

Council

Date: Thursday, 11th July, 2019
Time: 6.30 pm
Venue: Council Chamber - Guildhall, Bath

To: All Members of the Council

Dear Member

You are invited to attend a meeting of the **Council** on **Thursday, 11th July, 2019** in the **Council Chamber - Guildhall, Bath**.

The agenda is set out overleaf.

Refreshments will be available for Councillors from 5pm in the Aix-en-Provence Room (next to the Banqueting Room) on Floor 1.

Yours sincerely



Jo Morrison
Democratic Services Manager
for Chief Executive

Please note the following arrangements for pre-group meetings:

Conservative
Liberal Democrat
Labour
Independent

Kaposvar Room, floor 1
Brunswick Room, ground floor
Labour Group Room, floor 2
Independent Group room, floor 2

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. We request that those filming/recording meetings avoid filming public seating areas, children, vulnerable people etc; however, the Council cannot guarantee this will happen.

The Council will broadcast the images and sounds 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.** The Council now has a maximum time limit for this, so any requests to speak cannot be guaranteed if the list is full. 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>

Council - Thursday, 11th July, 2019

at 6.30 pm in the Council Chamber - Guildhall, Bath

A G E N D A

1. EMERGENCY EVACUATION PROCEDURE

The Chairman will draw attention to the emergency evacuation procedure as set out under Note 5.

2. APOLOGIES FOR ABSENCE

3. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to complete the green interest forms circulated to groups in their pre-meetings (which will be announced at the Council Meeting) to indicate:

(a) The agenda item number in which they have an interest to declare.

(b) The nature of their interest.

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

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

4. MINUTES - 21ST MAY 2019 (Pages 7 - 16)

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

5. ANNOUNCEMENTS FROM THE CHAIR OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE

These are matters of information for Members of the Council. No decisions will be required arising from the announcements.

6. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

If there is any urgent business arising since the formal agenda was published, the Chair will announce this and give reasons why she has agreed to consider it at this meeting. In making her decision, the Chair will, where practicable, have consulted with the Leaders of the Political Groups. Any documentation on urgent business will be circulated at the meeting, if not made available previously.

7. QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC

The Democratic Services Manager will announce any submissions received. The

Council will be invited to decide what action it wishes to take, if any, on the matters raised in these submissions. As the questions received and the answers given will be circulated in written form there is no requirement for them to be read out at the meeting. The questions and answers will be published with the draft minutes.

8. UPDATE REPORT ON ESTABLISHING JOINT VENTURE PARTNERSHIPS (Pages 17 - 20)

An update report on the establishment of joint venture (JV) LLP partnerships with other local authorities for the purpose of delivering local housing developments and maintaining a pipeline of sites for development by the Council's housing development company, Aequus Developments Limited (ADL).

9. YOUTH JUSTICE PLAN (Pages 21 - 48)

The Local Authority has a statutory duty, in consultation with named legal partners Health, Police and Probation, to produce an annual Youth Justice Plan. The Plan sets out how services are to be organised and funded and what functions they will carry out to prevent youth offending and re-offending across Bath and North East Somerset.

10. TREASURY MANAGEMENT OUTTURN REPORT 2018/19 (Pages 49 - 64)

In February 2012, the Council adopted the 2011 edition of the CIPFA Treasury Management in the Public Services: Code of Practice, which requires the Council to approve a Treasury Management Strategy before the start of each financial year, review performance during the year, and approve an annual report after the end of each financial year. This report gives details of performance against the Council's Treasury Management Strategy and Annual Investment Plan for 2018/19.

11. AMENDMENTS TO THE CONSTITUTION (Pages 65 - 106)

The Constitution is a single point of reference which contains the principal governance structures and procedures of the authority. This report sets out various proposed amendments to the Constitution to ensure that it is kept up to date and effective, namely a review following the reduction from 65 to 59 Councillors, and amendments to the Planning delegation scheme.

12. THE DELIVERY OF SOCIAL HOUSING - UPDATE TO MARCH RESOLUTION (Pages 107 - 110)

13. MOTION FROM THE LIBERAL DEMOCRAT GROUP - ENDING UNFAIR EVICTIONS (Pages 111 - 112)

14. MOTION FROM THE LIBERAL DEMOCRAT GROUP - FOOD POVERTY (Pages 113 - 114)

15. MOTION FROM THE LABOUR GROUP - THE FUTURE OF FIRST BUS (Pages 115 - 116)

16. MOTION FROM THE LABOUR GROUP - CLEAN UP BATH & NORTH EAST SOMERSET (Pages 117 - 118)

17. MOTION FROM THE CONSERVATIVE GROUP - B&NES TRANSPORT OPTIONS BETWEEN BRISTOL AND BATH (Pages 119 - 120)
18. MOTION FROM THE CONSERVATIVE GROUP - MAINTAINING OUR HERITAGE (Pages 121 - 122)
19. QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS

The Democratic Services Manager will announce any submissions received. The Council will be invited to decide what action it wishes to take, if any, on the matters raised in these submissions. As the questions received and the answers given will be circulated in written form there is no requirement for them to be read out at the meeting. The questions and answers will be published with the draft minutes.

The Committee Administrator for this meeting is Jo Morrison who can be contacted on 01225 394358.

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BATH AND NORTH EAST SOMERSET COUNCIL

MINUTES OF COUNCIL MEETING

Tuesday, 21st May, 2019

Present:- **Councillors** Rob Appleyard, Tim Ball, Sarah Bevan, Colin Blackburn, Alison Born, Shelley Bromley, Neil Butters, Vic Clarke, Sue Craig, Paul Crossley, Gerry Curran, Jess David, Tom Davies, Sally Davis, Winston Duguid, Mark Elliott, Michael Evans, Andrew Furse, Kevin Guy, Alan Hale, Liz Hardman, Steve Hedges, Joel Hirst, Lucy Hodge, Duncan Hounsell, Shaun Hughes, Grant Johnson, Dr Kumar, Hal MacFie, Ruth Malloy, Paul May, Matt McCabe, Sarah Moore, Robin Moss, Paul Myers, Lisa O'Brien, Michelle O'Doherty, Bharat Pankhania, Vic Pritchard, Manda Rigby, Dine Romero, Mark Roper, Richard Samuel, Bruce Shearn, Brian Simmons, Alastair Singleton, Shaun Stephenson-McGall, Andy Wait, Karen Walker, Sarah Warren, Karen Warrington, Chris Watt, Ryan Wills, David Wood and Joanna Wright

Apologies for absence: **Councillors** Douglas Deacon, Eleanor Jackson and June Player

1 EMERGENCY EVACUATION PROCEDURE

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

2 ELECTION OF CHAIRMAN 2019-20

It was proposed by Councillor Robin Moss, seconded by Councillor Dine Romero, and supported by Councillors Paul Myers and Sarah Bevan then

RESOLVED that Councillor Eleanor Jackson be elected Chair of the Council for the Council year 2019/20.

It was announced that, as the new Chair was unavailable for this meeting, separate arrangements had been made regarding her declaration and acceptance of office.

[By previous agreement from Group Leaders, Councillor Karen Walker continued to chair this meeting until its conclusion.]

3 ELECTION OF VICE-CHAIRMAN 2019-20

It was proposed by Councillor Rob Appleyard, seconded by Councillor Bruce Shearn, and

RESOLVED that Councillor Andy Furse be elected Vice-Chairman of the Council for the Council year 2019/20.

Councillor Furse made and signed his Declaration of Acceptance of Office, received the Chain of Office from Councillor Karen Walker and thanked the Council for his appointment.

[Notes;

1. A nomination from Councillor Paul Myers, seconded by Councillor Robin Moss, that Councillor Lisa O'Brien be nominated was lost on a vote of 17 for, 37 against.
2. Following the nomination of Councillor Andy Furse (after Councillor Lisa O'Brien had already been nominated), a debate took place on the merits of this course of action. The Monitoring Officer's view was sought and she confirmed that it was a break from the convention that had operated for the last 12 years (with an agreed chairing rota that listed the next Vice-Chair as a Conservative position), but it was only a convention.

4 DECLARATIONS OF INTEREST

The Monitoring Officer issued a general dispensation to enable Members with an interest in the Avon Pension Fund to be able to take part in debate and vote on agenda item 11 – Appointment of Committees and Panels.

The Monitoring Officer issued a further general dispensation to enable Members with roles as Parish and Town Councillors to be able to take part in debate and vote on agenda item 12 – Parish Charter Review.

Councillor Steve Hedges declared an 'other' interest in minute item 9 (Portfolio announcements) as his wife works for MENCAP.

Councillor Duncan Hounsell declared an 'other' interest in minute item 11 as a Parish Councillor (this declaration was covered by the earlier general dispensation.)

Councillor Ruth Malloy declared an 'other' interest in minute item 14 as a committee member of Love Weston Library, a volunteer at the RUH and a volunteer at Love Weston Café.

Councillor Joel Hirst declared an 'other' interest in minute items 9 and 10 as an AWP employee.

Councillor Andy Wait declared an interest in all items as his wife works for B&NES.

5 MINUTES - 14TH MARCH 2019

On a motion from Councillor Steve Hedges, seconded by Councillor Tim Ball, it was

RESOLVED that the minutes of 14th March 2019 be confirmed as a correct record and signed by the Chair.

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

Councillor Andy Furse presented Councillor Karen Walker with her past Chairman's badge and handed her the badge for the Former Chairman's Consort.

It was proposed by Councillor Dine Romero, seconded by Councillor Paul Myers, supported by Councillors Karen Walker and Robin Moss and

RESOLVED that this Council places on record its appreciation of the services performed by Councillor Karen Walker in the office of Chairman of the Council for 2018/19.

