud -

- i. The Committee considered the annual plan for pro-active work in reducing and eliminating fraud and corruption within the Council's activities and monitored progress.
- ii. The Committee were pleased to hear of the significant and positive progress in reducing fraud, loss and error in a range of areas including Business Rates and Housing & Council Tax Benefits. The committee commended the officers on their progress and supported further activity.

Appendix 1

g. Awareness & Briefings

- i. Updates and briefings continue to be a strong part of the Committee's approach to raising awareness of key governance issues with members and several additional briefings were given this year which included -
 - Role of Audit Committee
 - Role of S151 Officer
 - Internal Audit
 - External Audit
 - Treasury Management
 - Risk Management
 - Annual Accounts
- ii. This approach continues to be welcomed and has resulted in constructive and valuable debate of individual topic areas which will continue in 2016/17.

h. Review of Terms of Reference

- i. As part of good practice a high level desktop review was undertaken of the Committee's Terms of Reference against CIPFA's best practice model for Audit Committees. Areas previously highlighted included independent support and training and development.
- ii. In relation to independent support the committee has already tackled this through the adoption of a co-opted independent member and the level of independence to the committee will be kept under review.

3. WORK PLAN FOR 2016/17

- i. Whilst the Committee's work in 2016/17 will be broadly similar to the year recently ended it will keep under close review a number of key issues –
 - a) Financial resilience of the organisation;
 - b) Future contracting arrangements for External Audit;
 - c) Early closure arrangements for the Accounts and its implications;

4. MEMBERSHIP AND SUPPORT

- i. Following the elections in May 2015 a new Chair was selected Councillor Brian Simmons and two new Councillors – Chris Dando and Chris Pearce – were appointed to the Committee.
- ii. The Committee is supported by a number of officers notably the Head of Audit West and the Chief Financial Officer who leads on financial issues through his S151 role.
- iii. The external auditors are currently represented by an Engagement Lead and Audit Manager from Grant Thornton.

Agenda motion - Protecting women and girls in Bath and North East Somerset from Female Genital Mutilation (FGM)

To be moved by Cllr Martin Veal on behalf of the Conservative Group

Council notes:

- That performing FGM in the UK and taking a child abroad to undergo FGM are both illegal: Female Genital Mutilation Act 2003 and The Serious Crime Act 2015, (which has significant provisions to tackle FGM).
- The World Health Organisation has condemned FGM for many years. In 2016 the United Nations defined FGM as child abuse.
- It is estimated that 103,000 women aged 15-49 with FGM born in countries in which it is practised were living in England and Wales in 2011. In addition there were an estimated 24,000 women aged 50 and over with FGM born in FGM practising countries and nearly 10,000 girls aged 0-14 born in FGM practising countries who have undergone or are likely to undergo FGM.
- Experts, including professionals and the third sector, believe that FGM will only be eradicated in the longer term by changing practice and custom in communities where it happens. This requires working with and empowering members of these communities to change their views towards FGM.
- That FGM can cause a range of serious health problems including severe pain and emotional /psychological trauma, in some cases, death.

This Council resolves to:

- Commit to raising general awareness of FGM throughout the B&NES area;
- Encourage all schools in the area to teach sex and relationship education and raise awareness of violence against women and girls, including FGM;
- Encourage health establishments, youth groups and the wider community to raise awareness of FGM;
- Ensure the multi-agency approach to this serious issue, along with the comprehensive integrated violence against women and girls strategy, is supported and prioritised within existing resources;
- Ensure mandatory reporting by professionals if FGM is suspected or disclosed.

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Agenda Motion against Modern Slavery

To be moved by Cllr Martin Veal on behalf of the Conservative Group

Protection of our communities against Modern Slavery

This council notes:

- That Prime Minister Theresa May has committed the UK Government to leading international efforts to defeat modern slavery, and last year as Home Secretary introduced the Modern Slavery Act 2015.
- That Slavery and Human Trafficking are crimes in the UK and considered illegal (Modern Slavery Act 2015).
- That worldwide it is predicted by the Global Slavery Index that there are 45.8 million people in some form of slavery (study in 167 countries, 2016).
- That slavery takes many different forms (forced labour, human trafficking, servitude, slavery) and may be present in a range of sectors (sex industry, service and hospitality industry, farming etc)
- That The UK Government estimates there are some 13,000 victims of trafficking in the UK:
 - In 2015 3,266 victims were identified and assisted (a 40% increase from 2014).
 - In 2015 289 offences linked to slavery and trafficking were prosecuted.
 - Over the last 5 years local Anti-Slavery organisation Unseen (based in the South West) has worked with over 200 victims of trafficking and slavery.
 - Slavery and trafficking are likely to be occurring in our locality and we have a duty to work in partnership with other agencies to raise awareness of this issue, identify and protect those vulnerable persons involved as well as tackle those perpetrating and facilitating this crime.
 - Under the Modern Slavery Act (2015) businesses are required to look at their own supply chains and submit an annual statement.

Council resolves to:

- Commit to working towards the eradication of human trafficking and slavery in BANES. We strive for a community where awareness of all forms of human trafficking and modern slavery is commonplace and that across all sectors people work collectively and steadfastly to eradicate its existence in our

community, identify and prosecute the perpetrators of this crime and identify and support victims.

- Raise awareness of Modern Slavery amongst all employees and partners how it presents and what they need to do should they come across it.
- Ensure a multi-agency approach to this issue and to engage with and support the work of The Anti-Slavery Partnership locally and regionally
- Implement the Transparency in Supply Chain provisions of the Modern Slavery Act to prevent Modern Slavery from occurring in its own supply chain, noting that the Council's Contract Standing Orders already recognise the importance of preventing Modern Slavery.