

Cabinet

Date: Wednesday, 6th December, 2017

Time: 4.00 pm

Venue: Council Chamber - Guildhall, Bath

Agenda

To: All Members of the Cabinet

Councillor Tim Warren (Leader of the Council and Conservative Group Leader), Councillor Charles Gerrish (Cabinet Member for Finance and Efficiency, Conservative Deputy Group Leader North East Somerset), Councillor Vic Pritchard (Cabinet Member for Adult Care, Health and Wellbeing), Councillor Paul Myers (Cabinet Member for Economic and Community Regeneration), Councillor Karen Warrington (Cabinet Member for Transformation and Customer Services), Councillor Paul May (Cabinet member for Children and Young People), Councillor Bob Goodman (Cabinet Member for Development and Neighbourhoods) and Councillor Mark Shelford (Cabinet Member for Transport and Environment)

Chief Executive and other appropriate officers
Press and Public

The agenda is set out overleaf.



Jack Latkovic

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NOTES:

1. **Inspection of Papers:** Papers are available for inspection as follows:

Council's website: <https://democracy.bathnes.gov.uk/ieDocHome.aspx?bcr=1>

Paper copies are available for inspection at the **Public Access points:-** Reception: Civic Centre - Keynsham, Guildhall - Bath, The Hollies - Midsomer Norton. Bath Central and Midsomer Norton public libraries.

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.

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 The Council may also use the images/sound recordings on its social media site or share with other organisations, such as broadcasters.

4. **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:

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=12942>

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

6. **Supplementary information for meetings**

Additional information and Protocols and procedures relating to meetings

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13505>

Cabinet - Wednesday, 6th December, 2017

in the Council Chamber - Guildhall, Bath

A G E N D A

1. WELCOME AND INTRODUCTIONS

2. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as set out in the Notes

3. APOLOGIES FOR ABSENCE

4. 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 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.

5. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

6. QUESTIONS FROM PUBLIC AND COUNCILLORS

Questions submitted before the deadline will receive a reply from an appropriate Cabinet member or a promise to respond within 5 days of the meeting. Councillors may ask one supplementary question for each question they submitted, up to a maximum of two per Councillor.

7. STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

Councillors and members of the public may register their intention to make a statement if they notify the subject matter of their statement before the deadline. Statements are limited to 3 minutes each. The speaker may then be asked by Cabinet members to answer factual questions arising out of their statement.

8. MINUTES OF PREVIOUS CABINET MEETING (Pages 7 - 12)

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

9. CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

This is a standard agenda item, to cover any reports originally placed on the Weekly

list for single Member decision making, which have subsequently been the subject of a Cabinet Member requisition to the full Cabinet, under the Council's procedural rules

10. MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

This is a standing agenda item (Constitution rule 14, part 4D – Executive Procedure Rules) for matters referred by Policy Development and Scrutiny bodies. The Chair of the relevant PDS Panel will have the right to attend and to introduce the Panel's recommendations to Cabinet.

11. SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING (Pages 13 - 14)

A list of Cabinet Single Member decisions taken and published since the last Cabinet meeting to note (no debate).

12. APPROVAL FOR WEST OF ENGLAND COMBINED AUTHORITY (WECA) TRANSPORT FUNDING TO BE INCLUDED ON THE CAPITAL PROGRAMME (Pages 15 - 20)

The Council's Transport Strategies for Bath, Keynsham and Somer Valley have identified the transport improvements required. The Council have successfully bid to The West of England Combined Authority (WECA) for funds to develop four key transport schemes and approval is requested to include the schemes in the Councils programme from 2017/18 to 2019/20.

13. REVENUE & CAPITAL BUDGET MONITORING, CASH LIMITS AND VIREMENTS – APRIL TO OCTOBER 2017 (Pages 21 - 46)

This report presents the financial monitoring information for the Authority as a whole for the financial year 2017/18 to the end of October 2017.

14. CONSULTATION ON THE PROPOSAL TO CLOSE CAMERTON CHURCH SCHOOL (Pages 47 - 52)

To consider the consultation responses received and the rationale behind the proposal of Camerton Church School's Governing Body to close the school and to decide whether to publish a statutory notice proposing the closure of the school.

15. WHITCHURCH VILLAGE NEIGHBOURHOOD DEVELOPMENT PLAN (Pages 53 - 56)

Following the successful examination and referendum, this report seeks to make and bring into force the Whitchurch Village Neighbourhood Plan so that it will be used by the Local Planning Authority to help determine planning applications within the Neighbourhood Area.

Whitchurch Village Parish Council is the qualifying body authorised to act in relation to the neighbourhood Plan.

The Committee Administrator for this meeting is Jack Latkovic who can be contacted on 01225 394452.

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BATH AND NORTH EAST SOMERSET

CABINET

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

Wednesday, 8th November, 2017

Present:

Councillor Tim Warren	Leader of the Council and Conservative Group Leader
Councillor Charles Gerrish	Cabinet Member for Finance and Efficiency, Conservative Deputy Group Leader North East Somerset
Councillor Vic Pritchard	Cabinet Member for Adult Care, Health and Wellbeing
Councillor Paul Myers	Cabinet Member for Economic and Community Regeneration
Councillor Karen Warrington	Cabinet Member for Transformation and Customer Services
Councillor Paul May	Cabinet member for Children and Young People
Councillor Bob Goodman	Cabinet Member for Development and Neighbourhoods

129 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting.

130 EMERGENCY EVACUATION PROCEDURE

Senior Democratic Services Officer drew attention to the evacuation procedure as set out in the Agenda.

131 APOLOGIES FOR ABSENCE

Councillor Mark Shelford had sent his apologies for this meeting.

132 DECLARATIONS OF INTEREST

Councillor Bob Goodman declared an 'Other' interest in agenda item 12 (Adoption of the Supplementary Planning Document on Houses in Multiple Occupation in Bath) as he had over the years done surveys for people with Houses in Multiple Occupation.

Councillor Paul May declared an 'Other' interest in agenda item 15 (Council and CCG Integration- Next Steps) as he was non-Executive Member of the Sirona Board.

133 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

134 QUESTIONS FROM PUBLIC AND COUNCILLORS

There were 9 questions from Councillors and 2 questions from members of the public.

[Copies of the questions and responses, including supplementary questions and responses if any, have been placed on the Minute book and are available on the Council's website.]

135 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

There were none at this point of the meeting.

136 MINUTES OF PREVIOUS CABINET MEETING

RESOLVED that the minutes of the meeting held on Wednesday 11th October 2017 be confirmed as a correct record and signed by the Chair.

137 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

There were none.

138 MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

There were none.

139 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

The Cabinet agreed to note the report.

140 ADOPTION OF THE SUPPLEMENTARY PLANNING DOCUMENT ON HOUSES IN MULTIPLE OCCUPATION IN BATH

Councillor Shaun Stephenson-McGall declared an 'Other' interest as he was an employee of University of Bath and trustee of Bath Spa University Student Union before making an ad-hoc statement. Councillor Stephenson-McGall welcomed the report also said that previous administration had started this process and that there was still a lot of work to be done. The Council would need to continue to work and listen to the community, and the Cabinet should set additional licensing so the students living in HMOs would not be ripped off.

Councillor Will Sandry made an ad-hoc statement as the Chair of the Planning, Housing and Economic Development PDS Panel. Councillor Sandry said that the Panel had looked at the HMO matter and welcomed the consultation. Councillor Sandry also said that Liberal Democrat Group had offered full support to the Council to address shortfall of housing and its close work with Universities in Bath.

Councillor Bob Goodman introduced the report by saying that the Council was not unique with the problem of HMOs though there were clearly far greater problems than many cities had had. In light of the results of the public consultation, the updated evidence and the need for a precautionary approach taking into account the

available data and to create awareness of the impact of high concentrations of HMOs, the Council is proposing amendments to the Supplementary Planning Document, as per report. Councillor Goodman also said that he would not want to be seen as anti-universities or anti-student Member - the Council would continue to work closely with Universities on this matter. Universities had been part of Bath success and students would always be part of the community but if the growth that Bath University would hope to is allowed to be fulfilled then this would be at the detriment of Bath and the wider B&NES area.

Councillor Bob Goodman moved the recommendations.

Councillor Charles Gerrish seconded the motion by highlighting positive work of the cross party working group. Councillor Gerrish also said that he was pleased with the consultation outcomes and pointed that the Council would need to monitor growth of the HMOs.

RESOLVED (unanimously) the Cabinet agreed that:

- 1) The Houses in Multiple Occupation in Bath: Supplementary Planning Document is adopted to supplement the Bath & North East Somerset Placemaking Plan, especially Policy H2;
- 2) Responsibility is delegated to the Divisional Director for Development, in conjunction with the Cabinet Member for Development and Neighbourhood, to make final graphic and minor textual amendments prior to adoption of the Houses in Multiple Occupation in Bath Supplementary Planning Document.

141 AMENDMENTS TO THE B&NES LOCAL DEVELOPMENT SCHEME

Councillor Bob Goodman introduced the report by saying that the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011, requires all local planning authorities to prepare and maintain a Local Development Scheme (LDS). The LDS was a programme for the production of Statutory Planning Documents that the Council had been preparing, or would intend to prepare. The LDS should be kept up-to-date and was last reviewed in May 2016. The revised LDS would help in delivering social and affordable housing.

Councillor Bob Goodman moved the recommendations.

Councillor Tim Warren seconded the motion by saying that the West of England Combined Authority would need additional housing though there would be a need for an adequate infrastructure to be built first.

Councillor Paul May said that although the document had suggested some welcome principles, he would not support this paper and would vote against the proposal.

RESOLVED that the Cabinet agreed:

- 1) With the revised LDS 2017 – 2020.
- 2) To delegate authority to the Divisional Director for Development, in consultation with the Cabinet Member for Development and Neighbourhoods to make minor amendments to the LDS for clarity and to correct errors.
- 3) That the revised LDS will be effective from 10th December 2017.

142 B&NES COMMUNITY INFRASTRUCTURE LEVY (CIL) SPENDING ARRANGEMENTS 2018/19

Councillor Dine Romero made an ad-hoc statement by asking for an assurance that there would be no opportunity for CIL to be reduced by re-selling the development; that the Cabinet would seek other plans to fund affordable housing; and, what sort of projects would be supported from CIL.

Councillor Shaun Stephenson-McGall made an ad-hoc statement by saying that in Bath, which is unparished, CIL spend decisions would be made by Cabinet with the advice of the Bath City Forum and asked the Cabinet to take seriously an advice from the Forum.

At this point of the meeting Councillor Paul Myers declared an 'Other' interest on this report as he was Chair of the Midsomer Norton Town Council who would be recipient of CIL money.

At this point of the meeting Councillor Vic Pritchard declared an 'Other' interest on this report as Parishes within his Ward would be recipients of CIL money.