The Chair then;

1. Announced that she would make her speech at the end of the meeting;
2. Welcomed and congratulated all newly elected Councillors and invited the Council to place on record its appreciation of the past service given by the Members who retired following the election;
3. Invited the Council to note the appointment of Councillor Dine Romero as Liberal Democrat Group Leader, Councillor Paul Myers as Conservative Group Leader, Councillor Karen Walker as Independent Group Spokesperson and Councillor Robin Moss as Labour Group Leader;
4. Welcomed the Digital Apprentices who were present at the meeting;
5. Reminded everyone to switch off their mobile phone or switch to silent, and explained that some Councillors were accessing their meeting papers via iPads;
6. Announced that the meeting was being webcast and invited anyone who did not wish to be filmed to make themselves known to the camera operators.

7 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There were no items of urgent business.

8 NOTIFICATION OF MEMBERS ELECTED ON 2ND MAY 2019

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

RESOLVED to note the notification of Members elected on 2nd May 2019.

9 APPOINTMENT OF LEADER

The Council is required to elect a Councillor to be the Leader of the Council for the 4 year term from May 2019 AGM to May 2023 AGM.

On a motion from Councillor Richard Samuel, seconded by Councillor Paul Myers, it was

RESOLVED

1. That Councillor Dine Romero be appointed Leader;
2. That all decisions regarding the appointment of a Deputy Leader, Cabinet Members and portfolios, the executive delegation scheme and frequency of

Cabinet meetings are decisions solely for the Leader to make and publicise in due course.

[Notes;

- 1. The above resolution was carried with 40 Councillors voting in favour, 1 Councillor voting against and 13 Councillors abstaining.]*

10 APPOINTMENT OF COMMITTEES AND PANELS AND OTHER ANNUAL BUSINESS

The Council considered a report concerning its non-executive and regulatory committee arrangements for the Council Year May 2019 to May 2020 and associated annual business.

On a motion from Councillor Dine Romero, seconded by Councillor Richard Samuel, it was (unanimously);

RESOLVED

1. To approve a structure for non-executive and regulatory decision making, and the scrutiny function as set out in the Constitution and attached at Appendix 1;
2. To approve the terms of reference for Committees and Panels etc as set out in Appendix 2 to the report and constitute those bodies accordingly including;
 - a. Renaming the Development Management Committee as the 'Planning Committee', to improve public comprehension and transparency;
 - b. Renaming the Climate Change & Sustainability PDS Panel as the 'Climate Emergency & Sustainability' PDS Panel to highlight the urgent need for action;
3. To approve the appointment of Members to the Committees and Panels in accordance with the requirements of political proportionality, as outlined in the revised political proportionality table, and the nominations made by the political groups (whilst affirming the non-proportional basis of operating for the Licensing Sub-Committee as explained in paragraph 5.3);
4. With regard to the Avon Pension Fund Committee, to agree;
 - a. Bath and North East Somerset Council will be represented by 5 members on the Committee;
 - b. The addition of a further Independent Member to the Committee;
 - c. The addition of an Academy Representative to the Committee;
 - d. The establishment of a Brunel Working Group as a sub group of the Committee;

- e. And consequent amendments to the Terms of Reference to incorporate these changes;
5. To appoint as Chairs of such bodies, those Councillors as may from time to time be nominated by the political group to whom the chairmanship of the body is allocated;
6. To authorise the Monitoring Officer to fill any casual vacancies in membership of all the bodies constituted and vacancy in the office of Chair of such bodies in accordance with the wishes of the political groups and the allocation of chairing entitlements made at this meeting;
7. To determine the bodies on which independent members (if any) are to have seats as either voting or non-voting members and appoint such members accordingly;
8. To authorise the Monitoring Officer, in consultation with the Chairs of the Policy Development & Scrutiny Panels, to constitute and support any required Panel joint working as outlined in paragraph 6.1;
9. To appoint members to Avon Fire Authority on a proportionality basis to be determined;
10. To approve the allocation of Political Assistants to eligible groups as set out in Section 8, and instruct the Chief Executive, in consultation with Group Leaders, to make provision for support to the remaining groups;
11. To note, in light of the decision taken earlier on the agenda to appoint a Leader, that the Leader will publish in due course, a scheme of delegation of executive functions;
12. To note the urgent executive decisions that have been taken in the last municipal year, as set out in paragraph 9.2;
13. To note the position regarding the frequency of meetings (as set out in Section 10) as the basis for enabling the diary of meetings to be prepared, and to authorise the Monitoring Officer to project dates forward and prepare the diary on this basis;
14. To note that an Independent Panel to consider members' allowances will be convened and will report its recommendations in due course;
15. To instruct the Monitoring Officer, in consultation with Group Leaders, to make appointments on non-executive outside bodies and note that the Leader or Cabinet Members will do so for executive outside bodies;
16. To authorise the Monitoring Officer to make and publicise any amendment to the Council's Constitution required, or take any other necessary action, as a result of decisions taken at this meeting on this and other reports within the agenda, or otherwise as required by law.

17. To note that further proposals and practices regarding improving public engagement with residents in Bath and North East Somerset will be brought forward, including:

- a. Measures to improve openness and transparency, making the Council more accessible and accountable;
- b. Consultation on strengthening and improving representation, including a review of the Bath City Forum and measures to involve younger people in consultations, decisions, and scrutiny;
- c. Proposals to improve decision-making, including devolution and piloting new decision-making methods, such as Citizens' Juries, as well as strengthening the involvement of Residents' Associations and Parish and Town Councils.

11 PARISH CHARTER REVIEW

The Council considered a report on the progress made so far on the implementation of the Parish Charter which was adopted by Cabinet in April 2018 and endorsed by Council in May 2018 following a period of consultation with all parishes across the district.

On a motion from Councillor Paul Myers, seconded by Councillor Neil Butters, it was (unanimously)

RESOLVED

1. To note the progress report on the Parish Charter commitments attached in Appendix 1 to the report.
2. That a working group of Council and parish representatives be established to:
 - Review and update the Terms of Reference for Parish Liaison to reflect the new ways of working under the Parish Charter.
 - Report back to Full Council as appropriate with proposals and recommendations.

12 PLEDGE TO CHILDREN IN CARE

The Council considered a report seeking its affirmation of the commitment to the Bath and North East Somerset Council Pledge to Children and Young People in Care and Care Leavers.

Following local elections, the new Council was invited to affirm its commitment to the Pledge;

https://www.bathnes.gov.uk/sites/default/files/siteimages/Children-and-Young-People/Children-in-Care/the_pledge.pdf

On a motion from Councillor Kevin Guy, seconded by Councillor Chris Watt, it was (unanimously)

RESOLVED to approve the Bath and North East Somerset Council Pledge to Children and Young People in Care and Care Leavers.

13 CODE OF CONDUCT - AMENDMENTS REGARDING COUNCILLOR ROLE DESCRIPTIONS AND GIFTS & HOSPITALITY GUIDANCE

The Council considered a report regarding the Standards Committee recommendation that the Code of Conduct be amended to reference the Councillor Role Descriptions and that Council adopt the updated Councillors' Gifts and Hospitality Guidance (Appendix A).

On a motion from Councillor Dine Romero, seconded by Councillor Sarah Bevan, it was (unanimously)

RESOLVED

1. That, on a recommendation from the Standards Committee, the Code of Conduct be amended to include the following paragraph;

“Members should have regard to the Role Descriptions that have been adopted. Any Councillor complaints considered by the Standards Committee may use these as information;”

2. That Council adopt the Councillors' Gifts and Hospitality Guidance as part of the Code of Conduct as recommended by the Standards Committee.

14 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC

Statements were made by the following members of public;

Andrew Dickens from the Lower Common East Allotment Association made a statement regarding the Association's rights, a full copy of which is available on the Council's Minute book and attached to the online minutes. Councillor Dine Romero asked if Andrew would like to meet with a view to resolving this ongoing issue, to which Andrew responded that he wanted to be co-operative. Councillor Sarah Bevan asked if Andrew had received a letter from the previous Leader to which he replied that he had not.

Luke Emmett made a statement regarding public engagement with the Council, a full copy of which is available on the Council's Minute book and attached to the online minutes. Councillor Dine Romero asked Luke how their offer of more inclusive decision making had been received; to which he replied that it had been received very well and was considered a very positive first step.

Vishaka Robinson made a statement regarding plans for Parkside Children's Centre, a full copy of which is available on the Council's Minute book and attached to the online minutes. Councillor Kevin Guy noted Vishaka's questions and asked if she would like to meet with him and the relevant officer, to which she replied that she would. Councillor Paul May asked if Vishaka was aware that the Centre was being re-located due to repair problems, to which she responded that she was aware but that it was being moved to a smaller location with less outdoor space. Councillor Liz Hardman asked if Vishaka considered that moving it to a smaller site would result in fewer parents accessing its services, to which she responded that there were definitely concerns as the current centre was so well used, and some current users live in flats so outdoor space was very important.

Jane Middleton made a statement calling on Councillors to make a Food Poverty Action plan, a full copy of which is available on the Council's Minute book and attached to the online minutes. Councillor Richard Samuel asked Jane what else she considered the Council could do to add to the excellent work already being undertaken by the voluntary sector. Jane replied that there was already a heavy burden on the voluntary sector and it was not right to leave this all to charity which was a patchwork solution. She suggested the Council could get in touch with other Councils who have already adopted a Food Poverty Action plan. Councillor Alan Hale asked if Jane was aware that meetings had been taking place for the last 3-4 years between the Welfare team and Bath, Somer Valley and Keynsham foodbanks. Jane replied that she had not been aware, but that it should not just be left to charity. Councillor Colin Blackburn made reference to the 4500 emergency parcels and asked if Jane was aware of how many children were affected by food poverty across B&NES. Jane replied that she didn't have the exact number as there was no measurement of food poverty but that 1300 parcels were issued to families with children. It was vital though to establish the scale of the problem. Councillor Liz Hardman thanked Jane for her suggestions and asked if Jane considered they should be concentrating on poverty in general, rather than just food poverty. Jane agreed that all poverty should be addressed but that food poverty was the extreme manifestation of poverty and needed a separate strategy.

