

## **BATH AND NORTH EAST SOMERSET**

### **CABINET**

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

Thursday, 12th September, 2019

#### **Present:**

Councillor Dine Romero	Council Leader and Liberal Democrat Group Leader
Councillor Rob Appleyard	Cabinet Member for Adult Services
Councillor Tim Ball	Cabinet Member for Housing, Planning, and Economic Development
Councillor Neil Butters	Cabinet Member for Transport Services
Councillor Paul Crossley	Cabinet Member for Community Services
Councillor Kevin Guy	Cabinet Member for Children's Services
Councillor Richard Samuel	Deputy Council Leader and Cabinet Member for Resources
Councillor Sarah Warren	Cabinet Member for Climate Emergency and Neighbourhood Services
Councillor David Wood	Cabinet Member for Climate Emergency and Neighbourhood Services
Councillor Joanna Wright	Cabinet Member for Transport Services

#### **15 WELCOME AND INTRODUCTIONS**

The Chair welcomed everyone to the meeting.

#### **16 EMERGENCY EVACUATION PROCEDURE**

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

#### **17 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

#### **18 DECLARATIONS OF INTEREST**

There were none.

#### **19 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

There was none.

#### **20 QUESTIONS FROM PUBLIC AND COUNCILLORS**

There were 14 questions from Councillors and no 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 as Appendix 1 and are available on the Council's website.]*

**21 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS**

There were none.

**22 MINUTES OF PREVIOUS CABINET MEETING**

**RESOLVED** that the minutes of the meeting held on 10<sup>th</sup> July 2019 be confirmed as a correct record and signed by the Chair.

**23 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET**

There were none.

**24 MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES**

There were none.

**25 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING**

The Cabinet agreed to note the report.

**26 BATH CLEAN AIR PLAN- SEPTEMBER 2019 UPDATE**

Councillor Sarah Warren introduced this item by reading out the following statement:

*'Today, we are launching a final consultation on Bath's Clean Air Zone. Air pollution causes 140 deaths per day in the UK, as well as being a contributory factor in the onset of heart disease and cancer. It particularly affects the most vulnerable: children and older people, those with heart and lung conditions; and new evidence continues to emerge of its adverse impacts on every organ of the body. Areas with poor air quality are often the least affluent areas. This is why Client Earth took the UK government to court to demand cleaner air, and why I marched with hundreds of others as part of the "Breathe in Bath" demo through the city centre on 16th August this year.*

*In response to Client Earth's action and the ruling in the supreme court, the UK government required councils with poor air quality to implement clean air zones. Last autumn, Bath and North East Somerset council consulted on introduction of a "Class D" zone, which would have charged not only HGVs, buses, vans, and taxis, but also private cars, to drive into the city centre. There was a huge response to the consultation, many respondents pointing out the adverse impacts on local families of charging cars, especially in the absence of convenient, affordable alternatives. This prompted the council to revisit the traffic and pollution modelling, and a way was found to avoid charging cars, by introducing traffic lights at Queen Square to limit*

*traffic flows when pollution levels are high in that particular hotspot. This “Class C” scheme is the one on which we are currently inviting comments from the public. On being elected in May, the Liberal Democrat administration immediately commissioned a brief independent review of the work completed to date. This is a highly technical area at the cutting edge of modelling. Any responsible administration taking on such a project would check to ensure that decisions taken to date had been based on reliable assumptions and data, and that no opportunities had been missed, before spending millions implementing a clean air zone. For the record, the review cost £,9000 not the scaremongering figure of £100,000 cited by opposition parties.*

*The review confirmed that legally compliant nitrogen dioxide levels are likely to be met under the current proposal, ahead of the extremely challenging deadline imposed upon us by government, of 2021. To be on the safe side, we have stepped up nitrogen dioxide monitoring at numerous sites around the district, so that we can be sure that pollution levels do fall as projected, and will have early warning if they don't.*

*I want to emphasise that, as an administration, we would prefer not to charge local businesses, but the structure of the scheme, based around charging vehicles, has been defined by national government. The tight deadlines mean that since taking office in May, we have been unable to make the improvements to the scheme that we would have wished – at Queen Square, and to the boundaries.*

*Alongside the charging scheme, we have so far secured up to £10 million to invest in measures to mitigate the impact on local people and businesses. These funds will provide (1) financial support to help retrofit and upgrade business vehicles; (2) electric charge points to encourage uptake of electric vehicles; and (3) enforcement of anti-idling and weight restrictions. We have also received funding to employ travel advisors to help residents and businesses to access support, and encourage the switch to cleaner modes of transport. Later this year, we will submit further bids to government for funding for last mile delivery, and additional electric charge points. I want to stress that this type of scheme represents a real missed opportunity by the national Conservative government. They could have given councils greater powers and funding to bring in improved and affordable, comprehensive public transport and cycle networks, the sort of measures you see in many continental cities. This is a huge source of frustration to me, as our aspiration, as an administration, is to see Bath become an exemplar of sustainable transport in a heritage setting. We certainly don't want our children choking on vehicle exhaust fumes. However, we would also prefer streets that were not choked with traffic, and this scheme alone has no ability to deliver that outcome.*