Councillor Bob Goodman introduced the report by saying that the Community Infrastructure Levy (CIL) had come into effect in B&NES on 6th April 2015 following adoption of the CIL Charging Schedule by Council on 17 February 2015. CIL had largely replaced Section.106 contributions as developer-provided funding for infrastructure projects. Only Affordable Housing and site-specific requirements were now covered by s.106 obligations. Education, highways and other strategic schemes could be funded by CIL unless they entail on-site provision. Based on the Core Strategy/Placemaking Plan growth trajectory, the forecast CIL income from housing development over the next 5 years should be around £13,300,000. However, this was an estimate and would depend on the actual rate of development.

Councillor Goodman also assured Councillor Stephenson-McGall that the Cabinet would take seriously any advice from the Bath City Forum in terms of CIL spend. Councillor Goodman also said that report on CIL payments would be presented at the next meeting of the Cabinet.

Councillor Bob Goodman moved the recommendations.

Councillor Charles Gerrish seconded the motion by saying that the report had proposed changes to the arrangements for agreeing how CIL income is spent. CIL allocations would be presented at the next meeting of the Cabinet.

The rest of the Cabinet welcomed the report outlining that this would be of community benefit.

RESOLVED (unanimously) that the Cabinet agreed with the revised B&NES CIL Spend Protocol.

143 COUNCIL AND CCG INTEGRATION- NEXT STEPS

Councillor Dine Romero made an ad-hoc statement by welcoming several points in the report, such as making system to work for residents without them knowing how it works and for efficient transitions from children to adult services. Councillor Romero expressed her concerns that this plan would not deliver all of its aims and objectives and asked what would be payback to the Council taking into consideration estimated costs to support integration. Councillor Romero also requested that the Health and Wellbeing Select Committee should continue to scrutinise integration and future processes and also spending of public money including the Better Care Fund.

Councillor Vic Pritchard introduced the report by saying that the Council and the local NHS had had a long history of constructive joint working. Joint health and social care structures had been in place in B&NES since 2009, with commissioning arrangements implemented in that year and provider arrangements consolidated by the creation of an integrated health and social care provider in 2011. This was supported by a formal Partnership Agreement that described how the then Primary Care Trust (PCT) and Council would work together to deliver improved outcomes for the population.

Joint financial arrangements, primarily pooled budgets, were implemented alongside the original joint structures and have expanded and developed since. Following NHS reconfiguration, the CCG and Council reconfirmed their commitment to joint working and agreed a Joint Working Framework. The commissioning arrangements were reviewed and redesigned in 2013 in response to the creation of the CCG and the reaffirmation of the commitment by both CCG and Council to joint working and to the integrated commissioning and provision of services. The overarching aim of this report was to describe the role the two key organisations, B&NES Council and BaNES CCG, could play in leading the extension and enhancement of integrated commissioning for the benefit of the population of Bath and North East Somerset and to create a more sustainable approach to the commissioning and provision of Health and Care going forward.

Councillor Pritchard also assured Councillor Romero that the Health and Wellbeing Select Committee would continue to be involved throughout this and future processes.

Councillor Vic Pritchard moved the recommendations.

Councillor Paul May seconded the motion by saying that the Council and BaNES CCG had worked well together. Councillor May also highlighted support to families in order for children and young people getting help they needed.

Councillor Karen Warrington also supported the motion by saying that she was keen on integration which would bring positive impact on the health and wellbeing of the community.

Councillor Tim Warren also supported the motion by saying that the Council had always been for integration with BaNES CCG and for an increase in prevention and early intervention.

RESOLVED (unanimously) that the Cabinet agreed to:

- 1) Support the development of stronger integrated arrangements between the Council and CCG and approve further work to develop the governance

proposals so that they can be taken forward to the full Council meeting in May 2018;

- 2) Delegate to the Strategic Director for People and Communities to set up shadow arrangements in January 2018 in consultation with the Cabinet Members;
- 3) Support the resource request to develop the integration proposal to the next stage.

144 TREASURY MANAGEMENT MONITORING REPORT TO 30TH SEPTEMBER 2017

Councillor Charles Gerrish introduced the report explaining that it had been produced before Bank of England's rate rise last week. Nevertheless, an increase of 0.25% in rate rise was in line with expectations.

Councillor Gerrish said that this was a routine report which sets out the satisfactory position of the Council. Councillor Gerrish highlighted that the average rate of investment return for the first six months of 2017/18 was 0.26%, which was 0.10% above the benchmark rate. The Council's Prudential Indicators for 2017/18 were agreed by Council in February 2017 and performance against the key indicators had been presented in the report. All indicators were within target levels.

Councillor Charles Gerrish moved the recommendations.

Councillor Paul May seconded the motion by welcoming the report.

RESOLVED (unanimously) the Cabinet agreed that:

- 1) The Treasury Management Report to 30th September 2017, prepared in accordance with the CIPFA Treasury Code of Practice, is noted;
- 2) The Treasury Management Indicators to 30th September 2017 are noted.

The meeting ended at 4.55 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services

Bath & North East Somerset Council

Cabinet Single-Member Decisions and Responses to Recommendations from PDS Panels

published 30-Oct-2017 to 27-Nov-2017

Further details of each decision can be seen on the Council's Single-member Decision Register at <http://democracy.bathnes.gov.uk/mgDelegatedDecisions.aspx?&dm=3>

Energy Services: Local Energy Tariff

There is an immediate opportunity to work in partnership to create a local energy tariff backed by the Council. The local energy (electricity and gas) tariff project has the potential to benefit local residents and the Council through: retaining economic benefits locally, supporting delivery of local environmental targets, creating a platform to tackle fuel poverty over time, and generating a concession fee for the Council that will, at minimum, cover marketing costs.

Decision Maker: Leader of the Council

Decision published: 09/11/2017

Effective from: 17/11/2017

Decision:

The Cabinet Members agree to confirm agreement to the delegated authority (Strategic Director - Resources) to award the contract to the preferred bidder for the local energy tariff project, in line with the Council's Contract Standing Orders, following the completion of market testing and a thorough procurement dialogue process, which has tested the issues raised by Cabinet members.

Lead officer: Jane Wildblood

Pre-application charging schedule changes

Pre-application advice is provided on a fixed fee cost recovery basis. The current fees were set in May 2016. A fee review has been undertaken to make the charges fairer based on the time taken to provide advice.

Decision Maker: Cabinet Member - Development and Neighbourhoods

Decision published: 30/10/2017

Effective from: 07/11/2017

Decision:

The Cabinet Member agrees that changes to the pre-application charging schedule to revise categorisation, increase fees and introduce a new fee service level can be made.

Lead officer: Sarah James

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Bath & North East Somerset Council		
MEETING/ DECISION MAKER:	Cabinet	
MEETING/ DECISION DATE:	6 th December 2017 Cabinet Meeting	EXECUTIVE FORWARD PLAN REFERENCE:
		E3017
TITLE:	Approval to accept WECA Funded Schemes into the Councils Programme	
WARD:	Keynsham North, Cllr Gerrish and Cllr Simmons Bathavon North, Cllr Miller, Cllr Veal and Cllr Ward High Littleton, Cllr Kew Paulton Cllr Bull, and Cllr Hardman Midsomer Norton North, Cllr Evans and Cllr Macrae Midsomer Norton Redfield, Cllr Myers and Cllr Watt	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
None		

1 THE ISSUE

- 1.1 The Council's Transport Strategies for Bath, Keynsham and Somer Valley have identified the transport improvements required. The Council have successfully bid to The West of England Combined Authority (WECA) for funds to develop four key transport schemes and approval is requested to include the schemes in the Councils programme from 2017/18 to 2019/20.

2 RECOMMENDATION

- 2.1 The Cabinet is asked to approve:

- (1) the inclusion of the two new schemes listed below into the Capital Programme:
 - a) A37 to A362 Improvements to access Somer Valley Enterprise Zone, Business Case Development, £280k

- b) Hicks Gate Roundabout Improvement, Business Case Development, £460k
- (2) the inclusion into the Revenue Budget of the two studies listed below:
 - a) East of Bath Link, Development Support, £250k
 - b) Freezing Hill Lane Junction Improvement, Feasibility and Business Case Development, £100k

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 The total funding for the development of the schemes is £1090k over a 3 year programme period. The funding will be a combination of capital and revenue grants. The highway schemes will be developed using a combination of internal and external resource.
- 3.2 The Capital Programme will need adjusting by £740k in line with the forecast spend set out in the report.
- 3.3 The Revenue Budget will incorporate the £350k in line with the forecast spend set out in the report.
- 3.4 The schemes are wholly grant funded from WECA.
- 3.5 The Somer Valley and Hicks Gates works will improve existing assets. Whilst the final layout is likely to result in an overall asset increase, this will be offset by improving the existing facilities and it is considered that the increased asset can be accommodated within the existing revenue budget. Any works undertaken as part of the East of Bath Link will be a Highways England asset and Freezing Hill Lane will be within South Gloucestershire Council.
- 3.6 On completion of the business case funding bids will be made to WECA to fund the schemes with the exception of the East of Bath Link which will be funded by Highways England.
- 3.7 If the capital schemes are not delivered, there is a revenue reversion risk.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 The schemes supports the Council's duty under the Traffic Management Act 2004 to keep traffic flowing.
- 4.2 The schemes are supported by the West of England Joint Transport Study and the Transport Strategies for Bath, Keynsham and emerging strategy for Somer Valley.

5 THE REPORT

- 5.1 The Council has successfully bid to The West of England Combined Authority (WECA) for funds to develop key highway projects. On 30th October 2017 WECA approved funding to develop schemes for:
 - (1) East of Bath Link, £250k

- (2) A37 to A362 Improvements to access Somer Valley Enterprise Zone, £280k
- (3) Hicks Gate Roundabout Improvement, £460k
- (4) Freezing Hill Lane Junction Improvement, £100k

5.2 East of Bath Link

- (1) Dorset, Wiltshire, and Bath and North East Somerset councils are working together to study the current transport connections between the M4 and the south coast and their impact on our economy.
- (2) Evidence has been gathered to support a case to improve north-south transport connections in the south west, which could help grow the economy, support local businesses and improve people's quality of life.
- (3) The £250k is revenue and will fund the development and promotion of the prospectus for North South Connectivity. This will form part of the a compelling case to encourage the Secretary of State for Transport to mandate Highways England to carry out a Strategic Study, for eventual inclusion of the East of Bath link in the second Road Investment Strategy beyond 2020. If Highways England undertakes the study, the funding will be available to undertake additional supporting works.
- (4) The spend forecast is £50k, 17/18 and £100k, 18/19 and £100k, 19/20.