Dave Searby made a statement as a member of the Bath Extinction Rebellion group, a full copy of which is available on the Council's Minute book and attached to the online minutes. Councillor Sarah Warren referred to the Liberal Democrat intention to establish a Citizen's Panel on this issue and asked what Dave anticipated would be the advantages to B&NES of this approach. Dave responded that he considered this would move the issue from being a special interest topic to giving ownership to the public, enabling it to be taken forward.

The Chair thanked all the speakers and referred their statements to the relevant Cabinet Members.

15 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS

There were none.

The meeting ended at 8.16 pm

Chairman

Date Confirmed and Signed

Prepared by Democratic Services

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Bath & North East Somerset Council	
MEETING:	Council
MEETING DATE:	11 July 2019
TITLE:	Update report on Establishing Joint Venture Partnerships
WARD:	All
AN OPEN PUBLIC ITEM	
List of attachments to this report: None	

1 THE ISSUE

- 1.1 An update report on the establishment of joint venture (JV) LLP partnerships with other local authorities for the purpose of delivering local housing developments and maintaining a pipeline of sites for development by the Council's housing development company, Aequus Developments Limited (ADL).

2 RECOMMENDATION

The Council is asked to;

- 2.1 Note the latest legal advice and
- 2.2 Approve the proposed change to the original JV partnerships arrangements to clarify both the legal power being used and its purpose for entering into JV LLP arrangements with neighbouring councils.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 The Council has set income generation targets within its Medium Term Service and Resource Plan of £730,000 per annum and rising to £1 Million per annum from next year to be generated by its local authority housing development company (ADL). These targets cannot be achieved and sustained without the establishment of medium term land supply and development opportunities for the company.

- 3.2 The establishment of Joint Venture LLP Partnership(s) is a mechanism to provide development sites for the company that are additional to those sites provided by B&NES Council within its own geographical area.
- 3.3 The Council will receive a commercial management fee for the services it provides into the joint venture (via a sub-contact with ADL).
- 3.4 Joint ventures in the form of Limited Liability Partnerships will ensure risks are ring-fenced within the JV and the Council's liability would not exceed its initial very limited investment.
- 3.5 £10K from the Council's Transformation Reserve has previously been approved for the set up legal costs of Joint Venture Partnership(s).

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 This report focuses on the legal power that the Council intends to use in creating a joint Venture partnership with a neighbouring local authority where the development is to take place in that authority's area and explains the Council's purpose in doing this through a LLP Partnership.

5 THE REPORT

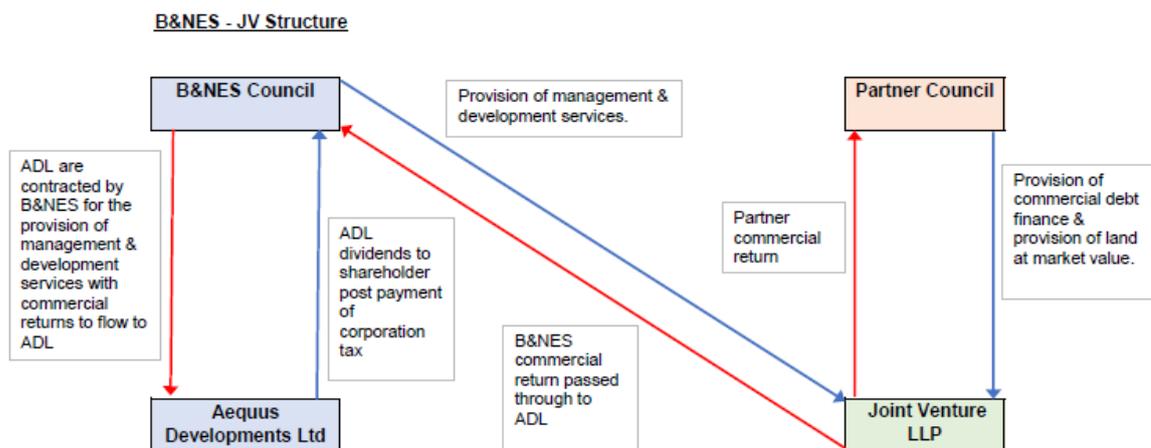
- 5.1 On 13 September 2018 Council approved in principle the creation of Joint Ventures with other local authorities for the purpose of delivering local housing developments subject to specific business cases for each Joint Venture. One aspect of that report focused on the commercial returns to the Council in entering into JVs
- 5.2 Following receipt of further legal advice the Council has clarified its legal powers to enter into joint venture arrangements through an LLP partnership structure. This report seeks approval for the reformulated arrangements. This report also ensures that the Council's purpose in entering into the proposed JV through LLP arrangements is clarified.
- 5.3 Legal advice has clarified that the Council cannot enter into a Joint Venture arrangement if its dominant purpose is a commercial purpose unless it does so through a company limited by shares. The rationale for this is that a Council does not pay corporation tax and entering into a Joint Venture through an LLP structure would provide the Council with an unfair advantage when competing with the private sector.
- 5.4 The preferred structure for a Joint Venture has focussed on a Limited Liability Partnership (LLP's) due to these being tax efficient for local authorities.
- 5.5 Entering into joint venture partnerships provides a number of benefits to both B&NES and its partner council particularly in supporting neighbouring councils to bring forward and deliver housing. This was a key element in the recent Homes England Strategic Plan 2018/19 to 2022/23 which highlights the important role of Local Authorities in accelerating the supply of new homes and, states "*we ... encourage you to work with one another to share best practice and, where appropriate, partner for delivery*".

5.6 The legal basis for an LLP is straightforward for the partner council where housing is being delivered in its area because it will utilise housing and regeneration powers to enter into the LLP. For B&NES this is not an option as the housing is outside of its boundaries and it must therefore rely on other powers for providing the key delivery support to the partnership.

5.7 Legal advice received recommends that B&NES rely on the General Power of Competence for this even though it is likely that a commercial return is going to be generated.

5.8 The Council’s purpose for entering into an LLP is to secure a pipeline of development sites for its housing development company ADL. Consequently, it would not be entering into the joint venture for a commercial purpose. In addition, in order to demonstrate this, the Council will pass any commercial return to ADL which will be contracted by B&NES to deliver the development. Structured in this way the Council ensures that any commercial return is appropriately treated for corporation tax before any dividend is passed from ADL to the Council. This structure is the optimum solution for the partner council by maximising returns from the development because it does not pay corporation tax on those returns.

5.9 The chart below illustrates this structure:



6 RATIONALE

6.1 B&NES Council needs to be clear about its purpose for entering into any joint arrangement with a partner council.

6.2 B&NES Council together with its neighbouring Council’s must find sites within their areas to support the increasing need for housing as outlined in the draft Joint Spatial Plan (JSP) for the four West of England authorities. Neighbouring Councils are considering developing housing sites within their areas themselves but lack the necessary skills to progress these alone.

6.3 B&NES Council has a housing company ADL that can help neighbouring Council’s deliver these sites whilst providing a guaranteed supply of development sites for ADL. Such land supply means that the fixed costs of running ADL are distributed over a greater number of projects rather than being held against a smaller number of “B&NES-only” projects. The partner council maximises its return through an LLP and B&NES council makes a modest return through its

administration of the contract with ADL but crucially any commercial return will not be received by it but by ADL

6.4 B&NES council may ultimately receive a financial return through payment of dividends by ADL, after payment of corporation tax, if these development sites are successful but that is not its primary purpose.

6.5 Any financial risk to B&NES Council is minimised through an LLP structure.

7 CLIMATE CHANGE

7.1 B&NES Council objectives will be primarily to ensure a pipeline of development sites for ADL but ADL and the Council will seek to advise our partners on how any developments could achieve improvements to its carbon emissions.

8 OTHER OPTIONS CONSIDERED

8.1 The creation of a JV through other means such as through a JV company Limited by Shares or a straight forward partnership but these approaches do not maximise returns for the partner Council or involve the assumption of risk both of which the JV LLP structure avoids

9 CONSULTATION

9.1 The Group Leaders, Chief Executive, the Monitoring officer and s.151 Officer have all been consulted on this report.

10 RISK MANAGEMENT

10.1A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	Michael Hewitt tel 01225 395125
Background papers	Report to Council 13 September 2018
Please contact the report author if you need to access this report in an alternative format	

Bath & North East Somerset Council	
MEETING	Council
MEETING DATE:	11 July 2019
TITLE:	Youth Justice Plan 2019-20
WARD:	All
AN OPEN PUBLIC ITEM	
List of attachments to this report:	
Youth Justice Plan 2019-20	

1 THE ISSUE

- 1.1 The Local Authority has a statutory duty, in consultation with named legal partners Health, Police and Probation, to produce an annual Youth Justice Plan. The Plan sets out how services are to be organised and funded and what functions they will carry out to prevent youth offending and re-offending across Bath and North East Somerset.

2 RECOMMENDATION

Council is asked to:

- 2.1 Agree the Youth Justice Plan fulfils the requirements of the Crime and Disorder Act 1998 and can be submitted to the Youth Justice Board for England and Wales;
- 2.2 Adopt the Youth Justice Plan as part of the Council's Policy and Budget Framework that can be accommodated within the Council budget;
- 2.3 Note that the Youth Offending Service Management Board is responsible for ensuring delivery and ask the relevant Development and Scrutiny Panel to oversee performance.

3 THE REPORT

- 3.1 The principal, statutory aim of the youth justice system is to prevent youth offending by 10-17 year olds. The Youth Justice Plan reviews the latest performance indicators and context for work with young people at risk of offending and re-offending and sets out how services will be resourced and delivered in 2019-20;
- 3.2 Actions in the work plan will help to make Bath and North East Somerset a safer place and support young people work towards crime-free lives with better prospects for the future;
- 3.3 The Youth Justice Plan 2019-20 is attached as an appendix to this report.