*We have declared a climate emergency as an authority, and have committed to providing leadership to achieve zero carbon emissions as a district by 2030. This is one of our highest priorities as an administration, and will necessitate a significant reduction in vehicle mileage, in order to reduce carbon emissions from transport. So, this clean air zone is just the start of our aspirations in relation to addressing both air pollution and the climate emergency. We will be following it up, using every tool at our disposal, to provide people with cheaper and more convenient alternatives to the car, and to encourage them to use these where possible.'*

Councillor Sarah Warren moved the recommendations.

Councillor Richard Samuel seconded the motion by reading out the following statement:

*'They say that a week is a long time in politics. Well 2 years is even longer. That is how long it has taken to get to this point after the motion I put to council proposing the setting up of a zone to tackle the shocking vehicle caused air pollution in the city of Bath.*

*Two years ago, this vital issue was not even on the council's radar but today it most certainly is. I must thank the officers who have worked so hard on this project within the limitations imposed by the government and the courts and my colleague Councillor Warren for getting to grips with what is not only a political hot potato but also one that has levels of technical complexity.*

*Is it a perfect solution? No*

*Why do I say that?*

*Well for a start it only sought to tackle the problems caused by vehicle pollution in the narrowest way in that it only seeks to control levels of NOx. No action is possible to reduce PM2.5 and PM10 particulates emitted by vehicles, nor are the emissions of tyre and brakes dust regulated. Neither does the scheme tackle CO2 emissions or do anything to limit congestion. All these were ignored by the Conservative Environment Secretary when he approved this scheme.*

*So, what will happen?*

*I am hopeful that with all these limitations B&NES council will reach compliance with the NOx targets at the end of 2021. However, this aspiration has been heavily caveated because all the predictions are solely based on best case modelling because the business case approved by the last administration shows bare compliance. The independent review we have carried out – at a cost of £9000 by the way and not the £100k claimed by the Labour and Conservative groups – clearly shows that other measures may be needed to ensure we pass the finish line. Few additional measures were set out in the original business plan approved in March. Indeed, on many occasions the former Cabinet Member for Transport specifically disregarded my calls for additional traffic measures.*

*Thankfully the LD manifesto published in April set out a comprehensive set of traffic management measures which will ensure the council reaches its mandated air quality objectives.*

*The Queen Square conundrum.*

*I want to illustrate the problem by referring to what I describe as the Queen Sq problem.*

*When the last administration published its plans for Queen Sq in March I raised many objections to this scheme. The plans proposed 2 sets of traffic lights at the southern and eastern ends of the square whose explicit purpose is hold up traffic and encourage its diversion towards the west and thence through Lansdown ward. This is so that pollution levels at the corner of Gay St and George St can be brought down under legal limits. All this contortion was so that the last administration could avoid charging cars.*

*My colleagues and I have tried our best to avoid implementing this scheme in this way but sadly we have failed and it will have to go ahead. The reason for this is that every traffic model we have seen increases traffic elsewhere to unacceptable levels.*

*In other words no matter how you cut it the only answer in Bath is to reduce vehicle volumes overall and that is a massive challenge.*

*So, Queen Sq designed and built by John Wood the Elder will remain a glorious roundabout ruined by traffic until we can find a more sustainable solution.*

*That is the conundrum and the challenge. Do we as a community accept that the dominance of fossil fuel vehicles must continue with ever higher levels of congestion and emissions of toxins and climate changing gases or do we say enough is enough and try to do something about it.*

*Finally, I want to say halleluiah for the adoption of anti-idling enforcement powers 17 years late maybe but finally there. As a starting point I want to see these used at Bog Island where coaches continue to stand empty with their engines on summer and winter. Businesses in the area will at last welcome this change 2 years after I first proposed it at the then CTE.'*

The Chair thanked Councillors Warren and Samuel for their statements and for their contribution towards Clean Air Zone matter. The Chair also thanked officers for their hard work and outlined that this administration would not charge private vehicles for entering the Clean Air Zone.

Councillor Tim Ball reiterated that the Council would not charge private vehicles for entering the Clean Air Zone. Councillor Ball also said that this was about helping people with health problems caused by pollution, and was about the future of our children, and our children's children.

Councillor Rob Appleyard commented that the reasons for the Clean Air Zone were to allow people to breathe better air in Bath and for the future of our children.