5.3 A37 to A362 Improvements to access Somer Valley Enterprise Zone

- (1) Bath and North East Somerset Council is supporting the development of the Bath & Somer Valley Enterprise Zone which includes the 13.5ha allocated employment site at Old Mills located on the A362. B&NES see this as a key employment site for the Somer Valley and would want to progress this as a priority due to the potential to create 1,700 to 2,000 new jobs.
- (2) The upgrading of the route will ensure good connectivity to the A37 and surrounding areas and will enable the Zone to be delivered without further offsite improvements. This will remove a major hurdle to the delivery of the Old Mills site, is a pre-requisite for a successful Enterprise Zone and will allow its development to be accelerated.
- (3) The scheme will include:
 - a) Improvement to the existing A37/ A362 signalised junction to create additional capacity.
 - b) Localised road widening to remove pinch points which create delays and queues.
 - c) Pedestrian and cycling improvements to provide the sustainable routes to the communities to the east and west along the A362
- (4) The £280k is capital and will fund both an outline business case and full business case following any statutory approvals.
- (5) The spend forecast is £160k, 17/18 and £120k, 18/19.

5.4 Hicks Gate Roundabout Improvement

- (1) The Keynsham Transport Strategy identified that improvements are required at Hicks Gate. The A4 / A4174 Hicks Gate Roundabout is a key junction on the A4 between Bristol and Bath and is located at the western end of the Keynsham Bypass. This is also the terminal junction at the southern end of the A4174 Ring Road route through East Bristol and the North Fringe.
- (2) In the peak time period 'exit blocking' results in delay to all arms. Improvements to the roundabout would involve the provision of a link from the A4174 to the A4 removing traffic from the roundabout. Any scheme would take account and accommodate the proposed Joint Transport Study major schemes.
- (3) Initially an outline business case will be developed that will include an updated preliminary design, environmental assessments, economic benefits including GVA, and traffic modelling / forecasts. Following statutory approvals a full business case will be submitted
- (4) The £460k is capital and will fund both an outline business case and full business case following any statutory approvals.
- (5) The spend forecast is £10k, 17/18 and £220k, 18/19 and £230k 19/20.

5.5 Freezing Hill Lane Junction Improvement

- (1) The Freezing Hill Lane / A420 junction is located on the boundary of Bath & North East Somerset Council and South Gloucestershire Council. The junction forms the core access to the Lansdown Park & Ride site serving Bath city centre from the A46 corridor linking to J18 of the M4.
- (2) Vehicles travelling from the P&R give way to traffic on the A420 which is a T junction. This can cause long delays for vehicles exiting the Freezing Hill Lane junction.
- (3) The Council acting as lead Authority will work in partnership with South Gloucestershire Council will undertake a feasibility study to assess options for access improvements from the A420 to Lansdown Park and Ride. Once a preferred option is agreed a business case will be submitted to WECA.
- (4) The £100k is revenue and will fund the feasibility study and business case.
- (5) The spend forecast is £75k, 17/18 and £25k 18/19.

6 RATIONALE

- 6.1 The four schemes are linked to the strategic improvements identified in the West of England Joint Transport Study and The Council Transport Strategies for Bath, Keynsham and Somer Valley. The schemes will provide significant benefits in reducing delays to vehicles using the Highway Network.

7 OTHER OPTIONS CONSIDERED

- 7.1 The schemes were identified through the Council Transport Strategies and JTS, as the schemes are developed the options will be reviewed.

8 CONSULTATION

- 8.1 Ward Members will be involved and given opportunities to comment during scheme development. The Cabinet member is supportive of the proposals.
- 8.2 Council teams, including legal (Monitoring Officer), highways, & finance (s151 Officer) have had opportunity to review and input into this report.

9 RISK MANAGEMENT

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	Gary Peacock 01225 395307
Background papers	None
Please contact the report author if you need to access this report in an alternative format	

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Bath & North East Somerset Council		
MEETING:	Cabinet	
MEETING DATE:	6 th December 2017	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2981
TITLE:	Revenue and Capital Budget Monitoring, Cash Limits and Virements – April 2017 to October 2017	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report		
Appendix 1: Revenue & Capital Monitoring Commentary		
Appendices 2(i) & 2(ii): Proposed Revenue Virements & Revised Revenue Cash Limits 2017/18		
Appendices 3(i) & 3(ii): Capital Virements & Capital Programme by Portfolio 2017/18		

1 THE ISSUE

- 1.1 This report presents the financial monitoring information for the Authority as a whole for the financial year 2017/18 to the end of October 2017.

2 RECOMMENDATION

The Cabinet agrees:

- 2.1 Strategic Directors should continue to work towards managing within budget in the current year for their respective service areas and develop an action plan of how this will be achieved, including not committing any unnecessary expenditure and stringent budgetary control.
- 2.2 This year's revenue budget position as shown in paragraph 5.3 is noted.
- 2.3 The mitigations that will be required shown in paragraph 5.8, if the over budget position cannot be reduced by the end of the financial year, are noted.
- 2.4 The capital year end forecast detailed in paragraph 5.18 of this report, is noted.
- 2.5 The revenue virements listed for information in Appendix 2(i) are noted.
- 2.6 The changes in the capital programme listed in Appendix 3(i) are noted.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

3.1 The financial implications are contained within the body of the report.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

4.1 The annual medium term financial planning process allocates resources across services with alignment of these resources towards the Council's corporate priorities. This report monitors how the Council is performing against the financial targets set in February 2017 through the Budget setting process.

5 THE REPORT

REVENUE BUDGET

5.1 The Budget Management Scheme requires that the Cabinet consider the revenue and capital monitoring position four times per year.

5.2 Divisional Directors have been asked to outline the actual expected outturn for the year and the reasons to date for over / under budget forecasts. For revenue budgets which are forecast to be over budget, the Divisional Directors are expected to seek compensating savings to try and bring budgets back to balance.

5.3 A summary by Portfolio of the revenue position as at 31st October 2017 is shown in the table below:

Portfolio	Original Budget £'millions	Revised Budget £'millions	Year End Forecast £'millions	Variance £'millions
Leader	5.161	5.153	5.153	0
Finance & Efficiency	(2.385)	2.172	3.120	0.947
Transformation & Customer Services	4'433	4.471	4.471	0
Adult Care, Health & Wellbeing	59.548	59.548	60.973	1.425
Children & Young People	25.285	26.997	28..16	1.818
Economic & Community Regeneration	(3.597)	(3.648)	(4.483)	(0.834)
Development & Neighbourhoods	20.488	20.859	21.027	0.167
Transport & Environment	3.957	(0.318)	(0.092)	0.226
Total	112.890	115.234	118.985	3.751

Note1: Some of the figures in this table are affected by rounding.

Note2. The Revised Budget reflects a transfer from Transport and Environment for the WECA levy to Finance and Efficiency.

5.4 The current **year-end** forecast is an over budget position of £3,751,000 which equates to 1.20% of gross budgeted spend (excluding Schools). Appendix 1 sets out the detail for each Portfolio of the current position on Council spending, and the forecast outturn for 2017/18. This is an improvement of £1,374,000 compared to the position previously reported based on the period to the end of August 2017.

5.5 The financial strategy, presented in October 2017 outlines how these pressures will be addressed over the short to medium term. Strategic Directors have agreed measures to reduce and mitigate this position, including:-

- Reviewing all vacancies to hold or remove;
- Introducing a three month turnover saving before a vacancy can be filled;
- Buying leave option for staff;
- Bringing forward planned savings;
- Regular monthly updates to the Transformation Group;
- Reviewing all income streams;
- Reviewing all spend above £10k.

Finance has been monitoring projected spend on salaries, goods and services and income from June to October to assess if these mitigations are improving. The movement and forecast is as follows:-

	Projected Year-End Variation to Budget as at June 2017 £'million	Projected Year-End Variation to Budget as at October 2017 £'million	Change Between June and October (Favourable)/ Adverse £'million
Pay	(1.8)	(2.2)	(0.4)
Goods and Services	0.4	1.3	0.9
Income	(0.5)	(1.7)	(2.2)
Total	(1.9)	(2.6)	(0.7)

The goods and services spend has been reviewed and the majority of the variation has been agency workers which is offset by salary savings, items which have resulted in greater income, funded from carry forwards, or grant.

5.6 In addition specific measures have been agreed within Adult Social Care:-

- Additional capacity for project management, transformation, and contract management;
- Improvements to the IT system in processing and reporting;
- Approval panels set up for care packages;
- Support planning and brokerage of placements.

Appendix 1 highlights an improvement of £680k from these measures.

5.7 The measures noted above, as well as the one-off use of reserves and capitalisation of some transformation spend, will be needed. Options to more closely control spend on demand led budgets, such as adult social care, are currently under further review.

5.8 If not reduced by year end, the forecast position will also require use of reserves and other mitigations as follows:-

Mitigation	Amount £'million
Release 2017/18 Government Transition Grant Funding	0.930
Release Strategic Risk Provision Budget	0.510
Clearance of historic suspense account	0.689
Business Rate Revaluation Provision for Impact on B&NES properties	0.380
Revenue Budget Contingency Reserve*	1.242
Total	3.751

* Note this will leave a balance of £693k currently uncommitted within the Revenue Budget Contingency Reserve

5.9 Based on the improvement to the position reported to October Cabinet, there is currently no requirement to use non-earmarked reserves as part of these mitigations.

5.10 The forecast outturn position includes the requirement for the delivery of £14.5m of savings as part of the approved budget for 2017/18, of which £11.3m are currently green (on target to be achieved). Of the remainder, £1.6m are included in the current over budget forecast as not achieved, and a further £1.6m are rated as Amber at present (meaning there is a significant risk they will not be achieved). The Appendix 1 service narrative gives details of the items creating service pressures and measures put in place to manage this.

- 5.11 The Council's financial position, along with its financial management arrangements and controls, are fundamental to continuing to plan and provide services in a managed way, particularly in light of the medium term financial challenge. Close monitoring of the financial situation provides information on new risks and pressures in service areas, and appropriate management actions are then identified and agreed to manage and mitigate those risks.
- 5.12 Any revenue budget virements which require Cabinet approval are listed in Appendix 2(i). Technical budget adjustments are also shown in Appendix 2(i) for information purposes, as required by the Budget Management Scheme.

COUNCIL TAX SUPPORT & COUNCIL TAX

- 5.13 The Council Tax Support Scheme commenced in April 2013. For 2017/18, the taxbase included an adjustment of £8.1m for the estimated costs of the scheme based on Government projections for Universal Credit transfers. Current forecast costs of the scheme have risen to £8.6m, leaving a pressure of £0.5m which will impact on the Collection Fund. The reason for this pressure is that there has been a delay by DWP in residents moving to Universal Credit, and this will impact on the tax base for 2018/19 if transfers continue to be delayed. The current overall forecast outturn position on the Council Tax Collection Fund is for a small deficit of around £130k for the Council's share, this represents a 0.15% variance against target income. The one-off impacts of the Council Tax collection fund projected outturn position will be built into the financial planning assumptions for the 2018/19 budget when the Council Taxbase is set in December.
- 5.14 The collection rate for Council Tax was 67.87%, compared to the target of 67.52% at the end of October 2017.