4 STATUTORY CONSIDERATIONS

- 4.1 Preparation of a Youth Justice Plan is required under Section 40 of the Crime and Disorder Act 1998. The national Youth Justice Board for England and Wales has published guidelines for its completion and requires it to be submitted by 5 August 2019.
- 4.2 All work with young people at risk of offending or re-offending takes full account of their status as children before their status as potential offenders and prioritises safeguarding them within their communities as well as in their family settings.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 5.1 The Council is the lead partner in the multi-agency arrangements to prevent youth offending, working closely with Police, Probation and Health Services. All partners have statutory responsibilities to participate in the resourcing of the Youth Offending Service and are maintaining their current level of support. The Council makes the greatest contribution in terms of staff, cash and additional support, including office accommodation and financial and human resources support services. In 2019-20, the Council is contributing £454,515 towards a total budget of £806,433, most of which pays for staff salaries. This contribution is within the existing Council approved budget.
- 5.2 The work of the Service also depends on a core national grant from the Ministry of Justice, via the Youth Justice Board. For the year ahead, this amount reduces by 0.94% to £179,629. The Ministry of Justice also delegates funding towards the costs of remand places for young people; this year, the contribution is £3,513. The Police and Crime Commissioner's direct contribution remains £10,217 and NHS England is now funding a seconded Child and Adolescent Mental Health post at £40,000 through a Health and Justice grant. All remaining costs are met by the statutory partners;
- 5.3 Submission of a Youth Justice Plan and quarterly data returns are both conditions for receipt of the Youth Justice Board grant.

6 RISK MANAGEMENT

- 6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance. This is incorporated within the Youth Justice Plan itself.

7 CLIMATE CHANGE

- 7.1 A number of young people who work with the Youth Offending Service undertake community reparation projects to help develop their understanding of the harm they have caused others and to make indirect amends. These projects include working with the Council Parks Department and community organisations to improve the environment and animal welfare. Projects change over time but currently include the National Trust Rainbow Woods, Bath Cats and Dogs Home, Julian House Build a Bike, Genesis Furniture Project, PEOPLE charity shop, Radstock Swallow Café, Chew Magna Community Farm and Bath City Farm.

7 OTHER OPTIONS CONSIDERED

- 7.1 None

8 CONSULTATION

- 8.1 This report has been approved by the S151 Officer and Monitoring Officer;
- 8.2 The Youth Justice Plan draws on feedback from young people who have worked with the Youth Offending Service over the last 12 months;
- 8.3 Governance has been reviewed with the Local Safeguarding Children Board and the Responsible Authorities Group. Performance and the new work plan have been discussed with the Youth Offending Service Management Board, the Custody Review Panel, the Youth Crime Prevention Board and members of the Youth Offending Service itself.

Contact person	Sally Churchyard, Head of Young People's Prevention Services Office: 01225 396926
Background papers	Youth Justice Plan 2018-19
Please contact the report author if you need to access this report in an alternative format	

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Bath and North East Somerset Youth Justice Plan 2019 – 2020



Working in partnership to prevent youth offending

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1. Introduction

Youth Offending Services and the partners they work with have a statutory responsibility to prevent offending by children and young people aged 10-17 years. This Plan has been written in accordance with Section 40 of the Crime and Disorder Act 1998 and national guidance from the Youth Justice Board and sets out how services to prevent youth offending will be provided and funded in 2019-20. It will be submitted to the Youth Justice Board and published in accordance with the directions of the Secretary of State.

Ambition for young people at risk of offending and re-offending

Locally, the Service seeks to improve outcomes in accordance with the ambition set out in the Children and Young People's Plan 2018-21:

We want all children and young people to enjoy childhood and to be well prepared for adult life and parents to take responsibility for understanding and meeting their children's needs, enjoying their childhood with them and preparing them for adult life.

The local outcomes children and young people will also reduce the likelihood of offending and re-offending:

- Page 27
- Children and young people are safe;
 - Children and young people are healthy;
 - Children and young people have fair life chances;
 - Children and young people are engaged citizens in their own community.

Responding to Youth Offending

Criminal justice and other agencies share the responsibility for working to prevent youth offending and keeping young people and the wider public safe. Youth Offending Services carry particular responsibilities for assessing and working with young people to address a range of needs linked to their risk of offending. Professionals from Police, Health, Social Care, Education and the National Probation Service help make up the multi-agency Youth Offending Service and work in an integrated way alongside other specialists. They have key statutory functions, including the assessment and supervision of young people aged 10-17 subject to Out-of-Court Disposals and community and custodial Court Orders, giving victims a voice, enabling those who have offended to make amends for the harm they have caused and strengthening parenting skills. This work is supplemented by a prevention service, Compass, which works with children aged 8-17 years who are at high risk of offending and with their families.

2. Review of last year including performance

2.1 Summary

The Youth Offending Service has seen a number of developments and successes this year:

- Significant reduction in custodial sentencing - just one sentence compared with nine in the previous year. It is anticipated that this marks a return to a more usual pattern of low custodial sentencing in Bath and North East Somerset;
- Continued reduction in young people offending and entering the youth justice system for the first time;
- Staff training and readiness to commence the enhanced case management, trauma-informed pilot. The training was extended to partner agencies, with a total of 49 people trained from Social Care, Police and the voluntary sector and a follow-up day included representation from the Management Board, Forensic Child and Adult Mental Health Service and the Court;
- Staff have been trained in, and now use, AMBIT, an approach to understanding the behaviour and needs of traumatised young people;
- A review has been undertaken of Compass, the early intervention part of the Service that works with those at risk of offending;
- Led in the development of the local Youth @ Risk Strategy and associated protocols for Missing Children, Radicalisation, Harmful Sexual Behaviour and Serious Youth Violence;
- Revised the process for Out of Court Disposals
- The number of reparation projects has increased, giving young people more opportunities to make amends for their offending;
- The Service has consolidated its practice with Return Home Interviews, undertaken with children and young people who have returned from being missing, and more have been completed;
- Two Integrated Working Officers joined the Service to support work with volunteers and Return Home Interviews and bringing with them responsibilities for Early Help Assessments across the children's workforce. This diversification into wider early help work strengthens links with partner agencies;
- Health provision has been consolidated within the Youth Offending Service, with more internal referrals made in the past year. Early identification of need has enabled this provision to be extended to younger siblings of those known to the Youth Offending Service;
- More parenting programmes have been offered, with positive feedback from parents/carers;
- The Service has re-located to work alongside the rest of children's services in Keynsham and has opened a new reporting office for young people in central Bath.

The work of the Service was acknowledged in the recent positive SEND Inspection and it has been actively involved in preparations for a Joint Targeted Area Inspection as well as for its own anticipated Inspection of Youth Offending Services.

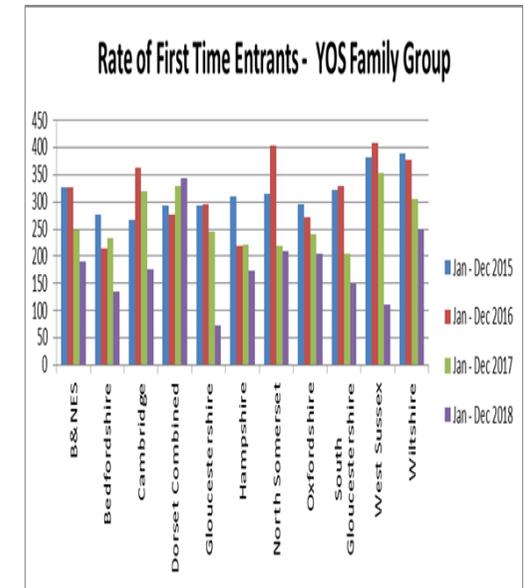
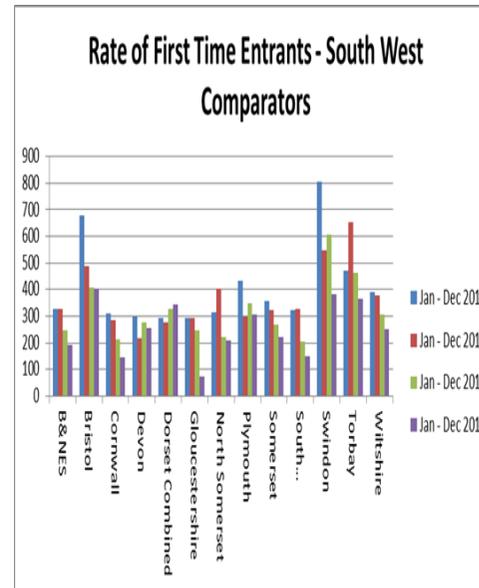
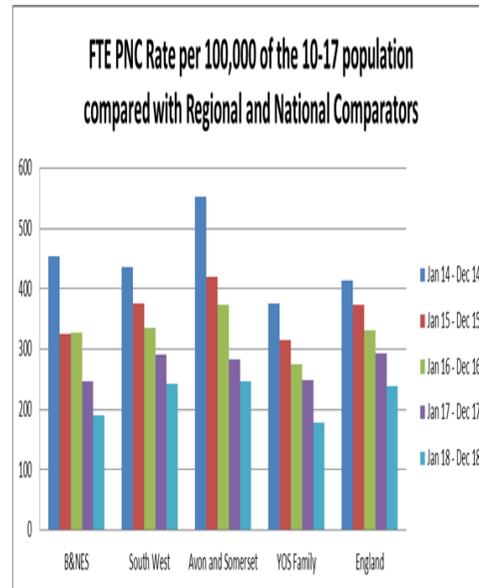
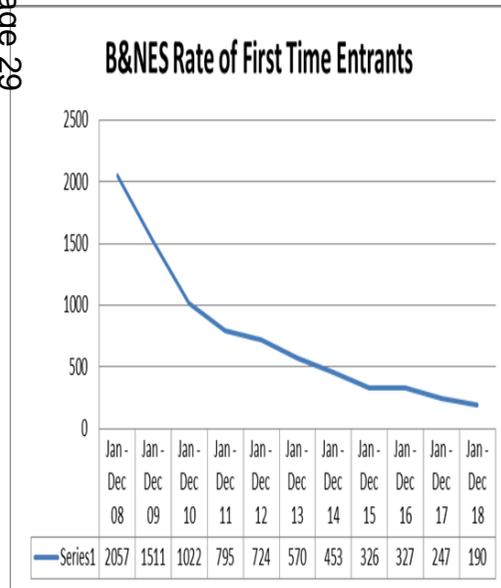
2.2 Performance

The partnership's statutory duty to prevent offending by young people is measured by three indicators, focusing on young people who enter the youth justice system for the first time, the rate of sentencing to custody and the rate of re-offending.