**RESOLVED** (unanimously) that the Cabinet agreed to:

- 2.1 Note the progress on the delivery of the Clean Air Zone (CAZ) Project with a view to ensuring compliance in the shortest possible time, including;
  - a) The revised project programme (Appendix 1).
  - b) The outcome of the independent peer review and any recommended actions.
- 2.2 Approve the incorporation of the CAZ scheme into the Council's capital programme, with a total current cost budget of £17.996m, of which £5.944m is to be fully approved and £12.052m provisionally approved, subject to future grant awards.
- 2.3 Note the current estimates of revenue costs and funding as set out in paragraph 5.6 totalling £31.365m, of which £0.231m of grant funding has been awarded. The remainder is subject to future grant awards and Full Business Case approval.
- 2.4 Grant authorisation for officers to use the following powers:

- a) The use of anti-idling enforcement powers under The Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002;
- b) The use of environmental weight limit enforcement powers under the Road Traffic Regulation Act 1984.

2.5 Following an appropriate tender process, delegate to the Corporate Director and Director of Finance (s.151 Officer) in consultation with the Cabinet member for Resources and Deputy Leader, the decision to appoint a financial partner to administer the proposed financial assistance schemes on behalf of the Council.

2.6 Agree that the consultation on the CAZ Charging Order and scheme overview can commence on 23 September 2019.

2.7 Note the updated Equalities Impact Assessment (EqIA) as published at (<https://www.bathnes.gov.uk/bath-breathes-2021-overview/outline-business-case>)

## **27 MEDIUM TERM FINANCIAL STRATEGY & CORPORATE PLAN UPDATE**

Councillor Richard Samuel introduced this item by saying that the Corporate Strategy and MTFs set out the aims this Administration wished to achieve for communities, and sets out how the Council intends to finance these.

Councillor Samuel read out the following statement:

*‘Our starting points are the budget position we inherited from the previous administration, our clearly stated manifesto commitments on which we were elected to run the council, and the prospects for income both from government and sources of revenue that we can raise ourselves.*

*Our manifesto commitments are being shaped into a new corporate plan for the council and work is underway to cost these commitments. This work will conclude with the setting of the 2020/21 budget in February.*

*Members will be aware that the full details of central government allocations are rarely available until December and so the projections before the cabinet today are the best available at the time of writing. Recent spending review announcements have already changed working assumptions and these are currently being update. For example the government have announced a reduction in the council tax referendum cap from 2.99 to 2% which reduces the maximum tax raising possibility by 900k. So members can expect further adjustments as time proceeds. Fuller details have been issued in the recently circulated briefing note.*

*The MTFs confirms the continuing funding challenges facing the council in areas of children’s and adult social services together with the continuing need to achieve economies. Whatever scenario is considered there will still be a need to generate economies through efficiencies or direct savings. I am proposing a change to previous practice. Previous savings have tended to be routed within departmental economies. In the future this is unlikely to be adequate to produce the levels of savings required. I am therefore intending to drive these programmes from the centre and reduce the number of savings plans accordingly. A new corporate transformation board will be established to oversee these programmes which I will chair.*

*The guiding principles behind the MTFs will remain largely unchanged:*

*Balancing the budget*

*Making provision for demographic and inflation and only adding new priorities where headroom is created.*

*Maximising every available source of income*

*Our manifesto means the competition for new resources is very crowded so we will be examining how we can create the headroom to deliver our programme as part of the 20/21 budget preparation and will report this at the time.*

*The high level estimates are set out in the report and I do not intend to repeat these but I need to emphasise that the assumed figures for council tax increases are only indicative and no decisions have been taken.*

*Turning to capital we need to ensure that the council can afford to run the same level of capital programme as in the past. Capital projects are funded either by use of external grant, receipts from asset sales, or by borrowing. The latter has a direct implication for revenue spending. We will therefore review all current capital schemes to assess their desirability and affordability, and prioritise those that meet our stated corporate priorities. However capital spending will still be required to support new investment and service improvement and key programmes with partners. To this end we will continue to work closely with WECA to deliver projects that meet both authorities' priorities.*

*Lastly turning to risk within the MTFs. There are many risks set out in the report and I will be working with officers to tackle and mitigate each risk to ensure we can deliver our programme to the electorate.*

*In November and December we will be talking to local communities across B&NES about the future funding of our priorities and how they can influence the decisions we will make in February.'*

Councillor Samuel concluded his statement by thanking officers for their hard work and commitment to take this matter forward.

Councillor Richard Samuel moved the recommendations.

Councillor Dine Romero seconded the motion by saying that this was essential strategy to enable this administration to deliver its priorities for the next four years. However, the document reflected the unprecedented scale of financial challenge that the Council was still under, and on the growing demand for services provided by Children Services and Adult Social Care. There would be a need for changes on how to create the headroom and where the funding would come from, and for that reason the Council would need to work with WECA to meet some of the funding opportunities. It was also good that the administration have set up how they would communicate with different parts of community and engage them in their vision.