NON DOMESTIC RATES

- 5.15 This is the first year of the 100% business rates pilot. The current year-end forecast is for the Council's overall share of Business Rate income to be approximately £700,000 less than estimated, which will impact on the Collection Fund. As set out in the Budget Report, the Business Rates Reserve will be utilized, to ensure there is no impact on the 2017/18 outturn position. There are a number of factors impacting on Business Rates in that growth is lower than anticipated and there has been an increase in reliefs, mainly relating to small business and empty property reliefs. The collection rate for Non Domestic Rates was 67.23% at the end of October 2017 compared to the target of 67.10%.
- 5.16 As highlighted in the 2017/18 Budget Report, there continues to be a future risk relating to NHS Trusts claims that they are entitled to mandatory charitable relief from Business Rates. This claim will ultimately be subject to a legal ruling, with the Local Government Association co-ordinating legal support on behalf of Local Authorities. Whilst the Council's view remains that the relief is not applicable in this case, if this position were to change, the granting of such a relief would present a significant challenge to the ongoing financial viability of the Council.

CAPITAL BUDGET

5.17 The current position for the 2017/18 Capital budget of £129.429m (excluding contingency) is for a forecast spend of £129.176m, which is £0.253m less than the budget.

5.18 A summary by Portfolio of the capital position as at 31st October 2017 is shown in the table below.

Portfolio Summary Monitor Capital Monitor April 2017 to October 2017	Current Year 2017/2018 Forecast Outturn		
	Forecast Actual Expenditure £'million	Annual Current Budget £'million	Forecast In-Year Variance £'million
Finance & Efficiency	54,.46	54,.52	(0.006)
Transformation & Customer Services	0.724	0.724	0
Adult Care, Health & Wellbeing	0.747	0.747	0
Children & Young People	13.602	13.816	(0.213)
Economic & Community Regeneration	21.043	21.028	0.015
Development & Neighbourhoods	23.773	23.773	0
Transport & Environment	14.441	14.490	(0.049)
TOTAL COUNCIL	129.176	129.429	(0.253)

Note: Some of the figures in this table are affected by rounding.

5.19 Previously approved changes to the capital programme are listed in Appendix 3(i), while Appendix 3(ii) provides the updated capital programme allocated by Portfolio.

6 RATIONALE

6.1 The report is presented as part of the reporting of financial management and budgetary control required by the Council.

7 OTHER OPTIONS CONSIDERED

7.1 None

8 CONSULTATION

8.1 Consultation has been carried out with the Cabinet Member for Finance & Efficiency, Strategic Directors, Section 151 Finance Officer, Chief Executive and Monitoring Officer.

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.

- 9.2 The substance of this report is part of the Council's risk management process. The key risks in the Council's budget are assessed annually by each Strategic Director, with these risks re-assessed on a monthly basis as part of the budget monitoring process.

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Background papers	<i>Budget Management Scheme</i>
Please contact the report author if you need to access this report in an alternative format	

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REVENUE BUDGET MONITORING APRIL 2017 TO OCTOBER 2017

- 1.1 The Table in paragraph 5.8 of the covering report outlines the Council's current financial position by Cabinet Portfolio for the 2017/18 financial year to the end of October 2017. This shows the current **year-end** forecast is an over budget position of £3,751,000, or 1.20% of the gross expenditure budget (excluding Schools). This is an improvement of £1,374,000 compared to the position previously reported based on the period to the end of August 2017.
- 1.2 Within the current £3,751,000 forecast figure, there are areas of over budget and under budget spending which are detailed below, along with any planned service actions being taken to reduce the projected over budget expenditure.
- 1.3 **Leader's Portfolio – forecast on target**

There are several small areas of budget variances in both Strategy & Performance and Legal & Democratic Services, which bring the overall current forecast on the Portfolio to a balanced position.

1.4 **Finance & Efficiency Portfolio – forecast £947,000 over budget**

The forecast on this portfolio is made up of the following variances:

Support Services: There is a £892,000 over budget forecast across Support Services.

Within Business Support's £158,000 over budget forecast, Information Technology is forecasted as on target, with pressures of £207,000 as a result of the loss of income from Sirona being funded from the IT reserve in 2017/18, the ongoing pressure is being addressed in the 2018/19 budget setting.

Strategic Review savings targets of £125,000 across Finance and People Services have not currently been achieved, but are anticipated to be delivered following restructures, and Finance also has a £75,000 pressure due to the loss of West of England Combined Authority income as most accountable body functions have now transferred (B&NES is no longer the accountable body for the West of England for the various funding streams associated with City Deal, Devolution and the LEP). These are partially offset by held vacancy savings in Finance.

Property & Project Delivery is forecasting a £68,000 under budget. There is a one-off underspend in Commercial Estate of £120,000 arising from reduced acquisition first-year borrowing costs, and some higher than budgeted income from the Housing Delivery Vehicle. This is partially used to off-set the £100,000 overspend forecast in Traded Services due to print & post, one-off backdated Business Rates and Catering Services cost pressures.

The net spending in Human Resources is exceeding the estimates by £678,000 for a combination of reasons. The three main reasons are:-

- The necessary planned reduction in school support to enable the remaining minority of non-academy schools, still using the service, to buy from elsewhere. This is a one-off cost of transition.
- Part of the service had been funded through corporate reserves for a number of years and these have now been removed. There have also been ongoing HR service efficiency targets.
- The remaining element is due to demand exceeding the budget as the Council changes. To help offset this, a new structure will combine people Services and HR Services. These will improve the use of manager and staff self-service through the Trent system which is being upgraded by the supplier to be more intuitive.

The HR Service together with People Services is now in the latter stages of a major review with budgets being zero based and rebuilt by the end of this financial year. These changes will improve affordability but also enable the service to access flexible support for the Councils significant demands over the next few years. A formal consultation process with staff has commenced to enable these changes to be implemented at the start of the next financial year.

Within the Portfolio, there is also £249,000 of management savings across Support Services which have yet to be delivered, and is being addressed as part of the 2018/19 budget setting process. These arose because the savings were made but some of the costs were previously funded from capital, so did not all impact directly on revenue budgets

Council Cross-cutting Savings: £632,000 pressure due to further procurement savings targets and underspend rebasing across the Council which have not been fully achieved. This is because any procurement savings are being offset within services and inflationary pressures within contracts plus there has not been the same level of underspends available to remove from the budget. It is anticipated that there will be improvement against this figure from budget rebasing of additional profit achieved by Heritage Services that will contribute to this target. .

Corporate costs: £702,000 forecast under budget, as a result of one-off Banking Contract rebate plus reduced banking costs for a year, amounting to £80,000, and £150,000 of other once-off income. In addition, there is a £330,000 under budget forecast on capital financing and interest, reflecting delayed borrowing costs as a result of re-phasing of the capital programme. There are several other small underspends forecast including Parish Grant payments, unfunded pensions costs and external audit costs.

1.5 Transformation & Customer Services Portfolio – forecast on target

Libraries have achieved £60,000 of the £100,000 savings target due to salary savings from vacant posts, with the £40,000 balance currently a pressure for 2017/18. This is off-set by a £40,000 underspend forecast in Customer Services.

1.6 Adult Care, Health & Wellbeing Portfolio – forecast £1,425,000 over budget

The Adult Social Care revenue budget has a current forecast service pressure of £2,774,000 but this position can be partially mitigated by fully drawing down the remaining balance of £1,349,000 from both the Social Care Reserve and the Care Act Reserve. This is in line with anticipated use, giving a net service pressure of £1,425,000.

This is an improvement from the £2,179,000 forecast reported to October Cabinet, and three main factors that have contributed to the improved forecast as part of the measures put in place:-

- Improved utilisation of home care capacity funded through contracts with the Council's four Domiciliary Care Strategic Partners and associated contracting efficiencies (£200k)
- Reduced forecast costs arising from agreed joint funding with the CCG of a package of care for an individual with complex health and social care needs following review (£130k)
- Reduced forecast on the estimated cost of implementing the "Fair Price of Care" fee increases following cleansing of data transferred to and recorded on the new Social Care client database (£350k)

1.7 Children & Young People Portfolio – forecast £1,818,000 over budget

The forecast within this Portfolio is due to a number of demand-driven pressures. Children's Social Care Placement costs are forecast to overspend by £1,798,000 due to the significant increase in expenditure for supporting individual children, in particular the support for residential placements, support for fostered (including independent fostering) and court directed parent and baby placements, along with direct payments for clients at risk of care and Inter-agency adoption placements.

We continue the work to challenge and mitigate these cost pressures – this has included legitimate recoupment of direct payments relating to periods of hospitalisation and ongoing work to increase recruitment of local foster carers.

The September Home to School Transport routes and review of Special Education Needs (SEN) personal travel budgets has provided mitigation of the previously reported £200,000 overspend through better route planning to enable shared use of vehicles and vehicle optimisation, updating assessments of safe routes to school where improvements have been made and reducing the subsidy for fare-paying passengers on school buses. There may be further efficiencies found when the transport department carry out a final review.

Savings have also been made from staffing budgets where vacancies have been held to accommodate overspends. Specific savings have been identified in School Improvement budgets, commissioning budgets and management costs.

1.8 Economic & Community Regeneration Portfolio – forecast £834,000 under budget

Visitor numbers to the Roman Baths have increased by 7.5% compared to the previous year, which has contributed to Heritage Services forecasting £1,337,000 above the net income target. Within Economy & Culture, there is a £503,000 pressure primarily due to Strategic Review income targets for visitor economy, markets and events not being achieved. To address this going forward the Council is working with BTP on a new Business Plan and funding options that will address the income and efficiency targets for example savings in relation to the new location of both the offices and Tourist Information Centre.

1.9 Development & Neighbourhoods Portfolio – forecast £167,000 over budget

There is a £63,000 over budget forecast in several areas of Planning Development and Building Control & Land Charges, including savings targets not fully achieved and increased advertising and legal fees.

There is a £112,000 pressure in the Leisure budget arising from unbudgeted costs of holding the Riverside building in Keynsham due to the time taken to achieve the transfer of ownership to the council's property company ADL, which is now complete (and will enable income from that company in future years as the development takes place).

Within Waste & Fleet Services, there is a £104,000 over budget forecast in Cleansing, this is predominantly due to operational overspends relating to service running costs, with some additional one-off costs from depot relocation. Budget pressures within Waste Services have been partly mitigated through reducing costs by £297,000 in waste operations, mainly from the fortnightly collections, and also reduced disposal and treatment costs as the waste programme has had some slippage in delivery.

1.10 Transport & Environment Portfolio – forecast £226,000 over budget

There is a £118,000 over budget forecast in Highways & Traffic Management, including a £205,000 overspend forecast due to Highway Development roles being covered by consultants owing to the difficulties in recruiting these specialist roles. A restructure is being developed to create some career-graded posts in this team to encourage applicants. Also, the £125,000 savings anticipated from the Highways Maintenance contract rationalisation have not been achieved. These budget pressures are partially offset by underspends mainly attributable to vacant post salary savings.