2.2.1 First Time Entrants

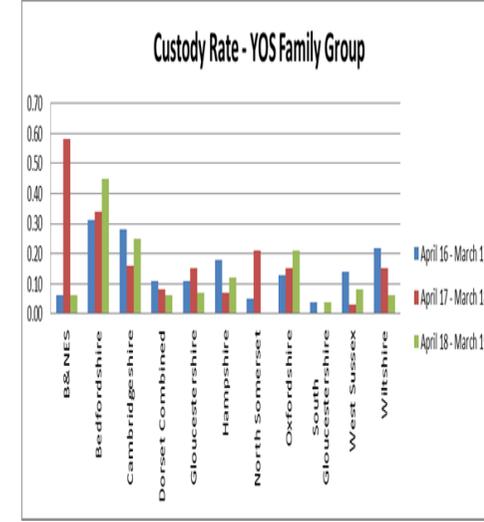
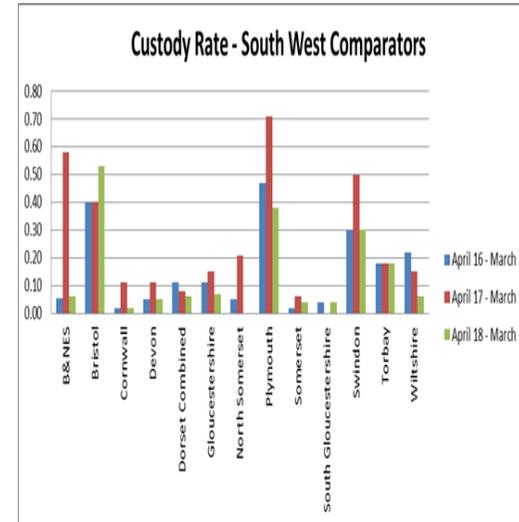
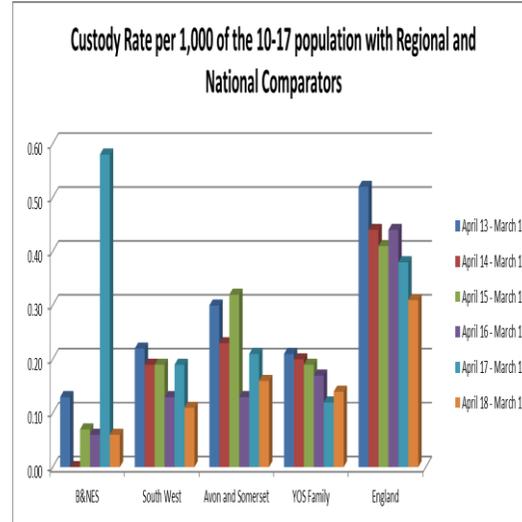
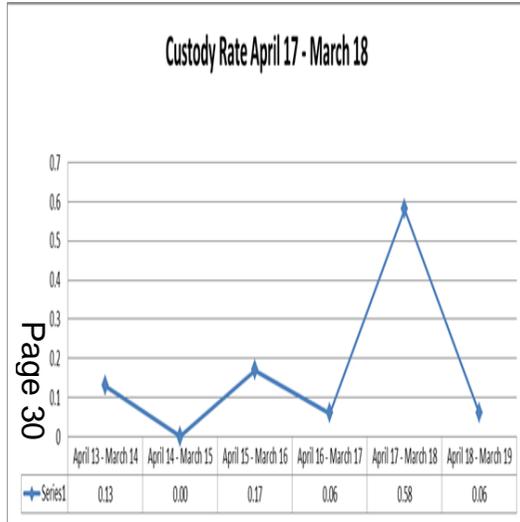
This indicator is the number of young people aged 10-17 who received either a Caution, Conditional Caution or Conviction without ever having received one of these disposals before, shown as a rate per 100,000 young people in the general population. Information is taken from the Police National Computer and is based on the geographical area where offences took place. The latest data available is for January to December 2018 compared with January to December 2017 during which time the local rate of first time entrants reduced significantly from 266 to 190 per 100,000 and reduced from the baseline by -28.5%.

This is a better improvement than most comparators and reflects well on the effectiveness of early help work, including Compass. The multi-agency Youth Crime Prevention Board meets twice per year and continues to scrutinise local first time entrants' data to inform targeting of resources and sharing of effective practice.



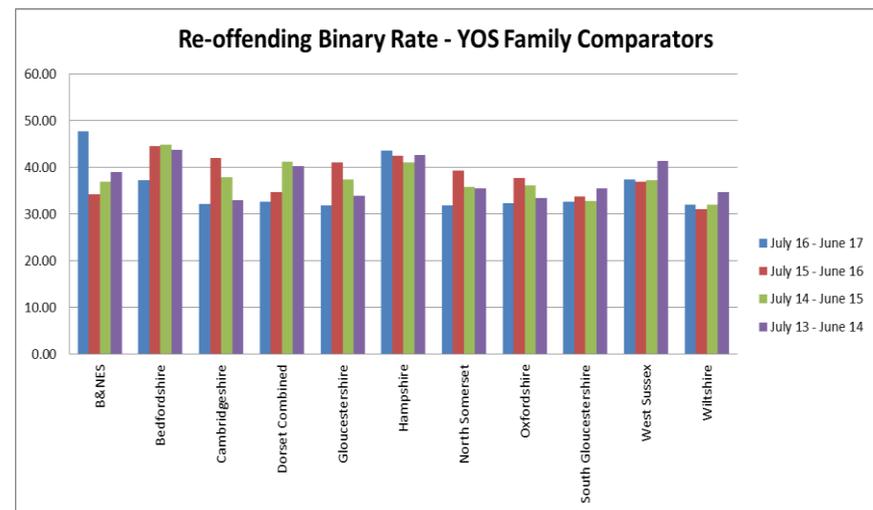
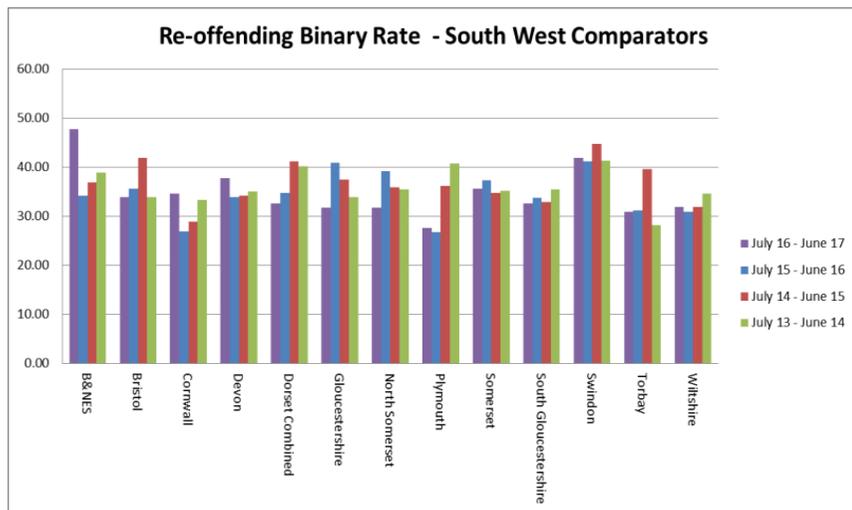
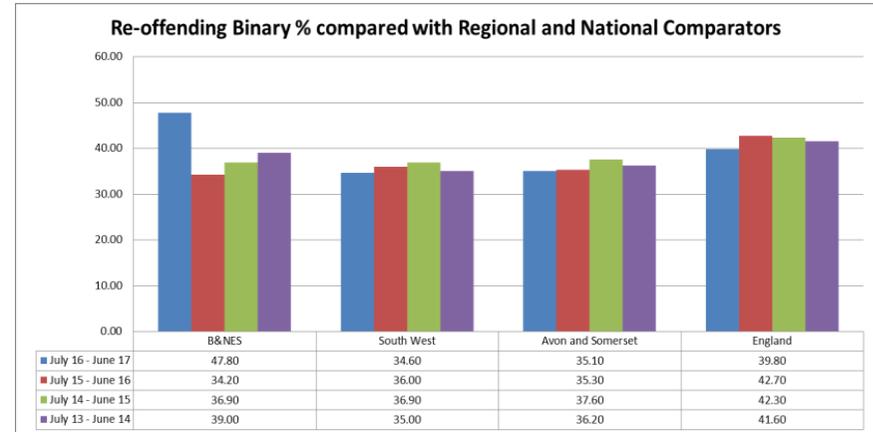
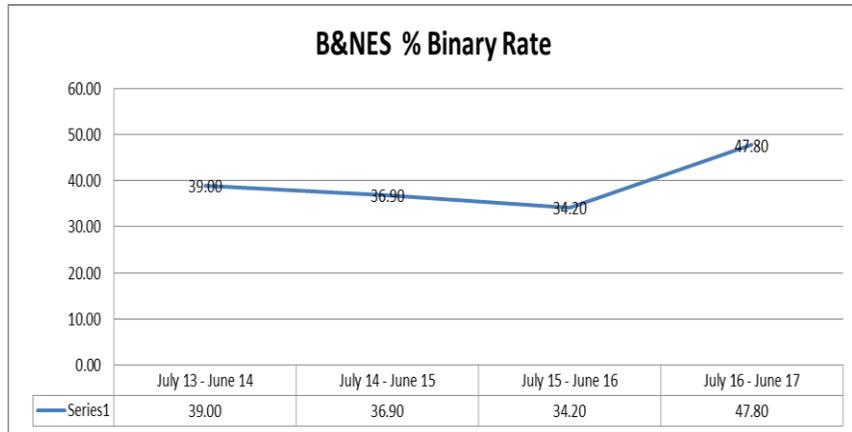
2.2.2. Custody

The indicator is the number of custodial sentences passed by the Courts, presented as a rate per 1000 young people aged 10-17 in the local general population. The latest published data set for the financial year 2018 – 19 compared with 2017 – 18 shows a significant reduction in the custody rate from 0.58 to 0.06. This relates to 1 custodial sentence in the period, compared with 9 in the previous year. The rate restores local performance to its longstanding low rate and is better than all comparator group averages. The Custody Review Panel continues to oversee young people at risk of custody and put together strong proposals for community sentencing wherever it is considered safe to do so .