**RESOLVED** (unanimously) that the Cabinet agreed to:

2.1 Approve the attached Corporate Strategy and Medium Term Financial Strategy.

## **28 REVENUE AND CAPITAL BUDGET MONITORING, CASH LIMITS AND VIREMENTS - APRIL 2019 TO JULY 2019**

Councillor Robin Moss made an ad-hoc statement. He expressed slight concern that the changes in savings would be centralised which could create a risk of unforeseen circumstances happening on the ground.

Councillor Richard Samuel introduced the report by saying that the Revenue budget outturn was currently forecast to be £1.68m over budget. The areas over budget were mainly due to additional demand in Children's Services and a shortfall in income from the Commercial Estate. Whilst the Children's Services budget was re-

based for 2019/20 there has been an unexpected increase in specialist Health and Social Care placements, the Commercial Estate was due to a slowing down of high street retail income. To provide mitigation Managers had been requested to develop cost reduction plans and to minimise spend wherever possible. That would further improve the year-end position. The capital budget was currently showing an expected under budget position of £30.5m mainly due to re-phasing of Bath Quays and ACL/ADL loan drawdowns into future financial years to reflect revised project spend profiles.

Council reserves would be required to mitigate the current position if the actions being put in place were not successful. The current position would require use of £1.68m of the Budget Contingency Reserve (which was set up to mitigate budget risk). Provision would need to be made within the 2020/21 budget to replenish the Budget Contingency Reserve for any drawdown made during 2019/20.

Councillor Richard Samuel moved the recommendations.

Councillor Dine Romero seconded the motion by thanking Councillor Samuel and the Section 151 Officer for the report.

Councillor Samuel thanked Councillor Moss for his statement, agreed with the comments he made in his ad-hoc statement, and encouraged Councillor Moss and other Members of the Council to question the new ways of managing savings in the Council through the scrutiny process.

**RESOLVED** (unanimously) that the Cabinet agreed to:

- 2.1 To note the 2019/20 forecast over budget of £1.68m (as at the end of July 2019) and the recovery plan actions outlined in Appendix 1;
- 2.2 To note the mitigations that will be required shown in paragraph 3.6, if the over budget position cannot be reduced by the end of the financial year;
- 2.3 To approve the revenue virements listed for approval in Appendix 3(i) and to note those virements listed for information only;
- 2.4 To note the capital year-end forecast detailed in paragraph 3.15 of this report;
- 2.5 To note the changes in the capital programme including capital schemes that have been agreed for full approval under delegation listed in Appendix 4(i)

## **29 TREASURY MANAGEMENT 2019-20 QUARTER 1 PERFORMANCE REPORT**

Councillor Richard Samuel introduced the report by saying that the average rate of interest earned over the first quarter was 0.95%, which was 0.33% above the benchmark (7 day LIBID +0.05%). This reflected the placement of £3m long term strategic investment in the CCLA Local Authority's Property Fund during the quarter.

The Council's external borrowing as at 30th June 2019 totalled £225.1 million.

The Council's Capital Financing Requirement (CFR) as at 31st March 2019 was £300.7 million. The difference from actual borrowing reflected self-investment of



reserves and the savings from avoiding new borrowing were greater than the interest rate achieved on investments.

The report highlighted that the Strategic Diversified Income Funds the Council were considering investing in as part of the MTFS target to generate additional investment income from strategic longer terms investments, did have a small proportion of investments directly in Fossil Fuel related companies (4%-8% of investments). If these investments were not made it was estimated there would be a reduction in forecast income in the region of £100-£150k. The Council would look to seek to influence the investment managers to reduce the element of fossil fuel companies in their portfolios or the Council would withdraw gradually from investment in Fossil Fuel related companies over a period of time.

Councillor Richard Samuel moved the recommendations.

Councillor Dine Romero seconded the motion by welcoming the initiative of gradual movement away from investment in Fossil Fuel related companies.

Councillor Samuel added that he would involve Councillor Sarah Warren (with her Climate Change Emergency portfolio) in discussions on future long term investments in companies that were not Fossil Fuel related.

**RESOLVED** (unanimously) that the Cabinet agreed to:

2.1 The Treasury Management Report to 30th June 2019, prepared in accordance with the CIPFA Treasury Code of Practice, is noted.

2.2 The Treasury Management Indicators to 30th June 2019 are noted.

The meeting ended at 7.30 pm

Chair \_\_\_\_\_

Date Confirmed and Signed \_\_\_\_\_

**Prepared by Democratic Services**

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**CABINET MEETING 12<sup>th</sup> September 2019**

**REGISTERED SPEAKERS**

There are no registered speakers for this meeting.

