

## **BATH AND NORTH EAST SOMERSET COUNCIL**

### **MINUTES OF COUNCIL MEETING**

Thursday, 14th September, 2017

Present:- **Councillors** Cherry Beath, Patrick Anketell-Jones, Rob Appleyard, Tim Ball, Colin Barrett, Jasper Becker, Sarah Bevan, Colin Blackburn, John Bull, Neil Butters, Anthony Clarke, Paul Crossley, Chris Dando, Fiona Darey, Matthew Davies, Sally Davis, Douglas Deacon, Emma Dixon, Michael Evans, Andrew Furse, Charles Gerrish, Ian Gilchrist, Bob Goodman, Francine Haerberling, Alan Hale, Liz Hardman, Deirdre Horstmann, Eleanor Jackson, Steve Jeffries, Les Kew, Marie Longstaff, Paul May, Alison Millar, Robin Moss, Paul Myers, Michael Norton, Lisa O'Brien, Michelle O'Doherty, Lin Patterson, June Player, Vic Pritchard, Joe Rayment, Liz Richardson, Caroline Roberts, Nigel Roberts, Dine Romero, Richard Samuel, Will Sandry, Mark Shelford, Brian Simmons, Peter Turner, David Veale, Martin Veal, Karen Walker, Geoff Ward, Tim Warren, Karen Warrington and Chris Watt

Apologies for absence: **Councillors** Matt Cochrane, Lizzie Gladwyn, Steve Hedges, Barry Macrae, Shaun Stephenson-McGall, Bryan Organ and Christopher Pearce

#### **29 EMERGENCY EVACUATION PROCEDURE**

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

#### **30 DECLARATIONS OF INTEREST**

Councillor Richard Samuel declared an 'other' interest in item 8 "Save Bath Library petition" as a Trustee of the Citizens Advice Bureau.

Councillor Joe Rayment declared an 'other' interest in item 8 "Save Bath Library petition" as an employee of DHI who work through the One Stop Shop, and a member of one of the unions in dispute.

Councillor Rob Appleyard declared an 'other' interest in item 8 "Save Bath Library petition" as a Trustee of the Citizens Advice Bureau.

Councillor Charles Gerrish declared an 'other' interest in item 9 "Council Company Governance Arrangements and Annual Reports" as a Director of ADL.

Councillor Les Kew declared an 'other' interest in item 9 "Council Company Governance Arrangements and Annual Reports" as a Director of ADL.

Maria Lucas, Monitoring Officer, granted a dispensation to all Councillors on the Communities, Transport & Environment Policy Development & Scrutiny Panel, and the Cabinet, for item 8 "Save Bath Library petition" as the item is to be discussed by these bodies.

Maria Lucas, Monitoring Officer, granted a general dispensation to all Councillors with regard to item 9 "Council Company Governance Arrangements and Annual Reports" as the Council is a shareholder of the companies referred to.

Maria Lucas, Monitoring Officer, granted a dispensation to Councillor Tim Ball with regard to item 13 "Care Leavers and Council Tax".

### **31 MINUTES - 13TH JULY 2017**

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

**RESOLVED** that the minutes of the Council meeting of 13<sup>th</sup> July 2017 be confirmed as a correct record and signed by the Chair.

### **32 ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE**

The Chair made the customary announcements concerning mobile phones and webcasting the meeting.

### **33 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN**

There were no items of urgent business.

### **34 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC**

The Chair made reference to the Q&A document which had been circulated.

Statements were made by the following people;

Bob Hollingdale made a statement updating Councillors on the situation with Uber in London where a cross section of MPs were calling on Uber to lose their licence, as had already happened in a number of cities around the world. He highlighted various examples of attacks on passengers which Uber were not reporting and stressed that the safety of passengers should be at the forefront of any decision making. In response to a question from Councillor Paul Crossley about what checks were made on the quality and accessibility of cars, Bob explained that only the Local Authority did checks and that some of the Uber cars were over 10 years old and in a poor condition.

Paul Roles made a statement explaining that they were moving forward on working with officers and Cabinet Members. He highlighted an article concerning problems with DBS checks being carried out and the need for measures to be put in place to stop TFL drivers working in Bath, at least until their DBS checks were sorted out. Councillor Paul Crossley asked Paul if it was true that the Mayor of London had banned his teenage daughters from using Uber, to which Paul responded that this question had been put to the Mayor on the radio and he'd responded that he categorically would not allow them to use Uber.

Following the above two statements, Councillor Paul Crossley sought the agreement from the Leaders of the Groups with at least 20% of Council seats, in accordance with rule 4A, 34 of the Constitution to allow a 10 minute debate on Uber. This was agreed – the minute of the debate follows this item.

David Redgewell made a statement calling on the Council to work with the West of England Combined Authority to press for Government funds for the 2019 – 2024 period. He also stressed the need for a bus strategy for the West of England area. In response to a question from Councillor Neil Butters about David's view of whether the Tram Forward initiative provided a solution, David responded that there was a place for it and it was worthy of a further look.

Robin Kerr, Chairman of the Lansdown Crescent Association, made a statement raising concerns about safety aspects of the hoardings in front of Hope House which were causing traffic problems, and called on the Council to take action to prevent a more serious accident taking place. Further details can be read in the full statement which is attached to the online minutes. In a response to a query from Councillor Dine Romero as to whether they had already raised this concern with any other parties, Robin explained they were exasperated with repeatedly doing so. That morning, he had spoken to the Managing Director of Acorn, the company responsible for the hoardings, who claimed to be surprised at the concerns, although they had been raised 4 months previously.

Betsi Ifans, a pupil at Ralph Allen school, made a statement on behalf of the Save Bath Libraries campaign, calling on the Council to explore more creative ways of securing funding and gave some examples of successful Council projects via the Libraries Innovation Fund. Further details can be read in the full statement which is attached to the online minutes. In response to a query from Councillor Richard Samuel as to whether the campaign knew why the Council had not put in a bid to the Libraries Innovation Fund, Betsi replied that they did not.

Dionne Pemberton made a statement highlighting the necessary steps the campaign group felt had not been taken before any decision on co-location was taken, including an understanding of user needs, detailed operational plans and impact assessments, meaningful consultation etc. Further details can be read in Dionne's full statement which is attached to the online minutes. Councillor Tim Warren asked Dionne if she would like to see the library put on a long-term stable footing, to which she responded that of course she would. Councillor Richard Samuel asked, with regard to Dionne's points in her statement, whether she felt that a major user survey should be carried out before or after consultation. Dionne responded that it should definitely be beforehand and outlined the very different needs of a library and a one stop shop. Councillor Eleanor Jackson asked if Dionne considered that the principle of a sound evidence base being needed before deciding on co-location applied only to Bath, and Dionne responded that it appeared not.