Public Transport is forecasting a one-off £220,000 pressure in concessionary fares due to delays in finalising the 2016/17 outstanding payments. There is a risk that

an additional budget pressure of £200,000 could materialise as a result of the 2017/18 levy payment to the West of England Combined Authority. There is also an overspend of £134,000 relating to bus shelter cleaning and Real Time Information system maintenance and a £101,000 shortfall in Park & Ride income.

The budget pressures within this Portfolio are partially mitigated by the under budget forecast in Parking Services of £565,000, where parking income is £686,000 above target and a £227,000 staffing vacancy underspend are being off-set against delayed Strategic Review savings and bus lane enforcement income shortfalls within the service.

CAPITAL BUDGET MONITORING – APRIL 2017 TO OCTOBER 2017

- 1.1 The approved Capital Programme for 2016/17 is currently £131.378m and is detailed in Appendix 3(ii). Changes to the Capital Programme since September Cabinet are shown highlighted in Appendix 3(i).
- 1.2 A review of capital schemes is being carried out and the capital programme for 2018/19 onwards will be updated as part of the budget process.

Progressing Capital Projects Updates

- 1.3 **Transport Improvement Programme** – The Programme is progressing well, with multiple schemes in design and consultation. Schemes include the improvements to increase the capacity of the Two Headed Man (A39) Junction, where the works has started on site and currently progressing within budget. Key issues on the Feasibility of Trams for Bath are also being identified.
- 1.4 **Highways Maintenance Programme** – Schemes are progressing to programme. This includes the A4 Keynsham Bypass where Phase 1 works, including the Broadmead Lane Roundabout, have been completed. Phase 2, the bulk of the works to include resurfacing, will be completed in 2018.
- 1.5 **East of Bath Transportation** - The Cabinet has adopted a new approach to address the issues of traffic and transport in Bath, particularly to the east of the city, and will continue to seek and implement new opportunities. The Bath Conference was used to engage with the community on the type of measures to be developed further.
- 1.6 **Waste Projects including Infrastructure Relocation** – On-site construction for the relocation of the Outer Bath Street Cleansing Team to Locksbrook Road is due for completion this calendar year. Further options for the relocation of Refuse and Recycling collection operations, Commercial Waste Service and Waste Transfer Station are being developed, including for land acquisition, planning submission and proposed operations.
- 1.7 **Bath Leisure Centre Refurbishment** – Work is complete for Package 2A (delivering trampoline park, ten pin bowling, soft play, diner, martial arts studio and party rooms) and these are being opened in phases from late October. This is in

addition to the first package of works already open to the public (the sports hall, new fitness suite and new studios). The next phase of development, including the swimming pool improvements, has now commenced.

- 1.8 **Keynsham Leisure Centre** – The scheme proposals have received planning permission, and interior designs are finalised with budget approved. The project is being delivered in conjunction with the residential refurbishment of Riverside, and a contractor has been appointed, appendix 3 of this report proposes to re-profile the budget to realign to the delivery timetable.
- 1.9 **Affordable Housing** – Platform for Life, a shared housing project for young people is acquiring 2 houses and delivering 8 units, complete. Hanover Extra Care started on site in October 2017 and 5 rural units in Bathampton are expected to complete in quarter 4. All financial arrangements in place to begin to fund HOLD (Home Ownership for People with Long-Term Disabilities) for shared ownership purchases. English Rural is also due to start on site to secure units in the Old Rectory, Chew Stoke in early 2018.
- 1.10 **Digital B&NES** - Public Wi-Fi sites in Bath City Centre have been identified and detailed surveys are underway ahead of full rollout. Delivery of phase 2 of Connecting Devon and Somerset Partnership will commence in early 2018 and further funding applications are being developed for 2018/19
- 1.11 **RIF Project: Bath Quays Waterside (Innovation Quay)** - The flood defence work is substantially complete with the park due to open in November. Landscaping in the Bath Quays Bridge area will be undertaken as a second phase, after the installation of the bridge, currently envisaged in 2018.
- 1.12 **Bath Quays North** –The initial tender process to select a development partner has been completed with shortlisting underway now. The submission of an outline planning application for the Bath Quays North Masterplan is also imminent.
- 1.13 **Bath Quays South** - A decision for a Commercial Estate Investment in the Bath Quays South Office Development has been approved. Letting agents have been appointed to identify occupier interest for the Bath Quays South office building and initial market feedback has been positive. The land acquisition required for the bridge landing site has been completed and works are due to commence on site. The bridge will be manufactured off-site in 2018.
- 1.14 **Castle Primary School** – Phase 4 expansion works will deliver additional accommodation to expand the school from 210 to 420 places. Planning consent given and contractor appointed.
- 1.15 **Roman Baths Archway Project** - The Archway Project is nearing completion of RIBA Stage 4 Design. The tender process is underway for the Archaeological Contractor and a programme of research archaeology is planned for early 2018. The procurement process for the Main Building Contractor is progressing, with tender documentation being compiled ready for issue. It is anticipated that the main construction works will commence in spring 2018 with opening dates for the new facilities in summer 2019. The Heritage Lottery Fund is satisfied with the current progress on the project.

- 1.16 **York Street Repairs** – The results of the structural analysis undertaken allow the Christmas Market to proceed as planned with the traffic management plan now in place. Structural repairs to supporting beams are programmed for spring 2018. Further works to improve waterproofing and to resurface the road will be needed and will be co-ordinated with the Roman Bath Development.
- 1.17 **School Energy Projects** – The scheme is forecast to be delivered under budget.

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2017/18 Revenue Virements for Approval

Appendix 2 (i)

REF NO	REASON / EXPLANATION	CABINET MEMBER	TRANSFER FROM	Income	Expenditure	CABINET MEMBER	TRANSFER TO	Income	Expenditure	DESCRIPTION	ONGOING EFFECTS
			CASHLIM	(£'s)	(£'s)		CASHLIM	(£'s)	(£'s)		
The following virements are reported for approval under the Budget Management Scheme rules.											
OVERALL TOTALS				0	0			0	0		
					0				0		

2017/18 Revenue Virements for Information

REF NO	REASON / EXPLANATION	CABINET MEMBER	TRANSFER FROM	Income	Expenditure	CABINET MEMBER	TRANSFER TO	Income	Expenditure	DESCRIPTION	ONGOING EFFECTS
			CASHLIM	(£'s)	(£'s)		CASHLIM	(£'s)	(£'s)		
The following virements have either been previously approved, are technical in nature or are below limits within BMS that require approval, and therefore are reported for information only.											

INFO #24 Page 37	Cabinet Portfolio Realignment	Transport & Environment	Neighbourhoods & Environment - Waste & Fleet Services		14,284,703	Development & Neighbourhoods	Neighbourhoods & Environment - Waste & Fleet Services		14,284,703	Realignment of Cash Limits between Portfolios following further Cabinet Portfolio restructure.	Budget virement is on- going.
			Neighbourhoods & Environment - Parks & Bereavement Services		1,501,294		Neighbourhoods & Environment - Parks & Bereavement Services		1,501,294		
			Public Protection & Health Improvement - Leisure		682,899		Public Protection & Health Improvement - Leisure		682,899		
			Place - Overheads		561,077		Place - Overheads		561,077		
		Leader	Strategy & Performance		68,862	Transformation & Customer Services	Community Safety		68,862		
		Finance & Efficiency	Customer Services		2,850,874		Customer Services		2,850,874		
INFO 17#25	Property Budget Realignments	Finance & Efficiency	Property Services		62,250	Finance & Efficiency	Commercial Estate		42,250	To realign budgets to pressure. This includes the appointment of agents to ensure the quick turn around of void properties and to deal with CAT requests within the Corporate Estate.	Budget virement is on- going.
							Corporate Estate Including R&M		20,000		
INFO 17#26	Transport & Parking Services	Transport & Environment	Transport & Parking Services - Parking		12,212	Transport & Environment	Transport & Parking Services - Public & Passenger Transport		12,212	Correction to error in salary budget allocation within Transport & Parking Services.	Budget virement is on- going.
OVERALL TOTALS				0	20,024,171			0	20,024,171		
					20,024,171				20,024,171		

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Portfolio Cash Limits 2017/18 - Revenue Budgets

Appendix 2(ii)

Cabinet Portfolio	Service	Oct'17 Revised Cash Limits £'000	Technical Adjustments, below BMS limits or already agreed - shown for information £'000	Total Virements for Approval £'000	Dec'17 Revised Cash Limits £'000
Leader	Council Solicitor & Democratic Services	2,484			2,484
	Strategy & Performance	2,543	(69)		2,474
	PORTFOLIO SUB TOTAL	5,026	(69)		4,957
Finance & Efficiency	Finance	2,544			2,544
	People Services	455			455
	Risk & Assurance Services	1,001			1,001
	Information Technology	4,676			4,676
	Customer Services	2,851	(2,851)		
	Human Resources	410			410
	Property Services	2,526	(62)		2,463
	Corporate Estate Including R&M	2,271	20		2,291
	Commercial Estate	(15,705)	42		(15,663)
	Traded Services	170			170
	Strategic Director - Resources	(54)			(54)
	Corporate items (Savings)	(743)			(743)
	Hsg / Council Tax Benefits Subsidy	(195)			(195)
	Capital Financing / Interest	4,130			4,130
	Unfunded Pensions	1,679			1,679
	Corporate Budgets incl. Capital, Audit & Bank Charges	(231)			(231)
	New Homes Bonus Grant	(5,325)			(5,325)
	Magistrates	17			17
	Coroners	305			305
	Environment Agency	226			226
	West of England Combined Authority Levy	4,211			4,211
	PORTFOLIO SUB TOTAL	5,218	(2,851)		2,367
Transformation & Customer Services	Libraries & Information	1,620			1,620
	Customer Services		2,851		2,851
	PORTFOLIO SUB TOTAL	1,620	2,851		4,471
Adult Care, Health & Wellbeing	Adult Services	59,013			59,013
	Adult Substance Misuse (Drug Action Team)	535			535
	PORTFOLIO SUB TOTAL	59,548			59,548
Children & Young People	Children, Young People & Families	13,223			13,223
	Learning & Inclusion	15,929			15,929
	Health, Commissioning & Planning	(107,828)			(107,828)
	Schools Budget	105,512			105,512
	PORTFOLIO SUB TOTAL	26,835			26,835
Development & Neighbourhoods	Development Management	1,743			1,743
	Building Control & Land Charges	217			217
	Place - Overheads		561		561
	Public Protection & Health Improvement - Regulatory & Active Lifestyles	1,801			1,801
	Public Protection & Health Improvement - Leisure		683		683
	Neighbourhoods & Environment - Waste & Fleet Services		14,285		14,285
	Neighbourhoods & Environment - Parks & Bereavement Services		1,501		1,501
	Community Safety		69		69
	PORTFOLIO SUB TOTAL	3,761	17,099		20,859
Economic & Community Regeneration	Economy & Culture	991			991
	World Heritage	156			156
	Heritage	(6,075)			(6,075)
	Housing	1,046			1,046
	Regeneration, Skills & Employment	233			233
	PORTFOLIO SUB TOTAL	(3,648)			(3,648)