## QUESTIONS AND ANSWERS - COUNCILLORS

<b>M 01</b>	<b>Question from:</b>	Councillors Jess David and Shaun Stephenson-McGall
<p>Residents in Moorlands and Oldfield Park wards are working to protect and improve local green spaces including Moorlands Park, the Sandpits Playground and the Memorial Garden. Could you confirm whether you will support a legal agreement between B&amp;NES and Fields in Trust to enhance protection of these spaces and preserve them for future generations to enjoy?</p>		
<b>Answer from:</b>		Councillor Paul Crossley
<p><i>The Council considers that there are planning policies in place that provide sufficient protection for these sites and that a legal agreement and Fields in Trust application is not necessary.</i></p> <p><i>Whilst this not something the Council has resources to fund, we would look favourably if the 'Fields in Trust' application is progressed and funded by residents groups.</i></p> <p><i>The relevant plans and polices are:</i></p> <ul style="list-style-type: none"> <li>• <i>LCR6A Local Green Space</i></li> <li>• <i>LCR5 Safeguarded Sport &amp; Recreational Facilities</i></li> </ul>		
<b>M 02</b>	<b>Question from:</b>	Councillor Vic Pritchard
<p>Will you confirm what you are doing in order to ensure that Bath Rugby does not move out of the city to another city such as Swindon given your party's opposition to the current proposals, particularly to Bathwick residents, during the 2019 local election campaign?</p>		
<b>Answer from:</b>		Councillor Dine Romero
<p><i>The Council places great value on the presence of Bath RFC within the city, however, the Council has two roles in this regard the first as place-maker and the second as planning authority and it is necessary that planning considerations are managed separately as required by legislation. We remain committed to retaining Bath RFC within the city and will continue to work with them to secure this and Bath RFC remain able to seek pre-planning advice from our planning and development services as is the case for any other agency interested in development within the city and wider area.</i></p>		
<b>M 03</b>	<b>Question from:</b>	Councillor Karen Warrington
<p>What exactly are you planning to spend the £9,000 of taxpayer's money on by reopening the clean air zone debate?</p>		

<b>Answer from:</b>	Councillor Sarah Warren
<p><i>The cabinet has commissioned an independent review of the Clean Air Zone decision-making process to ensure that no opportunities have been missed to bring about compliance with air quality objectives in the shortest time possible. This independent review is appended to the Cabinet report and was commissioned for £8,680.00 plus VAT.</i></p>	
<b>M 04</b>	<b>Question from:</b> Councillor Karen Warrington
<p>Will reopening the clean air debate not just cause further delay to the already extremely tight deadline to achieve air quality compliance by the end of 2021? Furthermore, wouldn't such a delay have an adverse effect on the Council's commitment to declaring a climate emergency?</p>	
<b>Answer from:</b>	Councillor Sarah Warren
<p><i>The Cabinet Paper to be considered today is part of our on-going programme of work and has been developed following consultation with communities undertaken in Autumn 2018. It is appropriate that we provide communities with the opportunity to comment further on the details of a CAZ C zone. A revised timetable has been considered as part of our decision to undertake an independent review of the CAZ work to date and the requirement to undertake further consultation. The amended implementation of the CAZ does enable us to achieve compliance by the 2021 date, subject to the Full Business Case sign off by the end of the calendar year.</i></p>	
<b>M 05</b>	<b>Question from:</b> Councillor Paul Myers
<p>Given that you pledged to make democracy more open and transparent during the election campaign, what is your rationale for the proposed idea, we understand you are considering, to reduce the number of Council Motions allowed on the full council agenda which is one of the few opportunities at local level for opposition groups to voice the ideas of their residents?</p>	
<b>Answer from:</b>	Councillors Dine Romero
<p><i>I think it important to clarify that this option was raised by the Chief Executive and Director of Legal and Democratic Services as there has been a substantial increase in the number of motions being made to full Council. It was only one of a range of possible solutions that have been provided to the Group Leaders to discuss how best such motions can be managed so that they do not disrupt other business or cause the agendas for full Council meetings to become unmanageable. Given the number of resolutions passed over recent years, a "tracker" document has had to be created so that recommendations in reports do not inadvertently contradict a previous resolution - that tracker now runs to 49 pages.</i></p> <p><i>As you know from our last Group Leaders' meeting we, as Group Leaders, have agreed the way forward which we will be testing at the Full Council meeting in October 2019.</i></p>	