Andy Halliday addressed the Council raising concerns about the stress and pressure on library staff from the staffing proposals in the Modern Libraries programme. Further details can be read in Andrew's full statement which is attached to the online minutes. Councillor Richard Samuel asked for Andy's view on the appropriate level of professional library staff for Bath Central Library, and how many there were currently. Andy responded that there were 4 full-time librarians and that when he

had started working there in 2003, there had been 16. Councillor Liz Hardman asked whether there was now more dependence on volunteers and whether this was a good thing; to which Andy responded that volunteers weren't able to do the job of front line staff, but they were helpful in peripheral services such as deliveries to the housebound.

Paul Stansall addressed the meeting urging them not to proceed with a Lewis House conversion and change of use, setting out a number of concerns which can be read in full in Paul's statement which is attached to the online minutes. Councillor Tim Warren asked was it not better to have a library rather than closure, as some cities had been forced to do, to which Paul responded that he considered that a false argument. Councillor Richard Samuel asked for Paul's view of the deficiencies of Lewis House for this proposed use, to which Paul responded that he had visited and the staircases were too deep and didn't meet building regulations. Conversion of these alone would be costly and technically demanding. Councillor John Bull referred to Paul's point about appointing a champion and wondered if he had similar concerns for branch libraries, to which Paul responded that he was a Bath resident so needed to choose his battles! Councillor Sarah Bevan asked Paul to explain his concerns about 'design-and-build' mentioned in his statement, to which he responded that this worked for simple problems such as warehouses and sheds, but this was a complex problem.

Luke Emmett addressed the Council and referred to the DCMS Library Task Force set of guidelines for any library move. He outlined his view that the Council had failed to meet any of these 7 requirements and urged an evidence based decision. Further details can be read in Luke's full statement which is attached to the online minutes. Councillor Tim Warren referred to Luke's numbers and asked if he agreed that, based on population, it would appear that a higher percentage of people used the library in Keynsham than in Bath, to which Luke responded that it appeared so. Councillor Richard Samuel asked what the 'Libraries Deliver' document was asking the Council to do, to which Luke responded that it asked for evidence based decisions and proper consultation with communities.

Angie Morgan addressed the Council and asked why they were proceeding with the plans to move the library in the face of such opposition. She queried how the plans would meet the needs of the diverse range of library users and deliver the expected savings. Further details can be read in Angie's full statement which is attached to the online minutes. Councillor Tim Warren asked if Angie was aware that the consultation asked about keeping the library at the Podium, to which she responded that she was.

The Chair thanked all the speakers for their contributions.

## **35 TAXI LICENSING - 10 MINUTE DEBATE**

Following agreement from Leaders of the Conservative and Liberal Democrat Groups, a 10 minute debate was held arising from the public statements on Taxi Licensing/Uber issues.

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

**RESOLVED** that

In view of the:

- recently highlighted revoking of DBS clearance from TfL taxi drivers;
- the statement by the Mayor of London that he won't let his children use Uber Taxis;
- and the inability of our licence authorities to ensure that all taxi operators use cars that meet our minimum criteria for quality and accessibility

Will the Leader of the Council write to our 2 MPs calling on them:-

1. To get the law amended so that licence authorities can insist on their standards being adhered to by all taxi and private hire operators in the authority area.
2. And further, that authorities should be able to insist that DBS is cleared through the authority clearance process and not someone else's;
3. And enable the Council to prevent drivers operating in B&NES without a full DBS clearance having been achieved.
4. To repeal the cross border hiring so that our license authority is paramount in our licensing area.

[Notes:

1. *This debate took place within the Public Statements item.*
2. *The resolution above was carried with 54 Councillors voting in favour, 2 against and 2 abstentions.]*

**36 PETITION FOR DEBATE - SAVE BATH LIBRARY**

The Council considered an item which had been brought forward, following receipt of a petition entitled "Save Bath Library" containing approximately 5000 signatures.

Caroline Ambrose made a statement introducing the petition and formally opening the debate. A copy of Caroline's statement has been added to the online minutes.

On a motion from Councillor Karen Warrington, seconded by Councillor Jasper Becker, it was

**RESOLVED** that

Council notes:

- That the Council is currently undertaking a consultation on proposals for an integrated library and customer service (One Stop Shop) in Bath, which runs until the 15th September.
- That this consultation includes two options: to keep the library in its current location in the Podium with combined One Stop Shop services, or to move the library to the current One Stop Shop location in Lewis House.

- That business cases for these two options are available alongside the consultation for the public to access and view, along with a needs assessment, equality impact assessment, site assessments and design principles.
- That following this stage of consultation and once a preferred location has been chosen, further engagement will take place with service users and residents on the design and layout of the new Library/One Stop Shop, including consideration of matters such as accessibility.
- That combining library and customer services in one location is a model that has proven successful elsewhere, both in other authorities and in other locations within B&NES, including the Keynsham Library/One Stop Shop - where library usage has increased, bucking the national trend.
- That combining the library and One Stop Shop in Bath would save up to £400,000 a year towards an overall £800,000 p.a. saving from the Modern Libraries project, whilst at the same time protecting both our library and customer services and making them sustainable for the long-term.
- That, as well as making our library service sustainable for the future, the Council's Modern Libraries programme is seeking to ensure that our libraries meet the needs of current and future library users through access to books, information, events, face-to-face support, and up-to-date digital technology, together with improved family facilities.
- That, whilst B&NES is seeking innovative ways to protect and enhance our library service, other Councils – including neighbouring authorities - are proposing significant library closures.

Council resolves:

1. To note the points above, and for any comments and contributions made as part of the debate to be recorded and included within the formal consultation.

[Notes:

1. *During debate, an unsuccessful motion was moved by Councillor Richard Samuel, and seconded by Councillor Dine Romero, to acknowledge public concerns, withdraw the project in its current form and to ask Cabinet to amend the budget so that savings could be identified from elsewhere. This was lost on a named vote;*  
Councillors voting in favour (15) – Councillors Rob Appleyard, Tim Ball, Cherry Beath, Neil Butters, Paul Crossley, Andy Furse, Ian Gilchrist, Alison Millar, Michelle O'Doherty, Lin Patterson, Caroline Roberts, Nigel Roberts, Dine Romero, Richard Samuel, Will Sandry.  
Councillors voting against (37) – Councillors Patrick Anketell-Jones, Colin Barrett, Jasper Becker, Sarah Bevan, Colin Blackburn, Anthony Clarke, Fiona Darey, Matthew Davies, Sally Davis, Doug Deacon, Emma Dixon, Michael Evans, Charles Gerrish, Bob Goodman, Francine Haerberling, Alan Hale, Deirdre Horstmann, Steve Jeffries, Les Kew, Marie Longstaff, Paul May, Paul Myers, Michael Norton, Lisa O'Brien, June Player, Vic Pritchard, Liz Richardson, Mark Shelford, Brian Simmons, Peter Turner, Martin Veal, David Veale, Karen Walker, Geoff Ward, Tim Warren, Karen Warrington, Chris Watt.  
Councillors abstaining (6) – Councillors John Bull, Chris Dando, Liz Hardman, Eleanor Jackson, Robin Moss, Joe Rayment.