Portfolio Cash Limits 2017/18 - Revenue Budgets
Appendix 2(ii)

Cabinet Portfolio	Service	Oct'17 Revised Cash Limits £'000	Technical Adjustments, below BMS limits or already agreed - shown for information £'000	Total Virements for Approval £'000	Dec'17 Revised Cash Limits £'000
Transport & Environment	Highways & Traffic Management	7,344			7,344
	Neighbourhoods & Environment - Waste & Fleet Services	14,285	(14,285)		
	Neighbourhoods & Environment - Parks & Bereavement Services	1,501	(1,501)		
	Public Protection & Health Improvement - Leisure	683	(683)		
	Place - Overheads	561	(561)		
	Transport & Parking Services - Parking	(6,883)	(12)		(6,895)
	Transport & Parking Services - Public & Passenger Transport	(617)	12		(604)
	PORTFOLIO SUB TOTAL	16,874	(17,030)		(156)
	NET BUDGET	115,234			115,234

Sources of Funding

Council Tax	82,192			82,192
Retained Business Rates	31,279			31,279
Collection Fund Deficit (-) or Surplus (+)	(1,379)			(1,379)
Balances	3,142			3,142
Total	115,234			115,234

Capital Virements - Additions & Reductions 2017/2018
Appendix 3 (i)

REF NO	REASON / EXPLANATION	TRANSFER / FUNDING FROM	Income (£'s)	Expenditure (£'s)	TRANSFER TO	Income (£'s)	Expenditure (£'s)	Notes
CAP17#039-2017	York Street Infrastructure works	Capital Contingency / CSB	539,000		Place- Environmental Services		539,000	Urgent works required on York Street. Approved by Council Sept 17
CAP17#040-2017	Swainswick Primary School	Grant	723,000		People and Communities- Children's Services		723,000	Approval of full project following the feasibility study. Approved by SMD 11/09/17
CAP17#041-2017	Children's Services Capital Schemes Managed by Property Services	Grant	-104,324		People and Communities- Children's Services		-104,324	Historic underspends on various Grant funded schools schemes closed and funding returned to Provisional School Maintenance scheme for future decision.
CAP17#042-2017	Leisure facility modernisation - Keynsham Sports Centre	Service Supported Borrowing	-2,000,000		Place- Environmental Services		-2,000,000	Leisure phasing correction, approved budget realigned to the delivery timetable.
CAP17#043-2017	Alice Park - Skate Park	Corporate Supported Borrowing	97,000		Place- Environmental Services		97,000	Building of skate park in Alice Park, CSB element only, 3rd party contribution to be added next month. Approved by SMD E2996
CAP17#044-2017	Commercial Estate Investment Fund	Service Supported Borrowing	9,565,000		Resources- Property		9,565,000	Approval of part of the provisional property acquisition budget to acquire an income generating office investment to incorporate into the Commercial Estate. Approved by SMD E2990
CAP17#045-2017	Children's Services Capital Schemes Managed by Property Services	Grant	-286		People and Communities- Children's Services		-286	Twerton Infant - Rectify Electrical Faults Project now complete, underspend of budget returned to Provisional Schools Capital Maintenance scheme.
CAP17#046-2017	Schools Capital Maintenance Programme	Grant	-29,821		People and Communities- Children's Services		-29,821	Historic underspends on various Grant funded schools schemes closed and funding returned to Provisional School Maintenance scheme for future decision.
OVERALL TOTALS			8,789,569			0	8,789,569	

Capital Virements - Additions & Reductions Future Years
Appendix 3 (i)

REF NO	REASON / EXPLANATION	TRANSFER / FUNDING FROM	Income (£'s)	Expenditure (£'s)	TRANSFER TO	Income (£'s)	Expenditure (£'s)	Notes
CAP17#003-FY	Leisure facility modernisation - Keynsham Sports Centre		4,417,000				4,417,000	Correction of phasing of budgets for SMD approval E2942, 18/19 Budget
CAP17#004-FY	Leisure facility modernisation - Keynsham Sports Centre		5,000,000				5,000,000	Correction of phasing of budgets for SMD approval E2942, 19/20 Budget
			9,417,000	0			9,417,000	

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CAPITAL SCHEME	2017/18		
	Budget at September 2017 Cabinet	Approvals to November 2017 Cabinet	Budget at November 2017 Cabinet
	£'000	£'000	£'000
<u>Finance & Efficiency</u>			
Workplaces Programme Delivery	637	90	727
Keynsham Regeneration & New Build	1,259	-580	679
The Hollies	25	-25	0
Community Resource Centre Capital investment	700	0	700
Corporate Estate Planned Maintenance	2,368	0	2,368
Equality Act Works	461	0	461
Disposals Programme (Minor)	144	0	144
Commercial Estate Investment Fund 16/17	335	0	335
Commercial Estate Investment 17/18	18,720	9,565	28,285
Acquisitions - Future Revenue Generation	194	0	194
Saw Close Development	47	0	47
Grand Parade & Undercroft	4,805	0	4,805
Housing Delivery Vehicle	1,284	0	1,284
Property Company Investment	13,783	0	13,783
Roseberry Place	31	0	31
1 - 3 James Street West	115	0	115
7 - 9 Lower Borough Walls	23	0	23
Agresso System Development & 5.6 Upgrade	103	0	103
Income systems upgrade & associated works	45	0	45
Department of Health Grant: Resources IT: Assistive Technology	47	0	47
Desktop As a Service - VDI Technology	233	-80	153
Customer Services System	195	0	195
IT Asset Refresh (Servers and Network)	109	80	189
Bathampton Farmhouse	40	0	40
Cleveland Pools	100	0	100
Corporate Capital Contingency	2,000	-50	1,950
	47,802	9,000	56,802
<u>Transformation & Customer Services</u>			
LAA Performance Reward Grant	162	0	162
Energy at Home	4	0	4
Warmth & Health Homes Programme	43	0	43
Modern Libraries & Workplaces	0	515	515
	209	515	724
<u>Adult Care, Health & Wellbeing</u>			
Adult Social Care Database replacement	-3	0	-3
Drugs and Alcohol Recovery House Public Health Grant	750	0	750
	747	0	747

	2017/18		
	Budget at September 2017 Cabinet	Approvals to November 2017 Cabinet	Budget at November 2017 Cabinet
	£'000	£'000	£'000
CAPITAL SCHEME			
<u>Children & Young People</u>			
Schools Capital Maintenance Programme	1,108	-79	1,029
Schools Devolved Capital	1,168	-766	402
Weston All Saints Primary - Basic Need	117	0	117
Castle Primary - Basic Need	227	0	227
St Saviour's Junior - Basic Need	8	0	8
Saltford Primary - Basic Need	1,079	0	1,079
Building adaptations for short breaks for Disabled Children	20	0	20
School Energy Invest to Save Fund	213	0	213
Early Years - 2yr Olds Funding / S106	2	0	2
Basic Needs Feasibility / Option Appraisal	317	92	409
Schools LA Contribution to Capital / Private Capital / Seed Challenge / Travel Plans	103	35	138
Paulton Junior School - Basic Need	504	0	504
Youth Projects	48	0	48
Children's Services Capital Schemes	-17	14	-3
Children's Services Capital Schemes Managed by Property Services	0	834	834
Client Data System for Children's Social Services	2	0	2
Bishop Sutton Primary School - Basic Need	204	0	204
St Mary's Writhlington Replace Classroom Block	527	-518	9
Chandag Infants UIFSM	85	-85	0
Schools Minor Works and DDA Schemes	440	-26	414
Westfield Primary School - Basic Need	113	0	113
St John's School Keynsham classroom refurbishment	5	0	5
Children's Centre Capital Schemes	6	0	6
Oldfield Park Junior School - Basic Need	112	0	112
Farmborough Primary BN Feasibility Study	103	-103	0
St Marys Writhlington BN Feasibility Study	-7	518	511
Whitchurch Primary BN Feasibility Study	7	-7	0
Ensleigh - New Primary School	1,130	0	1,130
MOD Foxhill Mulberry Park - New School Feasibility Study	9	0	9
Bathampton School Basic Needs	15	0	15
St Michaels Junior School Pratten Building Feasibility Study	-1	1	0
Keynsham East New School Feasibility Study	5	0	5
Farmborough Primary - Basic Need	0	96	96
St Michaels Junior School Replace temporary building	35	-34	1
Riverside Youth Hub Development	95	0	95
St Keyna Basic Need Feasibility Study	19	0	19
Somerdale New School Feasibility Costs	4	0	4
St Gregs, St Marks 6th Form	76	-35	41
Bathwick St Mary New School Expansion	9	0	9
Ubley Primary Basic Needs	323	0	323
Castle Primary - Phase 4 New Build Feasibility	-35	35	0
Castle Primary expansion (Phase 4)	2,626	-35	2,591
St Nicholas Primary - Feasibility Study Expansion	85	-85	0
St Saviour's Junior - Bulge Year Feasibility Study	177	0	177
Freshford Primary Enhancements	32	0	32
Children's Education Management System	820	0	820
Whitchurch Primary expansion	1,309	7	1,316
Swainswick Primary School	0	730	730
	13,227	588	13,815