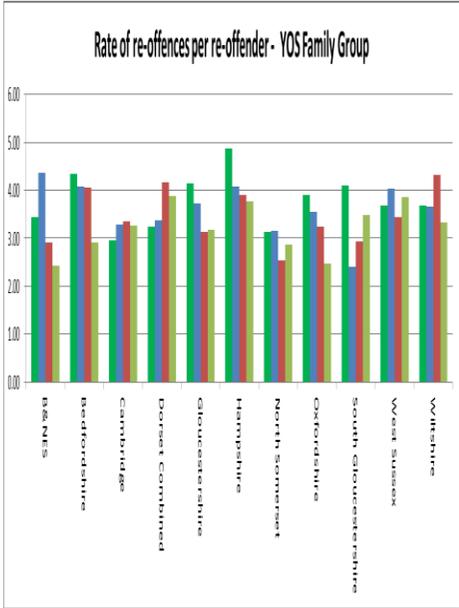
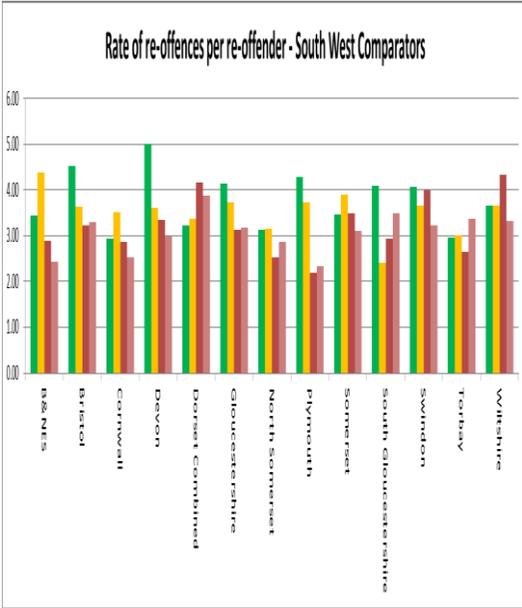
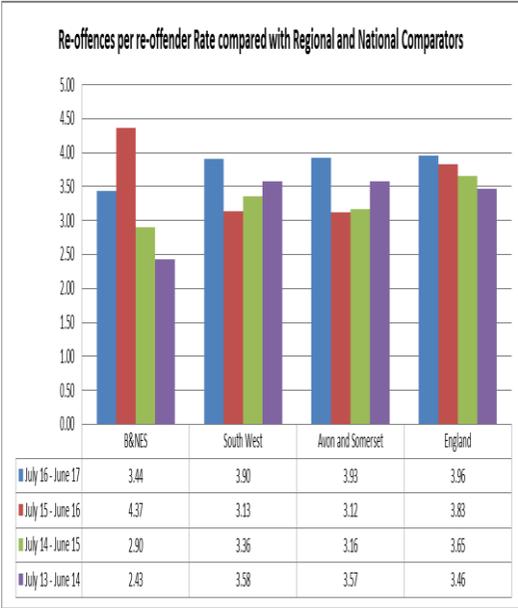
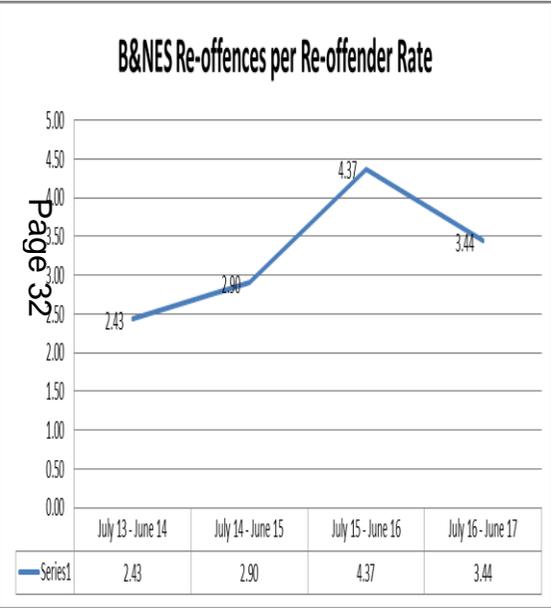
2.2.3 Re-offending

This is measured in two ways. The first is a binary rate, the overall percentage of young people in an identified cohort who re-offend within 12 months and receive a Caution or Conviction. In the most recent aggregated 12 month cohort for July 2016 to June 2017, 32 of the 67 (47.8%) re-offended, an increase of 13.6% on the July 2015 – June 2016 cohort of whom 27 out of 79 (34.2%) re-offended. The earlier performance was better than Avon and Somerset, regional and national averages but the most recent rate is higher than all comparators.



The second way in which re-offending is measured is by the rate of new offences committed by the smaller group of young people within each cohort who do re-offend. The 27 young people in the July 2015- June 2016 who re-offended committed 118 new offences, an average of 4.37 each; by comparison, the 32 young people in the 2016 –17 cohort who re-offended committed a total of 110 new offences, an average of 3.44 each. The equivalent data for all comparator group averages increased, with B&NES having a reduction of 21.3% and the lowest rate.

The data therefore shows a mixed picture; even though the overall rate of re-offending increased, the rate of offences committed per young person who re-offended reduced and overall, fewer new offences were committed by young people in the youth justice system. The Youth Offending Service is considering whether to resume use of the YJB re-offending toolkit to improve understanding of the re-offending rate. The commencement of the Enhanced Case Management pilot, together with a wider commitment to incorporate trauma-informed practice into its work may lead to medium-term improvements in re-offending



3. Young People's Voice

The Service has been taking another look at how it involves the young people it is working with in reviewing and influencing the development of services. Through surveys and focus groups it is clear that young people recognise the benefits of working with the Youth Offending Service, with the value of relationships, education support and reparation featuring highly.

... support and help young offenders in not offending

Giving me a second chance

Controlling my behaviour

Insight into law helped me to understand as a victim

Only thing that helped me was the education stuff, helping me with my college application

Done good for my education

The worker being funny and friendly and not always talking about bad stuff

Told me information I didn't know

Having people to talk to

In a way, they have helped me get my job. My worker helped me get my CV

Reparation, because it made me realise that actions have consequences and that I didn't want to waste time as I would rather be

Talking with the nurse helps all the

YOS are good when you are in Court with them

Dealing with conflict

Help to get accommodation which has helped to organise my life

YOS makes me think before I do stuff like when I am in town and not joining in with fights

I've stopped hanging round with the same people and getting in trouble

Young people have also highlighted areas to work on, some of which have been incorporated into the work plan for the year ahead:

There should be more working in groups. Of course people would have to be chosen carefully so they don't kick off.

... doing things with the worker - activities rather than just talking

Don't like filling in work sheets

Working with animals can help you think about the importance of not hurting people and things

We meet with each other in groups anyway so YOS should work with groups

It feels too much like school

Don't like reading so much stuff

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Helping us to get our lives together

Need to help kids put themselves in others' shoes (victims)

Vary reparation sessions, do more things in the local community

The offences we are working on happened too long ago to remember them

(I don't like) the worker trying to catch you out by asking questions about what you and your friends did on the weekend or asking who you are with all the time