2. *During debate, an unsuccessful amendment was moved by Councillor Joe Rayment, and seconded by Councillor Robin Moss, to acknowledge that the library and the One Stop Shop would be diminished by the moves, and calling for an urgent update about the future of branch libraries. This was lost with 9 Councillors voting in favour, 34 Councillors voting against and 15 Councillors abstaining.*
3. *The successful motion was carried with 34 Councillors voting in favour, 20 Councillors voting against and 2 abstentions*
4. *Councillor Nigel Roberts asked that his vote against the substantive motion be recorded].*

### **37 COUNCIL COMPANY GOVERNANCE ARRANGEMENTS AND ANNUAL REPORTS**

The Council considered a report regarding the appropriate governance arrangements for its interests in Local Authorities companies and their annual accounts.

On a motion from Councillor Charles Gerrish, seconded by Councillor Tim Warren, it was

#### **RESOLVED**

1. To note the recommendations of the EY corporate structure review report (Appendix A);
2. To agree the principles and structures for governance arrangements of Council companies as set out in the proposed Protocol (Appendix B);
3. To delegate the implementation of the group structure and required streamlining to the Chief Executive, in consultation with the Leader and Portfolio Holder for Finance; section 151 Officer and Monitoring Officer;
4. To note the ADL 2016/17 year end draft audited accounts (Appendix C) recognising that they have been presented to Resources PDS;
5. To note the BTP 2016/17 year end draft audited accounts (Appendix D) and recommend that they should be presented to the Planning, Housing & Economic Development Policy Development & Scrutiny Panel;
6. To approve the addition of a new scheme of £300k loan into the Capital Programme entitled BTP transitional funding;
7. To delegate authority to authorise the loan to BTP to the Strategic Director of Resources (s151 Officer), in consultation with the Cabinet Member for Finance and Efficiency, once satisfied that due diligence has been completed and subject to the relevant terms and conditions;
8. To note that as a loan condition, a detailed review of the BTP business plan is required in advance with the future years plan from 2018/19 to be presented to the Council Shareholder for approval, and which also demonstrates concern for the tourism needs and potential of North East Somerset;

9. To request that Cabinet incorporate the following recommendations, made by the Resources PDS panel on 13<sup>th</sup> September 2017 into the proposed governance structure;
  - a. That regular performance reports be brought to the relevant Scrutiny Panel or Committee on a 6 monthly basis on all commercial activity;
  - b. That the principle of a clear distinction between the role of Cabinet and the role of the board/company be established within a reasonable period of time; and
  - c. That legal advice as to how and when a greater scrutiny mechanism can be achieved for decisions made by, or in consultation with, the Leader in his or her role as shareholder is obtained.

*[Notes:*

- 1. The wording in resolution 9 above was proposed by Councillor Andrew Furse and accepted into the substantive motion by the mover and seconder of the motion.*
- 2. The underlined wording in resolution 8 above was proposed by Councillor John Bull and accepted into the substantive motion by the mover and seconder of the motion.*
- 3. The successful resolution was carried with 54 Councillors voting in favour and 1 abstention.]*

### **38 YORK STREET INFRASTRUCTURE WORKS**

The Council considered a report regarding funding for urgent works on the underground vaults under York Street.

On a motion from Councillor Mark Shelford, seconded by Councillor Tim Warren, it was unanimously

#### **RESOLVED**

1. to accept the addition of a new scheme into the Capital Programme entitled York Street Infrastructure works;
2. to re-direct funding of up to £539k from the provisional capital schemes (identified in section 3.1 of the report) to the proposed York Street Infrastructure works scheme, delegated to the Strategic Director of Place, in consultation with the relevant Cabinet Member;
3. to approve the use of the Capital Contingency allocating £50k to the proposed scheme;
4. to approve the two phase approach to the repairs outlined in the report; and
5. to note the risks associated with repairing the structure before the Christmas market takes place.

### **39 ANNUAL REPORT - CORPORATE AUDIT COMMITTEE**

The Council considered the Annual report of the Corporate Audit Committee which details its work over the last year.

On a motion from Councillor Brian Simmons, seconded by Councillor Andy Furse, it was unanimously

**RESOLVED** to note the Annual report.

#### **40 OUTSIDE BODIES REVIEW**

The Council considered a report concerning its arrangements for councillor representation on outside bodies.

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

**RESOLVED** unanimously

1. To note the list of current representatives and any necessary amendments raised;
2. To adopt a half-yearly report back process as described in the report; and
3. To approve the Outside Body Policy, attached at Appendix 2.

#### **41 MOTION FROM THE LABOUR GROUP - CARE LEAVERS AND COUNCIL TAX: A FAIRER START FOR CARE LEAVERS**

The Council considered an agenda motion from Councillor Joe Rayment, seconded by Councillor Liz Hardman, which was

**RESOLVED** unanimously that

Council notes that:

1. Under the Children and Social Work Act 2017 this Council has a statutory duty to support care leavers under the age of 25.
2. The recent Ofsted report on B&NES Children's Services identified the experiences and progress of care leavers as requiring improvement and recommended proactive support.
3. A large number of local authorities across the country have introduced measures to exempt care leavers from Council Tax, following publication of The Children's Society's 'Wolf at the Door' report 2015, which showed care leavers to be a group who are particularly vulnerable to falling into Council Tax debt when moving into independent accommodation for the first time.
4. Research from The Centre for Social Justice found that over half (57%) of young people leaving care have difficulty managing their money and avoiding debt.

5. The 2016 Government Report Keep on Caring: Supporting Young People from Care to Independence encourages local authorities to think creatively about how they can support care leavers in ways that reasonable parents would and to consider how they can support care leavers financially through, for example, Council Tax exemption.

This Council believes that:

1. Care leavers need support to make their transition from care to adult life as smooth as possible and to reduce the chance of falling into debt as they begin to manage their own finances.
2. Care leavers are a particularly vulnerable group for Council Tax debt.
3. **We should also continue to support fostering within Bath & North East Somerset as a positive choice for local families.**
4. **It is ideal for looked after children to stay as locally as possible and maintain school, health and family networks as well as being most cost-effective solution for the Council.**

Council agrees therefore:

1. To ask the Cabinet to:
  - a. investigate options to exempt care leavers from Council Tax until they are 25;
  - b. investigate options to provide a discount on Council Tax for B&NES-supported foster carers;**
  - c. report back to Council in time for budget setting for 2018/19.