<b>M 06</b>	<b>Question from:</b>	Councillor Paul Myers
<p>In the event that there may be a General Election in the coming months, how do you intend to balance the workload of being Council Leader in B&amp;NES whilst fighting for the seat of Kingswood in South Gloucestershire, or will one / both of those duties be neglected? Moreover, is there not likely to be potential conflicts of interest arising from your position on WECA?</p>		
<b>Answer from:</b>		Legal and Democratic Services
<p><i>This question is not accepted as 'it contains an allegation against, or comments about, the conduct of individual Councillors or officers' (Constitution, Part 4D, Rule 30.4).</i></p> <p><i>Rule 30 of the Constitution also requires that 'Questions must only be asked of:</i></p> <ul style="list-style-type: none"> <li><i>• a Cabinet Member (where the matter falls within his or her portfolio) or</i></li> <li><i>• the Leader of the Council or the Deputy Leader (about any aspect of Council policy and practice, service delivery or community interest)'</i></li> </ul>		
<b>M 07</b>	<b>Question from:</b>	Councillor Paul Myers
<p>Given your recent spending pledges such as £75k to Bath Festivals, £350k to the Victoria Art Gallery and £40k to street cleaning, where are you finding the money for these proposals given the extremely tight budget? If you are using the Council's reserves, are you planning to make future cuts to vital services or selling off council owned assets should an unexpected expense arise which has not been budgeted for?</p>		
<b>Answer from:</b>		Councillor Richard Samuel
<p><i>The grant to Bath Festivals of £75k was made to assist the groups three year recovery programme and was funded from Revenue Budget Contingency. The £40k for additional Street Cleaning in Bath City Centre is trialling the effectiveness of additional cleaning in the summer months ahead of preparations for the 2020/21 budget and was funded from Revenue Budget Contingency. The Budget Monitoring Report in this agenda outlines that the Reserve is expected to remain at £1m by the year end assuming that the current projected over budget position cannot be mitigated. Officers and Members are currently working on other mitigations to resolve this to ensure the reserve is sufficient to meet budget needs in 2020/21.</i></p> <p><i>The Victoria Art Gallery has had a Provisional Capital Programme project for air conditioning for £225k that has been moved to Full Approval. This was included in the budget approved in February 2019.</i></p>		
<b>M 08</b>	<b>Question from:</b>	Councillor Paul May
<p>The Joint Spatial Plan process has been going on since at least 2016, the inspectors have indicated the process should be reconsidered – can you please confirm how much this total process has cost residents so far, including the hearing costs shared with other local authorities?</p>		

<b>Answer from:</b>	Councillor Tim Ball
<i>The overall current cost of JSP work across the 4 Unitary Authorities is £1,311,525 from the period covering 1st April 2015 to the 6th September 2019.</i>	
<b>Supplementary Question:</b>	
<p>Before I ask my supplementary question, I would like to say in public that we need to give a support to our planning officers for the professional way they have handled the whole process.</p> <p>Will you support me in thanking the community for the correct and proper way that they have handled the whole process?</p>	
<b>Answer from:</b>	Councillor Tim Ball
<p><i>I would like to thank everyone who took part in these hearings (Councillors, officers, public), and who have handled the process in dignified manner.</i></p> <p><i>Furthermore, I would like to read out the statement issued by West of England Combined Authority and Local Enterprise Partnership:</i></p> <p><i>"We are disappointed by some of the conclusions drawn by the Inspectors, but we are also pleased to see they have confirmed the benefits of our strategic approach to planning, and our co-operation across the region. We remain fully committed to working together to achieve the best outcomes and while it is clear that we will not pursue the JSP in its current form, we will now consider their detailed comments carefully as we work to determine the best way forward.</i></p> <p><i>We share the desire of the residents and businesses that make up our communities and want to see us working together effectively. We are still totally committed to working co-operatively to provide the homes, space for jobs, the living environment and the infrastructure we need to meet the challenges of the future - including addressing the housing crisis, the need for jobs and affordable housing, and responding to the climate change emergency.</i></p> <p><i>We will fully consider the technical details carefully and the potential options open to us to move forwards, in addition to considering the implications for the ongoing development of Local Plans. We will do this in the coming weeks and anticipate submitting a formal response to the Planning Inspectorate as soon as practicable."</i></p>	
<b>M 09</b>	<b>Question from:</b> Councillor Brian Simmons
<p>What is the current administration going to do in order to secure a provider for the electric bike hire scheme given that they have currently failed to attract any new companies from coming forward?</p>	
<b>Answer from:</b>	Councillor Joanna Wright and Councillor Neil Butters
<i>Following extensive engagement with potential suppliers in October 2018, the Council</i>	

*was disappointed to learn that none of the previously interested parties were willing to make a tender bid for the on-street, e-cycle hire contract.*

*Suppliers indicated that they did not bid due to current much larger commitments to existing and potential schemes plus the relatively small scale scheme would be commercially challenging.*

*Officers are submitting a change of scope to OLEV (Office of Low Emission Vehicles), to include loan bikes which will support an increased uptake of e-bikes in and around Bath, providing many of the predicted benefits of the on-street cycle hire scheme.*

<b>M 10</b>	<b>Question from:</b>	Councillor Karen Warrington
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When will you publish the effectiveness data to the public regarding the Council's wholesale introduction of the 20mph zones?