	2017/18		
	Budget at	Approvals to	Budget at
	September 2017 Cabinet	November 2017 Cabinet	November 2017 Cabinet
CAPITAL SCHEME	£'000	£'000	£'000
<u>Economic & Community Regeneration</u>			
Visitor & Till Management System	100	0	100
Heritage Infrastructure Development	94	0	94
BWR - Council Project Team	-8	0	-8
BWR - Affordable Housing	212	0	212
BWR - Infrastructure	1,550	0	1,550
BWR - Relocation of Gas Holders	2,048	0	2,048
NRR Infrastructure	116	0	116
London Road Regeneration	-49	0	-49
Enterprise Area - Flood Mitigation Phase 1	1,013	0	1,013
Disabled Facilities Grant	1,156	0	1,156
River Corridor & ROSPA safety works	274	0	274
Digital B&NES	23	0	23
Somer Valley Business Centre	49	0	49
Affordable Housing	1,901	0	1,901
PRMP Northumberland Place	10	0	10
PRMP Pattern Book & Team Costs	63	0	58
City Information Scheme	54	0	54
Bath Quays South	198	0	198
Bath Quays North	-40	3,394	3,354
Bath Quays Bridge & Linking Infrastructure	2,715	361	3,076
Innovation Quay - EDF Infrastructure	0	9	9
Bath Quays Delivery (in addition to EDF Funding in existing programme above)	3,764	-3,764	0
Cattlemarket/Cornmarket	22	0	22
BWRE/Green Park	147	0	147
Radstock and Westfield Implementation Plan	66	0	66
Roman Baths Development: East Baths Development	-39	0	-39
South Road Car Park	143	0	143
Manvers Street	57	0	57
Roman Baths Archway Centre	3,685	0	3,685
Saw Close Development Works	1,563	0	1,563
Heritage: Victoria Art Gallery Air Conditioning	141	0	141
	21,028	0	21,028
<u>Development & Neighbourhoods</u>			
Vehicle Replacement: Neighbourhoods	212	0	212
Allotments	10	0	10
Beechen Cliff Woodland & Other Open Spaces Improvements	82	0	82
Neighbourhoods - Bin and Bench Replacement	6	0	6
Alice Park - Skate Park	0	97	97
Play Equipment	42	0	42
Waste Re-provision feasibility work	304	0	304
Environmental Protection Vehicles	14	0	14
Waste Vehicles	130	0	130
Cleansing Vehicles	265	0	265
Sydney Gardens	246	0	246
Bath Leisure Centre Refurbishment	5,005	0	5,005
Parade Gardens Infrastructure for Business Development	14	0	14
Parks Service Schemes	291	0	291
Waste Project - relocation of cleansing	789	0	789
Keynsham Leisure Centre - Land Assembly	74	0	74
Waste Operations - Relocation	11,632	0	11,632
Sydney Gardens: a 21st Century Pleasure Gardens	270	0	270
Parks Play Equipment	278	0	278
Neighbourhood Services Vehicle Replacement Programme	715	0	715
Parks s106 Capital projects: Bloomfield Green Open	289	0	289
Parks Equipment	41	0	41
Parks Action Response Work	236	0	236
Bath Recreation Ground Trust - Leisure	510	0	510
Litter Bin Replacement Programme	25	0	25
Leisure - Council Client / Contingency	1,394	0	1,394
Leisure facility modernisation - Keynsham Sports Centre	2,600	-2,000	600
Leisure Bath - Car Park	200	0	200
	25,675	-1,903	23,772

	2017/18		
	Budget at September 2017 Cabinet	Approvals to November 2017 Cabinet	Budget at November 2017 Cabinet
	£'000	£'000	£'000
CAPITAL SCHEME			
<u>Transport & Environment</u>			
Highways Maintenance Programme	4,335	0	4,335
Bath Transport Package - Main Scheme	2,800	0	2,800
Transport Improvement Programme	2,827	0	2,827
Batheaston Bridge	4	0	4
Cycle City Ambition	33	0	33
Victoria Bridge	28	0	28
Bus Lane Camera Replacement	300	0	300
Park and Ride East of Bath Project Development	475	0	475
Passenger Transport Vehicles	460	0	460
Parking - Vehicle Replacement Programme	100	0	100
Saltford Station - reopening feasibility work	250	0	250
Better Bus Fund	34	0	34
Kenmet & Avon Tow Path & Cycle Parking	30	0	30
Street Lighting - LED Replacement Programme	748	0	748
Keynsham Town Centre one way system	116	31	147
Bath Cycle Action Plan - Bath Quays Scheme	42	0	42
Speed Enforcement Cameras	150	-31	119
HMB - National Productivity Investment Fund (NPIF)	788	0	788
Kingsmead Square Improvements	10	0	10
Dorchester Street, Traffic Review	100	0	100
Somerdale Bridge, Keynsham – Initial Options Study	70	0	70
London Road Modification	200	0	200
York Street Infrastructure works	0	589	589
	13,901	589	14,490

TOTAL CAPITAL SCHEME BUDGET	122,589	8,789	131,378
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<u>Sources of Funding (£'000)</u>			
EU/Government Grant	25,897	134	26,031
Revenue	484	14	498
Other Council Support including Borrowing and Capital Receipts	88,691	8,017	96,708
s106 Contribution	3,683	624	4,307
Other 3rd Party	3,834	0	3,834
Total Sources of Funding (£'000)	122,589	8,789	131,378

Bath & North East Somerset Council		
MEETING/ DECISION MAKER:	Cabinet	
MEETING/ DECISION DATE:	6 December 2017	EXECUTIVE FORWARD PLAN REFERENCE:
		E 3005
TITLE:	Consultation on the Proposal to Close Camerton Church School	
WARD:	Bathavon West, Paulton, Peasedown, Radstock, Timsbury	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix 1 Consultation Responses Report		

1 THE ISSUE

- 1.1 To consider the consultation responses received and the rationale behind the proposal of Camerton Church School's Governing Body to close the school and to decide whether to publish a statutory notice proposing the closure of the school.

2 RECOMMENDATION

The Cabinet is asked to;

- 2.1 Based on the educational, social and emotional needs of pupils, agree to the publication of a statutory notice proposing the closure of Camerton Church School which will allow a further four week consultation period to take place.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 Schools are funded on a per pupil basis and with such small numbers year on year, the revenue budget to operate the school has continued to diminish. It is very difficult for a single teacher to cover the entire curriculum across seven year groups within one class. As a result, it has become difficult for the school to provide a rich and engaging curriculum and opportunities for pupils to achieve high standards in their learning and to develop socially and emotionally by engaging in normal friendship groups.
- 3.2 The Council has a duty of care to ensure children in its schools are able to receive a good education and to access the full curriculum. The school at its current size of seven pupils is not able to do this effectively as it is not financially viable to run and there are significant revenue implications should it remain open.

- 3.3 The school premises are the property of the Diocese of Bath and Wells. The school is currently insured by the Council. Should the school close, the insurance liability would pass to the Diocese. Should the property subsequently be disposed of there would be no capital receipt for the Council.
- 3.4 Under the current Home to School Transport Policy, the Council provides transport for pupils where the school attended is the nearest appropriate one as designated by the Local Authority and where the distance travelled is two miles or more for pupils aged five to seven years and three miles or more for pupils aged eight years and over or if the route is exceptionally hazardous. The Council does not currently provide transport for any pupils living in Camerton. Should the school close, the Council will incur transport costs for the seven pupils currently on roll at Camerton but being educated at Shoscombe C of E Primary school if they choose to remain at Shoscombe. It is also possible that costs for home to school transport could increase in the future for children starting school if they qualify for transport assistance to their preferred school.
- 3.5 One teaching and one support staff post are currently at risk of redundancy, with any costs of redundancy to be met by the Council.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 Equalities, children. An Equality Impact Assessment has been completed. Significant issues identified are:
- 4.2 Religion/belief: The school is a Voluntary Controlled Church of England (C of E) school. If it was to close, there would be a reduction in the number of church school places available locally. However there are places available in other C of E schools in the local area to continue to make this option available to local parents.
- 4.3 Socio-economically disadvantaged: Possible impact on low income families living in Camerton who would have to travel outside of the village to access a school place and who do not own a car. If the school closes, parents qualifying under the Low Income Family policy which is part of the Home to School Transport Policy would have transport provided by the Council to access a place at their closest available school.
- 4.4 Rural communities: Camerton is a rural school and if it was to close, the village would no longer have a school. There are projected to be sufficient places available in other local schools to accommodate primary age pupils living in Camerton. The next closest schools would be St Mary's C of E Primary school Timsbury and Peasedown St John Primary school in Peasedown St John. As stated above, under the current policy the Council would provide home to school transport for pupils living in Camerton attending their closest school.
- 4.5 The Council has a statutory duty to ensure that there are sufficient school places available in their area to meet demand.

5 THE REPORT

- 5.1 Pupil numbers at Camerton Church School have been falling for several years and for September 2017 only seven pupils in total are expected to be on roll. Despite the efforts of the Governing Body over the years to increase pupil

numbers through publicity, open days, providing a pre-school nursery on site, working closely with other small schools and eventually becoming part of a federation of three schools, pupil numbers have gradually reduced.

- 5.2 At this size, the Governing Body believes it would be extremely difficult to provide a rounded education that meets the academic, social and emotional needs of the pupils at the school. As schools are funded on a per pupil basis, with such small numbers year on year, the budget to operate the school continues to diminish. This makes it very difficult to provide a rich and engaging curriculum and opportunities for pupils to achieve high standards in their learning and to develop social friendship groups.
- 5.3 The Governing Body has therefore concluded that the school is no longer viable either educationally or financially and has taken the difficult decision to propose closing the school. They have asked the Council to commence the statutory process that must be followed when it is proposed to close a school, the first stage of which is a period of public consultation.
- 5.4 Whilst the statutory process is being carried out, the Governing Body has put in place interim arrangements for the seven pupils on roll at the school to be educated elsewhere within the Federation at Shoscombe, in order to provide the best possible outcomes for them academically, socially and emotionally. The Governing Body is providing transport for these seven pupils to and from the Shoscombe site.
- 5.5 If it was decided to close the school, these seven pupils would be able to remain at Shoscombe and formally transfer onto the roll of Shoscombe school should they wish to. From 1 September 2018 responsibility for home to school transport for these seven pupils would transfer to the Local Authority.
- 5.6 Alternatively they would be free to apply to another school. Admission to another school would be subject to available places. If the school is full and parents are refused a place there will be a right of appeal to an Independent Appeal Panel. If the school has room but the number of applications exceeds the spaces available, the school admission criteria will be used to determine the allocation of places.
- 5.7 As there is currently no significant new housing development proposed for Camerton, there is nothing to indicate that numbers of children in Camerton village are likely to increase significantly in the near future, to lead to increased pupil numbers at the school.
- 5.8 Should Camerton Church School close, there are projected to be sufficient places available in other existing surrounding local primary schools to accommodate future pupils in the area. In addition, a feasibility study is currently being carried out to add more places to Peasedown St John Primary school.
- 5.9 The Local Authority will provide transport between home and school in line with the current Home to School Transport Policy. Transport would be provided where the school attended is the nearest appropriate one as designated by the Local Authority, and where the distance as measured by the nearest available walking route is two miles or more for pupils aged five to seven years and three miles or more for pupils aged eight years and over. Transport can also be

provided if the nearest available route is exceptionally hazardous or parents qualify under the Low Income Family policy.

- 5.10 Members of staff have already been consulted on the proposal to close Camerton, the interim arrangements and the impact of this on individual staff members and their employment rights and options. If it was decided to close the school, then any further formal consultation would take place as necessary.
- 5.11 If it is decided to proceed, the statutory notice and complete proposal would be published at the beginning of February 2018. There would then be a further representation period of four weeks, during which interested parties will have a final opportunity to comment on the proposal before a final decision is made at the 11 April 2018 Cabinet meeting.
- 5.12 If the decision was made to go ahead with the closure, the implementation date would be 31 August 2018.

6 RATIONALE

- 6.1 Publication of a statutory notice will mean a further four week period of consultation can take place, allowing further comments to be submitted by the public before a final decision is made by the Cabinet.

7 OTHER OPTIONS CONSIDERED

- 7.1 To not proceed with the publication of a statutory notice. This option was rejected as the school is not currently viable at this size. Also publication of the notice will allow the Council to seek further views on the proposal to close the school.