*[Notes:*

1. *Wording in 3 and 4, and b. indicated in bold above was proposed by Councillor Chris Watt and accepted into the substantive motion by the mover and seconder.]*

## **42 MOTION FROM THE LABOUR GROUP - TACKLING HATE CRIME**

The Council considered an agenda motion from Councillor Robin Moss, seconded by Councillor Charles Gerrish which was then

**RESOLVED** unanimously that

This Council:

1. Notes:
  - a. The Association of Chief Police Officers and the CPS have agreed a common definition of hate crime: "Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility

or prejudice based on a person's race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender".

- b. that figures show a 20% rise in all forms of hate crime reported to the police in the first quarter of this year but that hate crime is also believed to be significantly under-reported;
  - c. that under new guidance, the Crown Prosecution Service will treat online hate crimes as seriously as offences committed face to face;
  - d. the excellent work that SARI undertakes in schools in B&NES to raise awareness of these crimes; and
  - e. the work done by the B&NES Hate Crime and Community Cohesion Partnership (BHCCCP).
2. Agrees that it has a role as a community leader to take a lead in challenging hate crime in whatever form it may take and that division and intolerance have no place in society.
  3. Urges everybody, including elected members, to report hate crime to the police if they experience or witness it.
  4. Resolves to adopt the International Holocaust Remembrance Alliance working definition of antisemitism as recommended by the Secretary of State for Communities and Local Government. This definition states that Anti-Semitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.
  5. Asks the Leader of Council to:
    - a. Invite the Police and Crime Commissioner for Avon and Somerset to provide an update on the measures being taken to tackle hate crime, including overcoming possible barriers to reporting; and
    - b. Work with local organisations to raise awareness of hate crime and how to report it, noting that Oxford City Council have recently worked in partnership with the police and other organisations to implement a poster campaign encouraging people to report these crimes.

*[Notes:*

1. *During debate, Councillor Tim Warren moved a motion, duly seconded, that in accordance with Council rule 4A, 48, the Council meeting continue until 10:20pm so that it could conclude its business. This was agreed by a majority.]*

#### **43 MOTION FROM THE LABOUR GROUP - PUBLIC SECTOR PAY CAP**

The Council considered a motion from the Labour group regarding the public sector pay cap.

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

## **RESOLVED**

Council notes that:

1. In 2010 the Coalition Government inherited the largest peace-time budget deficit in this country's history.
2. In order to reduce this budget deficit and restore our public finances, difficult decisions over public spending and public sector pay have had to be taken by both the current Conservative Government and previous Coalition Government.
3. As part the current and previous Governments' measures to reduce the budget deficit and restore our public finances, local government employees have had a pay freeze from 2010-2012, with annual pay rises of 1% since this time (excluding pay increments and increases resulting from minimum wage/living wage changes).
4. The Office for Budget Responsibility estimates that 200,000 public sector jobs have been protected as a result of the Government's pay policy.
5. Despite the significant financial challenge faced by the current and previous Government, 4 million of the lowest paid workers have been taken out of paying Income Tax altogether and 13 million workers have had their Income Tax reduced, benefiting all workers including those in the public sector.
6. The introduction by the Conservative Government of the National Living Wage has resulted in a pay uplift for Council employees on lower pay bands, and that the Government is committed to continue increasing the National Living Wage to 60% of median earnings by 2020.
7. The Local Government Employers organisation has calculated that the NJC pay claim as submitted by GMB, Unison and Unite would cost £559 million nationally, and that a 5% pay increase – as proposed by the NJC - would cost around £3 million to B&NES.
8. The Government is currently considering the recommendations of various independent public sector pay review bodies, with the Government responding to the first of these - relating to police and prison staff – earlier this week.

This Council believes that:

1. It has been right for the Government to take the necessary steps to reduce the budget deficit and restore our public finances, and recognises the significant contribution and sacrifices that public sector workers have made to these national efforts.
2. Whilst pay policy will continue to have a role to play in the Government's efforts to reduce the deficit and protect our economy, some greater flexibility is needed in relation to public sector pay going forward, particularly recognising recent increases in inflation.

Council resolves therefore to:

1. Continue to work through the Local Government Employers association to reach agreement on a pay settlement for 2018/19 onwards, a national process which will include consideration of the NJC proposals.
2. Ask that the Government listen carefully to the recommendations of the public sector pay reviews currently being undertaken by independent review bodies nationally, and that through the LGA the Council lobby Government that any uplift in public sector pay nationally is also reflected within the 2018/19 local government grant settlement.

*[Notes:*

- 1. The resolution above was a successful amendment to the original Labour motion and was carried with 32 Councillors voting in favour and 22 Councillors voting against.*
- 2. This then became the substantive motion which was carried with 32 Councillors voting in favour and 22 Councillors voting against.]*

#### **44 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS**

Councillor Robin Moss had registered to make a statement but this was deferred until the next meeting.

The meeting ended at 10.20 pm

Chairman .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

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# COUNCIL 14<sup>th</sup> SEPTEMBER 2017

## QUESTIONS FROM THE PUBLIC

<b>P</b>	<b>01</b>	<b>Question from:</b>	<b>Nicolette Boater</b>
<p>In view of</p> <ul style="list-style-type: none"> <li>• the concerns and findings of the March 2017 Communities and Local Government parliamentary select committee inquiry<sup>i</sup> into the effectiveness of local authority Overview &amp; Scrutiny arrangements;</li> <li>• the erosion<sup>ii</sup> of B&amp;NES Council's Overview &amp; Scrutiny officer resource over the last 10 years and increased reliance<sup>iii</sup> on executive officers to fill the void;</li> <li>• the failure of Overview &amp; Scrutiny, under both Conservative and Liberal Democrat administrations, to prevent of the order of £3m wasted expenditure on P&amp;R East;</li> </ul> <p>what assurance can the Council provide, and/or what changes will the Council be making to ensure, that going forward, its Overview &amp; Scrutiny arrangements are adequate and effective in holding the executive to account in the interests of the communities it serves?</p> <p><i>i - In response to the Select Committee's request for evidence on "The extent to which scrutiny committees operate with political impartiality and independence from the executive" and "whether scrutiny officers are independent of and separate from those being scrutinised", respondents highlighted the continuing importance but changing nature of Overview &amp; Scrutiny as financial challenge, greater commissioning of services and partnership working become more prevalent. Furthermore, noting local authorities' increasing "lack of specialist, dedicated officer support", the Centre for Public Scrutiny warned that there is a "tipping point...beyond which effective scrutiny becomes impossible...where only a fraction of an officer post is devoted to scrutiny support" (paragraphs 97 &amp; 107 of the CfPS evidence). <a href="http://www.parliament.uk/business/committees/committees-a-z/commons-select/communities-and-local-government-committee/inquiries/parliament-2015/inquiry6/">http://www.parliament.uk/business/committees/committees-a-z/commons-select/communities-and-local-government-committee/inquiries/parliament-2015/inquiry6/</a></i></p> <p><i>ii - This has fallen from 4 FTE in 2008 to just 0.6 FTE today, with the remaining officer assuming the Scrutiny Officer role defined by the 2009 Local Democracy, Economic Development and Construction Act, rather than being appointed on the basis of the strategic, policy, and decision-making skills the role demands. Critically for P&amp;R East, such an informed independent overview perspective was seemingly absent in the latter part of the 2011-15 administration. Failure to see the importance of transport issues or grasp the complexity of strategies and initiatives to tackle this, led to a failure to take the initiative in challenging the Executive of the current administration on the P&amp;R East issue. Instead it was left to the Cabinet at 12.11.15 Council to request its scrutiny and in so doing determine its purpose and scope. However by the time of the 31.3.16 scrutiny inquiry some £2.5m had already been spent developing the scheme!</i></p> <p><i>iii - In the absence of an appropriately skilled and empowered Scrutiny Officer guiding and supporting PDS Members, other statutory and/or senior executive officers have extended their policy and decision-making influence to that of Overview &amp; Scrutiny:</i></p> <ul style="list-style-type: none"> <li>• <i>Strategic directors set PDS Panel meeting agendas, determine the input from service officers and information made available to PDS Members, and often preside over the meetings themselves. Whilst a necessary and welcome contribution, this can impact on the rigour and impartiality of the resulting scrutiny. For example at the 23.11.16 Resources PDS Panel meeting, discussion of the escalating amount of public money being committed to the P&amp;R East project was confined to the "unexceptional" procedural issues arising from the "rejection" of an attempted Call-In on the subject, whilst discussion of the more strategic, feasibility or desirability issues of concern to community stakeholders were excluded.</i></li> </ul>			