<b>Answer from:</b>	Councillor Joanna Wright and Councillor Neil Butters
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*In autumn last year the Department for Transport (DfT) published a report relating to research into the performance and impact of a range of 20mph speed limits across the country. This was summarised by our Highways & Traffic officers in a report to the Council's Communities, Transport and Environment Policy Development and Scrutiny Panel on 11 March 2019.*

*The research undertaken for the DfT was based on a far larger data set than would be available from the 20mph limits in B&NES and more considered statistical conclusions can be drawn from this larger data set. For this reason we have not yet undertaken further analysis of the 20mph limits across Bath & North East Somerset and resources are limited at present to do so.*

<b>M 11</b>	<b>Question from:</b>	Councillor Karen Warrington
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Following the announcement of £40,000 spent on cleaning up Bath's streets, how much funding will you be allocating to cleaning up our streets in North East Somerset?

<b>Answer from:</b>	Councillor Sarah Warren and Councillor David Wood
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*Thank you for the question. The problems faced by North East Somerset are more complex than street cleaning alone. We are concerned about fly tipping in rural areas, the state of the rivers in some towns and litter across B&NES. We will be reviewing the resource allocated to the street cleansing service and other areas through the Council's budget setting process to ensure our priorities are met both in North East Somerset and in Bath. If you have any specific cleansing concerns that need addressing with urgency then please do report these through the Council's website for prompt action by the relevant team.*



**Supplementary Questions:**

- 1) Are you going to ensure that there are sufficient funds and resources in order to ensure that fly-tipping is kept under control? Some of my residents had hazardous waste left at their land.
- 2) Would you consider mobile cameras in areas that are constantly targeted by fly-tippers?

**Answer from:**

Councillor David Wood

*Thank you for the questions.*

*After 4 years of neglect by the previous administration both North East Somerset and Bath are facing great challenges around cleanliness.*

*From a filthy city centre that was threatening the economic health of our area, to verges full of litter on rural roads, to rivers clogged with plastics and volunteer litter picking groups feeling unsupported to fly tipping.*

*The 2019/20 budget passed by the previous administration did nothing to alleviate these problems and this meant that in-year funding was required to solve a very immediate crisis.*

*We are currently going through the councils budget setting process to identify areas where Conservative cuts need to be reversed in both North East Somerset and Bath, so that residents can feel assured that they finally have a Council that's on their side.*

*There are CCTV cameras available for fly-tipping accumulations so I will be in touch with you about it.*

**M 12****Question from:**

Councillor Karen Warrington

When can the public expect the results of the 2019 Annual Air Quality Report to be published? For the last 2 years these have published in June and given the importance of this issue to local people – it should be published as a matter of urgency.

**Answer from:**

Councillor Sarah Warren and Councillor David Wood

*The Annual Status report has been peer reviewed by DEFRA and has been published on the Council's webpages in the week beginning 9 September 2019.*

<https://www.bathnes.gov.uk/services/environment/pollution/air-quality/reports>

**M 13****Question from:**

Councillor Vic Pritchard

When rules / conditions are set for Temporary Event Notices what is the administration doing to ensure that correct controls are in place so that these conditions are appropriately complied with by those who have requested them, particularly those who are first time applicants?

<b>Answer from:</b>	Councillor Paul Crossley	
<p><i>Temporary Event Notices (TEN's) are designed to reduce the burden of bureaucracy to organisers of small scale events and Licensing Authorities are encouraged to take a light touch approach to enforcement with respect to these applications. The only responsible authorities which can object to a TEN are the Police and Environmental Protection team of the local authority.</i></p> <p><i>All submitted TEN's are risk assessed in terms of the potential nuisance or crime and disorder which could be caused by the event and any appropriate action is taken prior to the event taking place. If an event subject to a TEN has caused complaints, then these are investigated afterwards and appropriate action taken if the applicant makes applications for TEN's in the future.</i></p> <p><i>Specifically, conditions can only be set for a Temporary Event Notice (TEN) when a representation has been received in connection to a TEN that relates to a premises that has an existing Premises Licence with conditions attached.</i></p> <p><i>Should this circumstance arise then on receipt of a representation, the matter will be referred to the Licensing Sub-Committee for determination, which then has the option to add any of the existing conditions to the TEN. To date, this situation has never arisen in Bath and North East Somerset.</i></p>		
<b>Supplementary Questions:</b>		
<ol style="list-style-type: none"> <li>1) Have you considered issuing TENs in North East Somerset, particularly in Chew Valley area where there is an event happening on almost weekly basis?</li> <li>2) Will you recognise its imperative that requirements for the statement of Licensing and Policy section 14 (Prevention of Public Nuisance) is applied to TEN together with section 34.1 where the Licensing Authority acknowledges its duty to protect amenities and businesses in the vicinity of licensing premises?</li> </ol>		
<b>Answer from:</b>	Councillor Paul Crossley	
<p><i>Thank you for your questions.</i></p> <p><i>I would like to have a conversation with you outside the meeting and get more details about that weekly event that you said it is happening, and which is not licenced. As the rest of your questions require detailed response, I will provide an answer within 5 clear working days.</i></p>		
<b>M 14</b>	<b>Question from:</b>	Councillor Grant Johnson
<p>I note that in the Weekly List dated the 30 August 2019, a decision relating to Domestic Violence and Abuse (DVA) funding was withdrawn as it is to be dealt with by part of the overall approach to medium term financial planning. The background to the item states that core DVA services are currently funded from a range of sources including grants and charitable donations which are mostly time limited and the majority of funding for DVA support services will come to an end in April 2020.</p> <p>Please could the Cabinet Member advise me of the following:</p>		