8 CONSULTATION

- 8.1 The consultation and consultation document were published on the consultation section of the Council's website.
- 8.2 Paper copies of the consultation document were sent to the following schools for distribution to the individuals as listed below:

Headteacher, Governing Body, staff and all parents at Camerton, Shoscombe and St. Julian's Church Primary schools; Headteacher, Governing Body, staff and all parents at St. Mary's C of E Primary Timsbury; Headteacher, Governing Body, staff and all parents including parents of children at the pre-school at Peasedown St John Primary; Manager, staff and all parents at Timsbury Pre-school.

- 8.3 The consultation document was emailed to the local MP for North East Somerset, the Leader of the Council, the Cabinet Member for Children's Services, the Children and Young People Policy Development and Scrutiny Panel members, Ward Councillors for Bathavon West, Paulton, Peasedown, Radstock and Timsbury wards, the local Parish Council, Trades Unions representing all staff at the school, the Church of England Diocese, the Catholic Diocese, Headteacher and Governing Body of Norton Hill, Somervale and Writhlington secondary schools, Headteacher and Governing Body of High Littleton C of E Primary, Paulton Infant, Paulton Junior and Trinity Church Primary schools and other Council officers.

8.4 The document explained how comments could be submitted to the Council. A seven week consultation period gave interested stakeholders an opportunity to comment on the proposal. Three consultation responses were received.

8.5 Camerton Church School pupils being educated at Shoscombe were consulted.

8.6 A public consultation meeting was held at the school. There were five attendees - two Camerton residents, two governors of a neighbouring primary school and one councillor.

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. Significant risks identified are:

9.2 The school is so small with only seven pupils that it is not educationally or financially viable. As a result, it is not possible to provide pupils with a rounded education that meets their academic, social and emotional needs.

9.3 Routes to other alternative schools are within the statutory walking distances however they are accessed via hazardous routes. Therefore under the current policy the Council will need to provide home to school transport for children living in Camerton to attend other local schools if Camerton school closes. However this will reduce the need for individual journeys by private car and for children to have to walk along hazardous routes.

Contact person	<i>Helen Hoynes 01225 395169</i>
Background papers	<i>Consultation document</i> http://www.bathnes.gov.uk/sites/default/files/sitedocuments/Schools-and-Learning/consultation_document.pdf
Please contact the report author if you need to access this report in an alternative format	

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Bath & North East Somerset Council		
MEETING/ DECISION MAKER:	Cabinet	
MEETING/ DECISION DATE:	6 th December 2017	EXECUTIVE FORWARD PLAN REFERENCE:
		E 3014
TITLE:	Whitchurch Village Neighbourhood Development Plan	
WARD:	Publow and Whitchurch	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix 1: Draft Whitchurch Village Neighbourhood Plan – available at: http://www.bathnes.gov.uk/sites/default/files/sitedocuments/Planning-and-Building-Control/Planning-Policy/NPP/wvndp_draft_referendum_version.pdf		

1 THE ISSUE

- 1.1 Following the successful examination and referendum, this report seeks to make and bring into force the Whitchurch Village Neighbourhood Plan (Appendix 1), so that it will be used by the Local Planning Authority to help determine planning applications within the Neighbourhood Area.
- 1.2 Whitchurch Village Parish Council is the qualifying body authorised to act in relation to the neighbourhood Plan.

2 RECOMMENDATION

Cabinet is asked to agree to:

- 2.1 Make and bring into force the Whitchurch Village Neighbourhood Development Plan, as set out in Appendix 1, as part of the Development Plan for the Whitchurch Neighbourhood Area, in accordance with Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011 and the Housing and Planning Act 2016).

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 The main costs of producing the Whitchurch Village Neighbourhood Plan related to in-kind technical support provided, plus the costs of the external examination, referendum and associated printing costs. These costs will be funded through a £20,000 Government Neighbourhood Planning Grant, which will be received by the Council by the end of this financial year (Neighbourhood Planning Grants are paid quarterly and the next payment is expected in December 2017).

- 3.2 All other minor costs associated with supporting the preparation of the Neighbourhood Development Plan have been covered within the existing LDF budget.
- 3.3 Significant community resources have been invested into the Whitchurch Village Neighbourhood Plan preparation, including substantial volunteer time.
- 3.4 Once the Neighbourhood Plan is made, Whitchurch Parish Council will receive 25% of CIL payments for development within their Neighbourhood Area, in line with the CIL Regulations (rather than the typical 15%).

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 The Localism Act 2011 has reformed the planning system to give local people new rights to shape the development of the communities in which they live.
- 4.2 The Act provides for a new type of community-led initiative known as a Neighbourhood Development Plan which sets out the policies on the development and use of land in a parish or 'Neighbourhood Area'.
- 4.3 The Council has a duty to assist communities in the preparation of Neighbourhood Development Plans and orders and to take a Plan through a process of examination and referendum and to bring the Neighbourhood Plan into force. This duty includes making the plan as soon as is reasonably practicable but in any event within 8 weeks after the referendum approving the plan has taken place.
- 4.4 In line with the Neighbourhood Planning Protocol (version dated 9th September 2015) the decision to make the Plan is for the Council's Cabinet.

5 THE REPORT

- 5.1 Whitchurch Village Parish Council indicated that they would like to undertake a Neighbourhood Development Plan (NDP) in September 2014 and the Neighbourhood Area, the first formal stage in the process, was designated by the Council on 3rd November 2014. The Plan was considered by an Independent Examiner in September 2017, who recommended that it should proceed, with modifications, to the final stage, the referendum.

Whitchurch Village NDP Referendum

- 5.2 The referendum took place on the 16th November 2017. In accordance with the regulations, the question posed in the referendum was: 'Do you want Bath & North East Somerset Council to use the neighbourhood plan for Whitchurch Village to help it decide planning applications in the neighbourhood area?'
- 5.3 There was a 38.5% turnout of the overall Neighbourhood Area electorate. A majority (96.5%) were in favour of using the Whitchurch Village NDP to help decide planning applications in the Neighbourhood Area.

Compatibility with EU Legal Obligations & Human Rights

- 5.4 The Council does not have to bring the Plan into force if it is considered that the making of the Plan would breach, or be incompatible, with any EU obligations or the European Convention on Human Rights (Section 38A(6) of the Planning & Compulsory Purchase Act 2004).
- 5.5 The Independent Examiner considered this issue and concluded that, subject to the recommended modifications (all of which have been incorporated into the final draft of the Plan), the Plan would not breach or be incompatible with any EU laws or the European

Convention on Human Rights. The Council's Legal Services have reviewed the Plan and concur with the examiner's view. As such, it is considered that the legal duty under Section 38A(4) Planning and Compulsory Purchase Act 2004 (to make the plan as soon as is reasonably practicable but in any event within 8 weeks after the referendum approving the plan) applies in this case.

Making the Neighbourhood Plan and bringing it into force

- 5.6 In accordance with Section 38A(4) of the Planning and Compulsory Purchase Act 2004, as inserted by the Localism Act 2011 and amended by the Housing Act 2016, the Council has a duty to make the Whitchurch Village Neighbourhood Plan part of the Development Plan. The Development Plan is the framework for determining planning applications in B&NES (and currently comprises the Core Strategy (2014); Placemaking Plan (2017); Saved Policy from the 2007 B&NES Local plan; the Joint Waste Core Strategy; and already made Neighbourhood Plans). This will mean that the Whitchurch Village Neighbourhood Plan will have full statutory weight in decision making and planning applications should be determined in accordance with the Neighbourhood Plan, alongside national planning policies, and other policies in the Development Plan, unless material considerations indicate otherwise.
- 5.7 It is recommended that the Council makes the Plan and brings it into force.
- 5.8 The Council must also publicise (on the web site or in any other manner to bring it to the attention of those who live, work or carry on business in the Neighbourhood Area) their decision on the Neighbourhood Plan and the reasons for that decision in a 'Decision Statement' (Section 38A(9) of The Planning & Compulsory Purchase Act 2004 & Regulation 19 of the Neighbourhood Planning (General) Regulations 2012). Under delegated authority the Divisional Director – Development will issue a Decision Statement. The Council must also publish where and when the Decision Statement can be inspected and send a copy to Whitchurch Village Parish Council. The Decision Statement will be published on the B&NES website and will be made available for inspection in the following locations:
- One Stop Shop's Reception
 - Bath Central Library
 - Whitchurch Village Parish Council, Community Centre Office
 - Sleep Lane Dental Practice, Whitchurch

Call In

- 5.9 The Council has a legal duty to make the Plan and bring it into force within 8 weeks once it has been approved at referendum. It is therefore considered that this decision falls within the exceptions to call in contained in rule 5 of the Call In Procedure Rules, namely, that the effect of call in would be to cause the Council to miss the statutory deadline.

6 OTHER OPTIONS CONSIDERED

- 6.1 No other options were considered given that the Council has a duty to make the Plan and bring it into force.

7 CONSULTATION

- 7.1 The Monitoring officer, Section 151 officer and Strategic Director Place have been given the opportunity to review this report and have cleared it for publication.
- 7.2 Considerable consultation has been undertaken alongside the preparation of the Plan:

- Representations were invited with regard to the designation of the neighbourhood area covering Whitchurch for a 6 week period and the area was designated on 3rd November 2014.
- Representations were also invited with regard to the Draft Neighbourhood Plan for a six week period from 19th May 2017 to the 30 June 2017.
- Erroneously the content of the Consultation Statement available for consultation as part of the package of documents publicised for comment did not accord with the requirements of Regulation 15(2) of the Neighbourhood Planning (General) Regulations 2012. To rectify the situation, B&NES Council publicised a revised Consultation Statement as part of the documents for a further six week consultation period from 7 July 2017 to the 18 August 2017 under Regulation 16.
- On 16th November 2017 the Neighbourhood Plan was subject of a community Referendum. Everyone who was registered to vote within the Parish was given the opportunity to vote on whether the Plan should be 'made' by the Council.

7.3 No additional consultation has taken place or is necessary with regard to the recommendation of this Report; at this stage the only publicity required is in line with paragraph 5.8 above.

8 RISK MANAGEMENT

8.1 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	<i>George Blanchard - 01225 477684 or Richard Daone 01225 477546</i>
Background papers	<p><i>My Neighbourhood: A Neighbourhood Planning Protocol for Bath & North East Somerset</i></p> <p>http://www.bathnes.gov.uk/sites/default/files/sitedocuments/Planning-and-Building-Control/Planning-Policy/NPP/npp_my_neighbourhood_adopted_2014.pdf</p> <p><i>Whitchurch Village Neighbourhood Plan Area:</i></p> <p><i>Neighbourhood Plan Evidence Base and other Background documents:</i></p> <p>http://www.bathnes.gov.uk/services/planning-and-building-control/planning-policy/neighbourhood-planning-bnes/neighbourhood</p>
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