- *The same service officers advising Cabinet, increasingly also lead on major scrutiny inquiries. For example the lead officer for the March 2016 Scrutiny Inquiry Day into transport solutions East of Bath was not a Scrutiny Officer but the same officer managing the P&R East project on behalf of the Cabinet. As alluded to in my 4.5.16 Cabinet statement on this subject, this resulted in issues being pre-framed, stakeholder participation being skewed towards P&R East supporters, and significant decision-making evidence and insights emerging from the inquiry being overlooked.*
- *The Overview & Scrutiny function has, since January 2015, been subsumed within the Strategy and Performance Division, thus eroding its distinctiveness and independence from executive policy-making. This has also allowed more direct, but less transparent, control of Overview & Scrutiny resource by the Executive. For example, further reduction in PDS resource was approved in appendix 4 of 2017-18 directorate plans as part of a continuing “consolidation of policy functions” without reference to the associated risk to the impartiality, independence and effectiveness of the Overview & Scrutiny function.*
- *The January 2015 corporate restructuring has also amplified the power imbalance between process-driven Democratic Services and policy-driven Scrutiny. This was, for example, apparent in the way the strictly enforced process for the February 2017 Call-In made rigorous or in depth examination of the multi-faceted and complex evidence of public speakers impossible.*

**Answer from:**

**Councillor Tim Warren**

The Council takes its responsibilities on Overview and Scrutiny seriously and invests heavily in the process, running 5 panels with regular meetings and inquiry days. Officers at all levels are aware of the differences between Executive decision making and Overview and Scrutiny. How the Council chooses to structure the support functions to this member function is an operational decision and we seek to be both efficient but also effective. The work is set out in the attached annual report which details how this works in more detail;

<https://democracy.bathnes.gov.uk/documents/s47658/Annual%20Report%202016-2017.pdf>

# **COUNCIL 14<sup>th</sup> SEPTEMBER 2017**

## **PUBLIC STATEMENTS**

### **PUBLIC SPEAKERS**

1. Bob Hollingdale Uber DBS checks (London TFL Drivers)
2. Paul Roles Uber DBS checks (London TFL Drivers)
3. David Redgewell Bus Services/Mass Transit proposal
4. Robin Kerr Hope House Hoardings Danger
5. Betsi Ifans Save Bath Library petition
6. Dionne Pemberton Save Bath Library petition
7. Andy Halliday Save Bath Library petition
8. Paul Stansall Save Bath Library petition
9. Luke Emmett Save Bath Library petition
10. Angie Morgan Save Bath Library petition

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If we are to proceed with a mass transit scheme we need to make sure the plans are realistic. The Light Rail Transit Association (Tram Forward) could advise on this as they have been involved in the Westway study and cut and cover tunnels such as those at Newcastle Upon Tyne and Hannover. I myself have been involved in the Trans-Clyde project in Glasgow but we must stay focused on MetroBus, MetroRail delivery and Better Bus A38 North to Thornbury and A370 to Weston-Super-Mare.

Other stakeholders could include RMT, TSSA, ASLEF, Unite, Network Rail, First Group, MTR and Stagecoach and a number of rail engineering firms. We must make sure that any mass transit scheme is fully integrated with MetroWest Phases 1 & 2 to Portishead, Bath and Gloucester including the Henbury loop. It should hub and spoke at Temple Meads and Broadmead.

Of course at Temple Meads we are dealing with a Grade 1\* listed building and a number of important heritage buildings including the George and Railway, Grosvenor hotel and Cattle Market Tavern.

In East Bristol we are looking at coal mine shafts as well as the River's Frome and Avon in Bristol and Bath.

We should be looking at the Midland Railway corridor between Bristol and Bath, North Somerset Railway to Brislington with a link to the new Hengrove housing estate and the new Bath tramway scheme as well as the Bristol Airport tram/train link on the A38 with a potential conversion of the South Bristol link road to include a tramway.

We must continue to fund disability access and station improvements.

Regards

DAVID R

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## **Hope House Hoardings Danger - Statement to the Council 14<sup>th</sup> Sept 17**

Councillors:

As Chairman of the Lansdown Crescent Association I present to you a matter of high risk to the safety of our resident members, and others. Since April 2016 the Association has voiced its serious concerns about the effect of the hoardings in front of Hope House, in Lansdown Road. These were installed early last year, supposedly to ensure 'site security', but seem to perform no obvious function other than to provide advertising space for the development. There is an existing wall behind them, on which, to date, no demolition or construction work has taken place. The effect of the hoardings is seriously to impede visibility down the hill for drivers of vehicles emerging from Lansdown Place East into Lansdown Road. It is possible to lose sight of at least two vehicles in the concavity of the hoardings below the door into Hope House. Vehicles in this concavity are unable to see emerging cars.

As well as numerous near-misses, which we are now logging, we have on record details of two collisions that have taken place at this junction since the hoardings were installed. These details were passed on to Peter Bailey, Council Area Traffic Engineer. One involved a motorcyclist, coming up Lansdown Road, being knocked off by an emerging car; and the other a collision between a car and a van in similar circumstances. Fortunately no serious injuries resulted but we consider that effective action must be taken before a more serious collision occurs.