The 'payback' aspect of reparation doesn't really get through to us

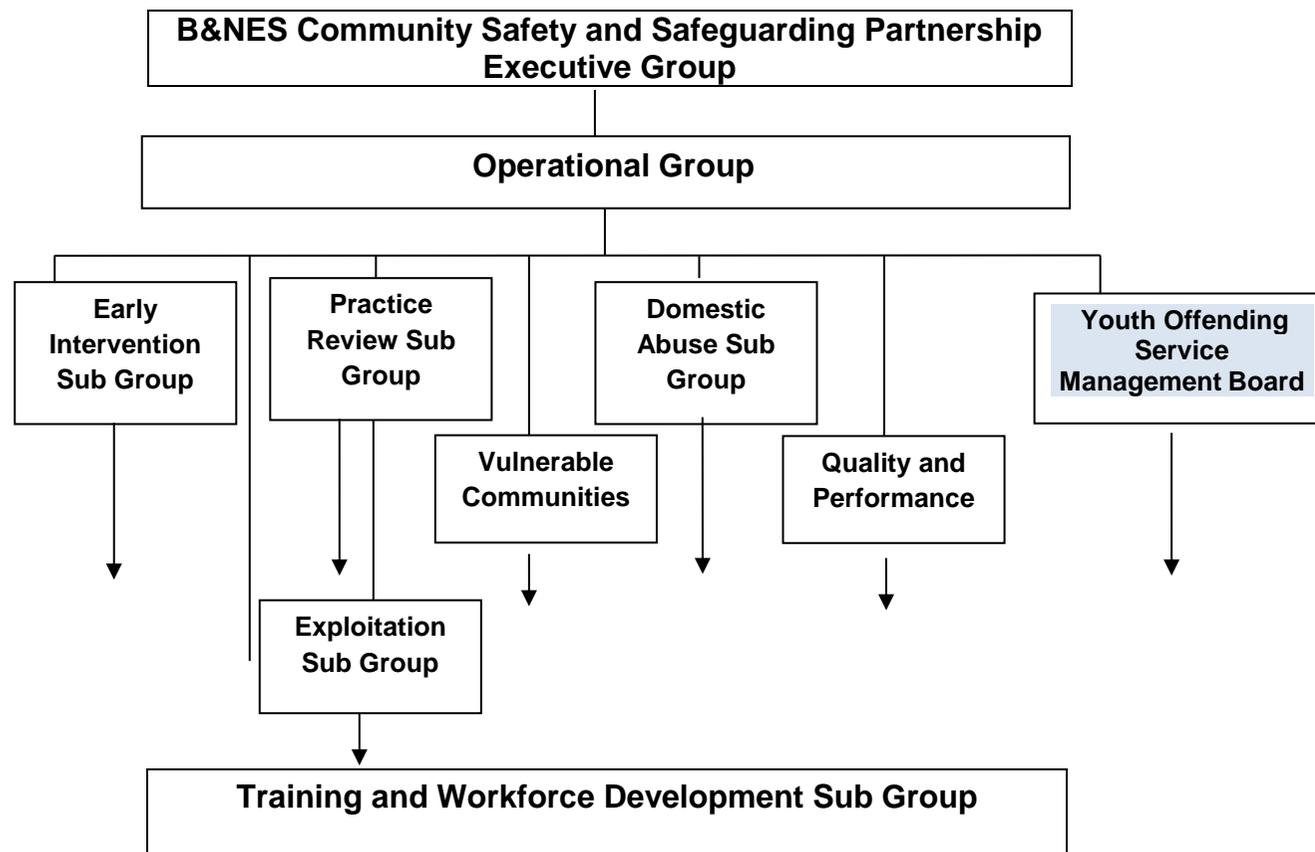
4. Governance and Partnership Arrangements

4.1 Youth Offending Service Management Board

The Board holds four business meetings and a development meeting each year, to oversee the budget, performance, National Standards compliance and service delivery. It has recently reviewed its effectiveness using a self-assessment tool based on Inspection guidance and has updated the arrangements set out in its Terms of Reference and Partnership Agreement. All statutory partners are represented and have substitutes but a more formal link is needed with the Clinical Governance Group. The Youth Court is represented for the first time.

Name	Agency represented (subject to local Partnership Agreement)	Comments
Mary Kearney Knowles	Director, Children, Young People and Families Service	Statutory member/chair
Elizabeth Spencer	Assistant Chief Officer, South West South Central, National Probation Service	Statutory member
Steve Kendall	Police District Commander, Avon and Somerset Constabulary	Statutory member
Christopher Wilford	Head of Education Inclusion Service, Bath and North East Somerset Council	
Jane Davis	Bath College	
Val Scrase	Head of Operations, Wiltshire and B&NES Children's Community Services, Virgin	
James Fortune	Clinical Director, Children & Young People, Oxford Health NHS Foundation Trust	
Kevin Guy	Lead Member for Children, Bath and North East Somerset Council	
Sally Churchyard	Head of Young People's Prevention Service, B&NES	Service Manager
Martyn Russell	Magistrate, Youth Bench	
Marc Hole	Avon and Somerset Police and Crime Commissioner's Office	Annual attendance
Graham Sabourn	Head of Housing, B&NES	Attendance as required

There has been a wider review of safeguarding arrangements to reduce duplication and release capacity for addressing areas of common interest and statutory requirement, including domestic abuse, serious violence, modern slavery and addressing radicalisation. The new arrangements, expected to be implemented by December 2019 will also create efficient, integrated governance arrangements. The Youth Offending Service Management Board will become one of eight sub-groups of the new Community Safety and Safeguarding Partnership Operational Group and its chair will represent the board on the operational Group as shown in the diagram below. It will also report to the Health and Wellbeing Board. Any serious incidents affecting young people known to the Youth Offending Service will be referred to the Quality and Performance sub group. The Board will continue to operate with two multi-agency sub-groups for Youth Crime Prevention and Custody Review, each linked with a performance indicator.



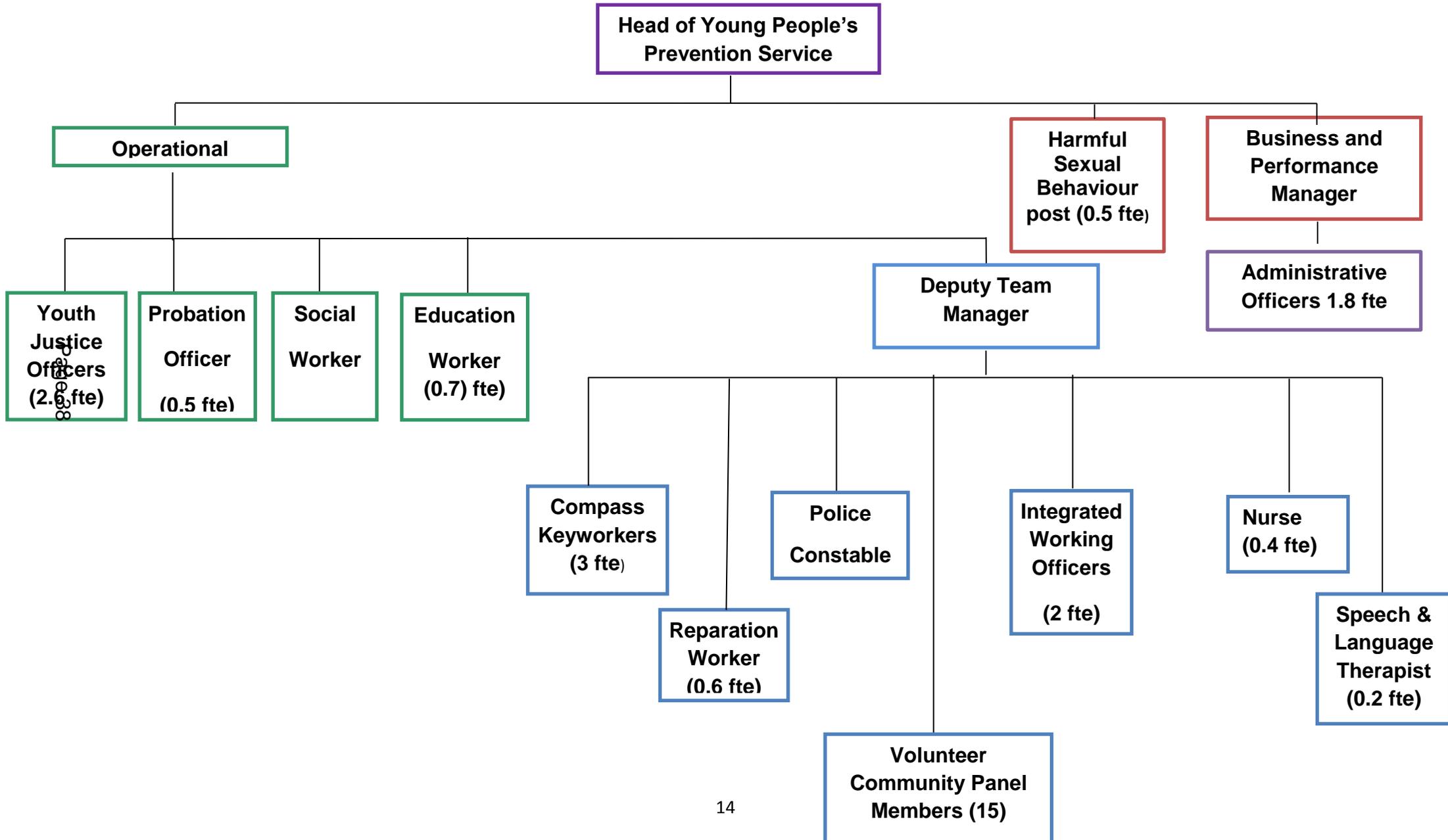
5. Resources

5.1 Budget summary

Most partner contributions remain constant, with a small Council increase (+ £6,320) and a small core YJB grant reduction (-£2,068).

Source	Pooled budget £	Staffing costs £	Other costs £	Comments	Total £
Avon and Somerset Police	5,000	41,236	0	Full-time Police Constable plus in-kind use of Police National Computer	46,236
National Probation Service	5,000	21,689	0	0.5 fte Probation Officer	26,689
Bath and North East Somerset Council	18,685	399,593	36,237	Office bases, Financial and Human Resources services	454,515
Bath and North East Somerset Clinical Commissioning Group	14,885	31,109	0	0.4 fte Nurse. Speech and Language Therapy is delivered separately	45,994
NHS England	N/A	40,000	0	Specialist Harmful Sexual Behaviour Consultant (secondment from CAMHS)	40,000
Avon and Somerset Police and Crime Commissioner	N/A	10,217	0	Contributes to Compass. Another £7,902 goes towards substance misuse services	10,217
Youth Justice Board for England and Wales	N/A	142,353	39,916	Core grant goes directly to the Youth Offending Service	179,269
Youth Custody Service	N/A	0	3,523	Remand bed grant goes directly to the Youth Offending Service	3,523
Total	43,570	686,197	76,676		806,443

5.2 Youth Offending Service Organisational Chart



5.3 Youth Offending Service Staff by Gender and Ethnicity (based on census 2001 categories):

At the time of preparing this Plan, the Service was fully staffed with a stable staff team. During the year ahead, there will be another recruitment round for new volunteer Referral Order Panel Members.