- (i) What services are currently provided by the DVA service?
- (ii) Who is commissioned to provide these services?
- (iii) What is the current budget for DVA?
- (iv) What are the sources of this funding?
- (v) When precisely is this funding due to end?
- (vi) What would be the impact of not funding these services?

**Answer from:**

Councillor Paul Crossley

*DVA support services in B&NES comprise a comprehensive range of help for victims, a small targeted perpetrator service and information and advice for professionals dealing with domestic abuse. Domestic violence and abuse services in B&NES are currently funded from a range of sources, including grants and charitable donations. However these are mostly time limited and the majority of this funding will come to an end in April 2020. The detailed answers to (i) to (v) are set out in tabular form below.*

- (i) What services are currently provided by the DVA service?**
- (ii) Who is commissioned to provide these services?**
- (iii) What is the current budget for DVA?**
- (iv) What are the sources of this funding?**
- (v) When precisely is this funding due to end?**
- (vi) What would be the impact of not funding these services?**

<b>i) Service</b>	<b>ii) Commissioned to provide</b>	<b>iii) Annual budget</b>	<b>iv) Source of funding</b>	<b>v) Due to end</b>
<b>1x Independent Domestic Violence Adviser</b>	<b>Southside Family Project</b>	<b>£30,000</b>	<b>PCC Community Safety Grant</b>	<b>3 year allocation currently planned to end 31 March 2020</b>
<b>0.5x Support Worker</b>	<b>Southside Family Project</b>	<b>£18,000</b>		
<b>1x IDVA manager</b>	<b>Southside Family Project</b>	<b>£32,000</b>	<b>Tudor Trust</b>	<b>TBA</b>
<b>1x IRIS Advocate/Educator</b>	<b>Southside Family Project</b>	<b>£41,691</b>	<b>B&amp;NES CCG</b>	<b>From CCG this is continuing with no end date</b>
<b>1 RUH IDVA</b>	<b>Southside Family Project</b>	<b>£30,000</b>	<b>B&amp;NES &amp; Wilts Councils &amp; CCG</b>	<b>From B&amp;NES CCG this is continuing with no end date.</b>
<b>1x High risk IDVA/toxic/complex trio</b>	<b>Southside Family Project</b>	<b>£90,420</b>	<b>Home Office</b>	<b>3 years ending 31st March 2020</b>

			<b>VAWG Programme</b>	
<b>1x Support worker for RUH IDVA</b>	<b>Southside Family Project</b>			
<b>Information &amp; Advice Navigation</b>	<b>Southside Family Project</b>			
<b>Crush/ relationships</b>	<b>Julian House</b>	<b>£21,319</b>		

vi) *There is no doubt that these services provide significant contributions to safeguarding the welfare and meeting the needs of some of the most vulnerable people in our area. For example, the Independent Domestic Violence Adviser service managed 203 high risk cases in 2018/19, previous years have seen a case load of around 300 cases per year. Leaving victims unsupported risk an escalation of violence an abuse with an increased risk of domestic homicide in certain circumstances. Annually some 350 medium and lower risk victims or their representatives receive telephone advice, support and referrals to other agencies.*

*Any reductions in support are likely to feed through to increased pressure on social care, safeguarding and first response colleagues in all agencies with all associated extra costs and resources. Local GP practices using the IRIS service and the RUH IDVA staff will have no local onward referral process.*

*Any end to existing funding streams, for example from central government, would therefore have impacts. Given the above, sustaining current levels of service for this key area of work clearly represents a significant growth pressure which the council is taking the lead on seeking to address, particularly through the new Community Safety and Safeguarding Partnership and through the budget process.*

**Supplementary Question:**

- 1) Part 4 of my question was about the sources of £30,000 funding for RUH IDVA (for Southside Family Project) by B&NES and Wilts Councils and CCG. Can you please provide a breakdown of funding from each organisation?
- 2) Does the Council have any commitment to funding of DVA support services in B&NES?

**Answer from:**

Councillor Paul Crossley

- 1) *I will get back to you in 5 clear working days.*
- 2) *I have seen the figures produced by officers which include long term funding for DVA support services and therefore Council's commitment to that funding.*



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