To date there have been two attempts to correct this problem. Neither has made any difference to the described lack of visibility. The cure requires complete removal of the hoardings from the corner of Lansdown Place East down to the entrance door to Hope House. Without action, the hoardings will remain for at least a further year, in which time it seems inevitable that a catastrophe will happen.

We urge the Council to take action in the very near future to resolve this before a preventable life-changing event occurs.

Robin Kerr, Draft 2 dated 12 Sept 17

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## **BATHNES COUNCIL MEETING 14<sup>TH</sup> SEPT 2017 PUBLIC STATEMENT**

Hello, my name is Betsi Ifans. I'm a pupil at Ralph Allen, library user and am reading this statement on behalf of SAVE BATH LIBRARIES.

**In 2016, via its Libraries Taskforce, the Department for Culture Media and Sport published LIBRARIES DELIVER and set out best practices for local government.**

You'll recall Costa Award winning author Moira Young presented LIBRARIES DELIVER here on February 14<sup>th</sup> when we submitted our petition.

**Seven months on, we are concerned to note the MODERN LIBRARIES PROGRAMME is still falling well short of DCMS standards.**

For context, less than 1% of local government spending goes on libraries. Our (partly answered) freedom of information requests suggest Bathnes spends considerably **less**.

As proven outcomes far exceed expenditure, the DCMS direction is to **treat libraries as an asset not a cost**.

Further, **councils should NOT cut library services in response to ad hoc savings targets**.

**Downgrading a busy city library for ad hoc savings does NOT meet the DCMS' standards.**

One of the key modern libraries challenges to officers is to diversify and maximise funding opportunities. One of the many ways other councils are already doing this is through the Libraries Innovation Fund. All local authorities were invited to submit and in March £4million was shared between 30 councils.

Here are five examples of winning council projects:

In Manchester, £250,000 was awarded to develop specialist workshops in innovations such as 3D printing.

In Devon, £245,000 to roll out services to rural communities to improve employment prospects.

Hampshire won £238,000 to support a tablet computer lending service for the disadvantaged and socially isolated.

Sefton won £99,000 to create a 'human library' project where people can 'gift' their talents to socially isolated adults or those in need.

Greenwich won £125,000 to create an indoor soft play area built around the theme of children's literature.

**Wouldn't all of these have been fantastic for Bath & NE Somerset?**

So what **did** we receive?

**ZERO.**

Ian Savigar says **winning funding was not part of the Modern Libraries Programme**.

**Councillors, residents need you to challenge officers to get up to speed and on the page.**

Thank you.

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Let's talk about co-location.

Before this council rushes into a terrible mistake you should all know council officers have not done their homework.

They have not collected user data in the library or the one stop shop.

They have not looked at other co-located sites around the country

They don't have an operational plan, design or impact analysis to back up their proposals

They have not done any proper research on whether or not a library co-located with a One Stop Shop will work for or benefit the people of Bath.

But you're poised to spend millions.

And council officers have not done their homework

Luckily, we have.

Save Bath Libraries have been talking to experts and library users and looking at hundreds of examples of co-location.

We've found that the most important ingredients in successful co-locations are:

- a clear understanding of user needs as a starting point
- a wide range of models narrowed down with the help of experts and librarians
- evidence the space is sufficient
- a detailed operational plan
- an impact analysis for each individual service.
- a meaningful consultation with residents about whether or not integration is favoured.

Not **one** of these ingredients for a successful co-location is to be found in the council's consultation documents.

**No user study**

**No operation plan**

**No impact analysis**

**No evidence that successful sites were visited or contacted.**

Council has no idea if co-location in Bath will work.

The only evidence they offer is threadbare, and it is this:

“It works in Keynsham, therefore it will work in Bath”.

In fact it *does* work in Keynsham. There we have an award-winning, purpose built and spacious design with more books, a fantastic event space and an environment people enjoy using.

But that is not what the council are proposing.

In contrast to Keynsham, Lewis House would have

- half the library space
- no stockroom
- no event room
- no large study space
- no safe large children’s area

and council’s own commissioned accessibility report raises significant concerns about Lewis House as a site for a library.

Keynsham is not the same of Bath and no amount of wishful thinking will make it so. For one, Bath gets TEN TIMES the daily visitors Keynsham does.

Librarians, architects, property professionals, chartered surveyors all agree what is being proposed - in both Lewis House and The Podium - is set for disaster.

Officers must produce the evidence to prove them wrong - or find a bigger site.

If this Council rushes to co-locate library and council services in Bath without performing due diligence they risk burning through millions of tax payers' funds with no hope of success. Again.

The last thing residents want to see is millions MORE wasted on disastrous plans.

The backlash from residents will be overwhelming.

Bath deserves better than this.

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### **Andy Halliday statement**

I am here to express my concerns ref the staffing proposals contained in the present budget so far as they relate to the Modern Library Programme. With a cumulative figure of 58 posts, 29 being at BCL, BY THE MONTH END 8 posts will have become vacant in the Podium and not to be replaced. I am already seeing the stress indicators amongst front line staff trying hard to deliver quality service at all points. With the eventual requirement to lose 25 library posts the impact will be traumatic for both remaining staff and for service delivery. The loss of the highly trained experts with years of experience and knowledge cannot be replaced, and certainly not by Integration of OSS staff into the Library operations. I am fully aware that the integration of staff at Keynsham took considerably longer than was planned-with noticeable repercussions .Meanwhile the loss of Bath based staff combined with increasing sickness has already resulted in closure of Branches, and some Sunday openings in the Podium--which sadly reflects on our ability to provide a proper Library service. At the heart of this I see former colleagues bit by bit showing obvious signs of worrying health issues--a situation I as their former manager would like to flag up ,as ones which I fear are not going to improve as a result of Savings -figures themselves not substantiated - agreed earlier this year. Please, in consideration of staff health, revisit that decision.

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With a property portfolio of around £500m a new library and associated Council activities might cost some of 2-3% of this. And of course it would remain an asset on our Council's balance sheet, year on year! The question then is: do we deserve a new library? The answer from BANES Council is a resounding no. Our World Heritage City, home to world class festivals does not deserve better!

Lewis House or Podium, a choice that is no choice. But the Podium library ain't broke and to date has delivered a modern service. The Council's current de-skilling of our library will have negative service and fiscal impacts beyond the current Tory administration. Every CEO knows an organisations most valued asset is its qualified personnel. Believe it or perish.

A Lewis House conversion and change of use is the worst option, carrying high risk of fiscal and delivery failure. I've looked over the building and I've seen this situation too often in my career. It's already an office. Let this sleeping dog lie. The Podium is already a library. Only tin-eared, hubris would swap these two buildings over. To go with Lewis House would mean throwing our money into a black-hole and spending Council time and effort on an uncertain outcome. Public outrage at the loss of an old friend followed by disaffection would ensue with further election losses for those responsible. [BANES council please march-in-step with a library solution led by a council-citizen-librarian coalition.](#)

Refurbishing the Podium library - pointers

An hour spent in briefing and design can cut days from construction time and save thousands in costs; research the user brief; embrace library professionals; plan for service continuation during construction; protect our book-stock; design right-first-time; appoint an experienced design team; brief the architects/designers directly; needs will change, so design-in future flexibility; 'scenery-and-sets' that avoid locking in a One-Stop-Shop, which at some point will morph into a different animal; mechanical, electrical and data services are often the most expensive 'fixes' taking up to two-thirds of contract costs; get a good QS on-board and drop your management consultants; a formal 'post-commissioning' contract is essential to saving Council time and money chasing problems after handover; a BSRIA 'Soft Landings' approach provides a best-practice model for ensuring a refurbished Podium space will work well.

Next steps

Appoint a champion for libraries. A team leader. Someone passionate about our library, actively finding money and support when needed. Former cabinet members have been tardy, indifferent and listless. Bath has already missed the statutory funding boat. But we still have two world class universities to speak to. In the meantime please visit inspiring UK exemplars - the Hive, the Storyhouse, the Word for example. These libraries work to reduce the costs of local social services. Tap into Bath's creative energy - citizens, professional librarians, the best designers, the best constructors. Build the team on Bath's creative expertise. Lastly, avoid the perils of 'design-and-build', in my experience it's too risky and rarely delivers what's required.

P. J. Stansall RIBA - Friends of Bath Podium Library

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Good evening everyone. The department for Culture, Media and Sport's library task force have created a set of guidelines for Council's considering library changes. This document is supported by both central government, and the LGA, but so far B&NES Council have failed to meet **any** of the recommendations contained within it.

**Councils should develop library services using 7 common design principles so they:**

1. meet legal requirements
2. are shaped by **local** needs
3. focus on **public benefit** and deliver **a high-quality** user experience
4. make **decisions informed by evidence**, building on success
5. support delivery of consistent England-wide core offers
6. promote **partnership working**, innovation and enterprise
7. **use public funds effectively and efficiently**

- The current proposals represent a **significant reduction** to library services in **a pre-determined** integrated service format. No **lawful consultation** has been carried out.
- No user study has been carried out to ensure that services are **shaped by user need**. Instead Council Director Ian Savigar confirmed in August that user needs are not a factor in making the decision. Residents can have a say in the design, **after** the decision has been made.
- The focus is on helping the council achieve ad hoc efficiency savings arising from an overstuffed One Stop Shop, and the council's stated desire for bigger office space.
- The user experience will be lessened eg unqualified staff, up to half the space, no event room, cramped floor space and Lewis House, a building which falls well short of 21st Century design, safety & accessibility standards
- There is nothing to support the delivery of core offers
- Partners do not seem to have been consulted. The solution of co-location is way behind the best innovative solutions and enterprise Betsi will be talking about tonight.
- Wasting public funds. This is a **massive gamble** of up to £6.4m for spurious savings of up to £800k which the council have admitted **are merely a target** rather than a deliverable plan.
- There is **no evidence** other than wild claims about Keynsham providing co-location will work in Bath, when in fact Keynsham was all about improving the space, size, event room, and book-stock. Keynsham library is also tiny. Just 3k visits per month compared to Bath's 500,000 per year. What works in Keynsham **might** be applicable to Midsomer Norton but **not** Bath Central Library. We know of no example of a successful co-location where a busy city library has been halved and downgraded. Ian Savigar didn't know of one either. **We need council to make evidence-based decisions.**

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## **Statement to Bath Council for meeting on 14/9/17**

I am writing (speaking) to you today as a local author and illustrator of children's books who finds the council's persistently wrong headed approach to the proposed down sizing of the Podium Library and move to Lewis House profoundly upsetting as well as incomprehensible. In spite of the thousands of signatures, countless demonstrations, by people like myself not normally given to shouting in the street or sitting down in the middle of Milsom Street and opposition by people vastly more worthy than myself (Neil Gaiman, the ex children's laureate Chris Riddell, Ian Hislop of Private Eye, Ken Loach, David Almond and Bel Mooney) – the Council seem to be deaf to reason.

I recently completed the Banes so-called consultation, which wasn't anything of the sort and was chiefly interested in my age (not relevant) and ethnicity (also not relevant) among other equally stupid questions – while persisting in only offering the move Lewis House as the only option. I would therefore like to some answers to the following questions.

1. Why are the council so committed to the plan in the face of such massive opposition? Is there something we haven't been told?
2. How can removing the browsing facility in favour of a click and collect service improve literacy and a love of books in our children?
4. Where are the elderly, the homeless, school students and families on low incomes expected to access books in the future? Not in the multi storeyed Lewis House which has been proved inaccessible to the disabled and difficult to navigate for the elderly.
3. How can a move rumoured to be costing upwards of £6,000,000 wherein the staff of Lewis House will change places with the Library (!) possibly see a proposed saving of £800,000 per annum. By my calculations it would take 8 and a half years to even start to break even.
4. The Widcombe one way system? How many libraries could have been saved (or even built) if that expensive and misguided project had never taken place?

The council needs to know that the feeling behind the Save Bath Library campaign is stronger than it realises and that none of us is going to give up until either you agree to keeping the library where it is or better options are found which will improve our library services rather than devaluing them.

Angie Morgan September 11<sup>th</sup> 2017



Thank you Chair and Councillors. My name is Caroline Ambrose. I'm the founder of two literary awards, one of which involves working with young readers whose life chances are closely linked to library services. It's my honour to kick off this debate about Bath Central Library as per the petition begun by library archivist and whistleblower Julie Hazelwood.

Save Bath Libraries would like to take a moment to thank the thousands of residents whose ever growing support has brought us to this point. We know many of you are watching the feed tonight to see what councillors will have to say about the true cost of cutting Bath's library services.

Exactly seven months ago, on a dark Valentine's night, our 5.2k strong petition was presented by schoolboy Alex Lea. Soon afterwards and in good faith a majority of councillors passed the budgeted Modern Libraries Programme savings and costs.

Savings were declared to be £800k and whilst not broken down, councillors were assured cabinet members had gone through them with a fine-toothed comb and were satisfied they were achievable.

Residents were surprised by the £800k as there's no sign of it in The Podium. Total bookstock spend for all B&NES is just £132k per year. Staff costs have fallen for ten years with services supported by unpaid workers. B&NES currently spends less on library staff per resident per year than the price of a single paperback novel. And the rent? It's just £1 a year.

While nationally, less than 1% of LGA spending is on libraries, I challenge you to find a city that spends less on its library than Bath.

When we requested a detailed breakdown of the £800k no one had an answer. Directors told March's Scrutiny Panel there *was* no breakdown or even a business plan. The £800k was an aspiration, an ad hoc savings target they had to meet. Directors further clarified that how much of the savings could or couldn't be achieved would not be fully worked up **after** the final decision to had been made as to do so would look like a waste of public money.

Let's stop and think about that. However well-meaning, the consequences of not making decisions based on solid evidence has never been clearer than in 2017 Bath. Councillors, we need you help B&NES break this pattern of poor decision making that ends in political chaos and wastes public millions.

Because here we are again. Seven months on, and still no concrete evidence for these savings. Costs have gone up, we have an alternative site, still no consultation about co-locating and just 2 library questions. This consultation comes with a lot of documents, but none of them contain the vital information about how that savings target can be guaranteed. Councillors are being asked to make a high risk high stakes gamble with our public millions.

More than ever, councillors need to be fully satisfied about public expenditure decisions. Every financially minded person who looks at these numbers winces. Ernst and Young say information is incomplete.

I've spent much time trying to understand how these plans can be tweaked to deliver. I've read every document, consulted library experts, looked at best practice, funding models and income streams used by other councils and hundreds of library users. Lewis House is evidently disastrous on all counts. And while I've longed to find proof The Podium option might be something we could and should all get behind, the evidence is clear.

Neither option is viable. Both would cost Bath dear. Not just the capital millions, not even just the spurious savings, but the enormous and glaring additional costs seemingly not considered in all these documents. Meanwhile other councils are busy bringing income and funding in as set out by the DCMS. The event room alone could have been generated six figures in income during the time it's been closed, whilst still providing a wide range of free events to inspire, educate and develop skills.

Where is the impact analysis? Strong library services are known to lessen other service costs especially health, welfare, employment whilst strengthening the local economy. And what about the impact on the business community? Moving 500k in footfall away from the very areas where shops and business are already struggling post Southgate will have a big impact. Where is the work on this? For those outside the city, how will your local residents react when millions are spent, savings aren't as billed and the additional costs mean finding ever more services to cut. Residents across the whole of Bath and North East Somerset need all of you to put party lines aside and come together to sort this mess out while there's still time.

Thank you.

# COUNCIL 14<sup>TH</sup> SEPTEMBER 2017

## COUNCILLOR QUESTIONS

<b>M 01</b>	<b>Question from:</b>	Councillor Dine Romero
Does the Leader of the Council agree with the decision of the Secretary of State for Communities and Local Government to intervene in the Foxhill outline planning application?		
<b>Answer from:</b>		Councillor Tim Warren
<p>Clearl, it is very important that Curo gets the plans for Foxhill right for the benefit of the city, the local community and all residents. I therefore welcome any additional scrutiny of plans which are as significant and important as these; though obviously the decision on whether there are grounds for the application to be called in is a matter for the Secretary of State.</p>		
<b>M 02</b>	<b>Question from:</b>	Councillor Andy Furse
Could the Cabinet member clarify the financial relationship between Curo and the Council with regard to the Foxhill regeneration scheme?		
<b>Answer from:</b>		Councillor Charles Gerrish
<p>The Council has 3 areas of work in which it has a direct financial relationship with Curo at Foxhill:</p> <ol style="list-style-type: none"> <li>1) Curo entered into a Planning performance Agreement with the LPA for the recent Outline Application. This was in accordance with the current LPA policy on PPAs and the value of the agreement was calculated to cover the costs of bringing the complex application to determination. It is likely future PPAs will be put in place for any forthcoming reserved matters applications for Foxhill or neighbouring Mulberry Park. The value of the PPA is commercially sensitive information</li> <li>2) Housing Zone Capacity Funding: Curo is in contract with the Council until March 2018 for the provision of an Independent Residents Advisor. The value of this contract £93,960 and the funding came from a successful Housing Zone Capacity Fund bid submitted by the Council. This funding has secured 2 years of support to residents at Foxhill by resident engagement specialists, TPAS. Provision of this service will continue after the current contract expires, this time funded directly by Curo through a successful Estate Regeneration bid to DCLG earlier this year. A Panel of Council and Curo officers, residents and Ward members oversees the Project</li> <li>3) Communities Fund: The Council was successful in securing £65,000 from the Communities Fund earlier this year, £59,439 of which is being used by Curo on 'Working Well Foxhill' – an initiative to help local people to boost their skills, employability and wellbeing. A wellbeing coordinator has been recruited to train and manage a team of volunteers who will help to set up and support community activities. This funding is being used to tackle social exclusion and as such is not directly linked to regeneration proposals.</li> </ol> <p>The Council will not benefit financially from the regeneration proposals. The terms of the</p>		

transfer agreement between the Council and Curo (previously Somer Community Housing Trust) establishes the rules under which Curo can dispose of the assets transferred from the Council and provide clear parameters for disposals and repayment to the Council. Disposals that allow for the regeneration of an area providing affordable housing and meeting wider socio-economic and community benefits are excluded from any requirement to reimburse the Council (clause 2.7.3 of the Deed of Covenant for the transfer of housing stock between Somer and the Council, March 1999).

At present, there are no other confirmed funding sources being directed at Curo for the proposed regeneration of Foxhill although officers are mindful of the Leader's commitment to explore all opportunities to deliver a higher proportion of affordable homes through the development.

<b>M 03</b>	<b>Question from:</b>	Councillor Will Sandry
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In considering the provisions of Homelessness Reduction Act 2017, what are the risks and opportunities for:

- a) The Council
- b) Partner organisations
- c) People in B&NES at risk of homelessness
- d) People currently homeless in B&NES
- e) Rough sleepers in B&NES?

<b>Answer from:</b>	Councillor Paul Myers
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The Homelessness Reduction Act 2017, which will come into force on 1st April 2018, introduces a range of new responsibilities on the Council. The broad aim of the legislation is to ensure that housing authorities take a preventative approach to homelessness.

This is to be achieved by requiring Councils to intervene earlier in the homelessness process and to provide tailored support to everyone approaching the Council, regardless of priority need status or local connection to the district. Much of the detail will be contained in statutory guidance which according to the Government will be published in spring 2018.

As this Council has worked hard to develop a preventative approach to homelessness, the risks and opportunities are reduced when compared to other Councils. However, it is clear that the new system will have a significant impact on resources and will require an uplift in front line staffing. There is also a risk that the number of clients placed in temporary accommodation will increase by having a duty to assist more people, for example those clients with no local connection to the district.

The opportunity prevented by the legislation is that by all Councils taking a clear preventative approach to homelessness, clients wherever they are, should be able to receive high quality and timely advice that may prevent them losing accommodation in the first place, or securing alternative accommodation, should that not be practicable.