Including volunteers, the overall staff make-up of the Service is 74% female and 10.2% from ethnic minority backgrounds. However, there are no practitioners from ethnic minority backgrounds.

	Strategic Manager		Team Manager		Practitioner		Administrator		Sessional		Student		Volunteers		Total	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Asian or Asian British														1		1
Black or Black British																
Mixed														1		1
Chinese or Other													1	1		2
White or White British		1	1	1	3	15		3					5	6		35
Preferred not to say																
Total		1	1	1	3	15		3					6	9		39

6. Risks to future delivery against youth justice outcomes

The following risks have been identified for delivery of the Youth Justice Plan and the statutory purpose of preventing youth offending.

Risk	Impact	Likelihood	Actions to reduce/manage the risk
Exploitation of young people, including into offending	High	High	The Service is actively involved in implementation of the Youth @Risk Strategy which includes a commitment to the use of contextualised approaches to keeping young people safe and to disruption of those who groom and exploit them.
More serious youth offending, including serious violence	High	High	A small number of young people, often those who are being exploited, are at risk of committing violent and drug dealing offences. Those who carry knives are at heightened risk of committing serious violent offences. The Service is leading the development of a local Protocol to address this issue at all levels and will introduce new ways of working with young people. Participation in the enhanced case management pilot also presents opportunities for more structured, trauma recovery, work.
Increase in Looked After Children offending	High	Medium	Looked After Children are more vulnerable to being groomed into offending and their circumstances sometimes make it harder for them to stop offending. They will be a priority for the initiatives outlined above.
Increase in ethnic minority background disproportionality	High	Medium	Whilst numbers are low, young people from ethnic minority backgrounds are over-represented in the youth justice system. This has been flagged as a work stream for the Early Help Board.
Insufficient readiness for Inspection	High	Low	The Youth Offending management and team are actively preparing for Inspection, using the national framework. It is a standing item at Management Board.
Not able to deliver the Work Plan	High	Low	Regular review in management meetings and Management Board oversight and the Council's Scrutiny arrangements will hold everyone to account and provide support in progressing this.
Maintaining staff continuity	Medium	Medium	The relatively small Service is particularly vulnerable to fluctuations in staffing levels when people leave or are Sick. Commitment to staff well-being and provision of good quality Supervision and training maintain its reputation and help to attract good candidates.
Maintaining two office bases	Medium	Medium	Use of the central Bath reporting office depends on having two staff available for cover and is linked with staffing levels. This is kept under careful review.

7. Youth Justice Work Plan 2019-2020

These are the main areas of development for the year ahead and are reflected in staff members' individual action plans

a. Prevent Offending			
Actions	Benefit or Impact	Timescale	Owner
1. Launch new Compass model (ensuring it addresses the needs of young people from ethnic minority backgrounds and Looked after Children)	Children at risk of offending receive a more tailored approach to meeting their needs	September 2019	Deputy Team Manager
2. Work with partner agencies to develop a 'problem profile' for serious violence	Clear understanding of issue locally and specific plan to address risks	December 2019	Head of Service
3. Develop and commence serious youth violence programme (ensuring it addresses the needs of young people from ethnic minority backgrounds and Looked after Children)	Children in Year 5/6 at risk benefit from a targeted early help programme based on evidence-informed risk factors and interventions	December 2019	Head of Service
4. Work with Police to develop knife crime diversion and other initiatives	Consolidate practice in the Out of Court Disposal Panel and ensure that evidence informed interventions are offered	December 2019	Operational Manager
5. Recruit addition Champions across the workforce for children affected by parental imprisonment and ensure there are sufficient monitoring arrangements.	Identify and address the needs of children and families and reduce the risk of offending	December 2019	Head of Service
6. Develop use of the Learning for Work initiative	Support 16-17 year olds with little positive experience of learning to prepare for work	March 2020	Education Worker
7. Promote awareness, deliver training and develop Harmful Sexual Behaviour prevention.	Early help support is available for young people and their parents/carers and staff feel more confident to address this need.	March 2020	Harmful Sexual Behaviour Lead

b. Reduce Re-Offending

Actions	Benefit or Impact	Timescale	Owner
1. Re-introduce use of the YJB re-offending toolkit or equivalent	Improve local understanding of patterns of re-offending and identify areas of practice to improve	December 2019	Business and Performance Manager
2. Commence Enhanced Case Management pilot	Test out a new way of working with prolifically re-offending young people who have experienced trauma	September 2019	Operational Manager
3. Work with young people to propose how to make interventions more activity-based and explore possibilities for more group work (action in response to young people's feedback)	Improved engagement with young people leading to more successful completions and better outcomes.	December 2019	Youth Justice Officers
4. Work with young people to review how reparation is explained and evaluated (action in response to young people's feedback)	Young people have greater understanding of the purpose of reparation	December 2019	Reparation Worker
5. Support the development of information sharing arrangements for young people at risk of exploitation and ensure that those at risk of serious violence are also identified and assessed	Reduction in exploitation and serious youth violence	December 2019	Head of Service
6. Introduce trauma-informed approaches to working with young people across the Service	Apply learning about young people's experience of trauma wherever relevant	March 2020	Operational Manager

c. Reduce Rate of Custody

Actions	Intended Impact	Timescale	Owner
1. Support launch of Youth @ Risk Strategy and Serious Youth Violence Protocol	Ensure that exploited children receive the support they need to be safe and that a 'child first' approach is taken wherever possible, also incorporating contextualised safeguarding	September 2019	Head of Service
2. Develop initiatives to reduce offending by Looked After Children	No Looked After Children sentenced to custody	December 2019	Deputy Team Manager
3. Incorporate the views of children in custody (and those transferring back into the community) into the development of services for them	Ensure that the most vulnerable young people are safe and have tailored support as they return to the community	December 2019	Operational Manager
4. Ensure that parents/carers of young people at risk of custody are offered parenting support	Partnership in preventing offending	March 2020	Operational Manager

d. Strengthen Governance and Workforce

Actions	Intended Impact	Timescale	Owner
1. Review content and presentation of Management Board data	Ensure reports provide necessary assurance, generate challenge and support service improvement	September 2019	Business & Performance Manager
2. Review statutory partner arrangements	Ensure that all statutory partners are represented at an appropriate level on the Management Board	September 2019	Chair of the Management Board
3. Establish regular Youth Offending Service Management Board reporting to the Health and	Ensure agreed governance and align the work of preventing youth offending with health initiatives	September 2019	Chair of the YOS Management Board

Wellbeing Board			
4. Ensure the Service and the Management Board are prepared for Inspection	Readiness to show the Service and Partnership at their best	December 2019	Head of Service
5. Complete baseline assessments and implement new National Standards	Readiness for self-assessment	March 2020	Operational Manager
6. Recruit a new cohort of volunteer Panel Members	Ensuring continuity of Panel	March 2020	Integrated Working Officers

8. Approval and Sign Off

This Plan has been approved by the Chair and members of the Youth Offending Service Management Board in June 2019 and has been signed off by the statutory partners below:

Partner Organisation	Name of Chief Officer	Signature	Date
Local Authority	Ashley Ayre, Chief Executive		
Local Authority (Health and Education)	Mike Bowden, Corporate Director, People and Communities Department		
Local Authority (Social Care)	Mary Kearney-Knowles, Director Children, and Young People Service		
Avon and Somerset Constabulary (Police)	Steve Kendall, District Commander		
South West South Central Division, National Probation Service (Probation)	Elizabeth Spencer, Assistant Chief Officer		

9. Glossary

‘Child first’ approach	A principle endorsed in the new National Standards that clarifies that young people who offend are to be treated as children first and offenders second
Compass	A local youth crime prevention initiative for 8-17 year olds, managed within the Youth Offending Service and working with children, young people and their families on a voluntary basis to address risks of offending
Contextualised safeguarding	Emerging practice that takes full account of the nature of risk to young people outside their family environment and seeks to keep them safe from exploitation
Custody Review Panel	A sub group of the Youth Offending Service Management Board that meets quarterly to address the local custody rate by undertaking multi-agency audits and promoting awareness of the use of custody for young people as a safeguarding issue. (a sub group of the Youth Offending Service Management Board)
Enhanced Case Management pilot	A YJB funded initiative across B&NES, North Somerset, Bristol and South Gloucestershire and building on a previous pilot in Wales, to incorporate trauma-informed approaches into statutory youth justice work. A Clinical Psychologist will oversee the development of interventions that take full account of what has happened to young people.
Early Help	Support for young people and their families before difficulties become entrenched
Harmful Sexual Behaviour	Sexual behaviours expressed by children that are developmentally inappropriate, may be harmful towards self or others, and/or be abusive towards another child, young person or adult
Learning for Work	City of Bath College funded project led by Youth Connect to support young people who have previously found it difficult to engage in learning, to prepare for work by undertaking individual placements and receiving bespoke support.
National Standards	Minimum standards for the youth justice system, published by the YJB
Reparation	Making amends to someone harmed. This can be doing something of direct benefit to the victim of an offence or could be undertaking work that benefits the wider community, ideally suggested by the victim. Examples include working for Bath City Farm, the National Trust, Bath Cat and Dogs’ Home and the Swallow Café in Radstock.
Restorative Justice	A range of approaches to resolving a situation where harm, often an offence, has been caused. It focuses on victim satisfaction, offering a range of services by which the victim can gain an understanding of the offence, have a chance

	to be fully heard, and agree to or even participate in any suitable reparation.
Serious Youth Violence	Drawing on the national Serious Violence Strategy (April 2018), this is youth violence caused through the spread of exploitation linked to drug dealing through ‘county lines.’ Young people can be groomed into this activity and sometimes go on to groom and exploit others. Serious youth violence can include homicide, robbery, violence against the person and possession of drugs and/or weapons, particularly knives.
Trauma informed practice	Factors in some young people’s lives that combine to reduce the likelihood of life turning out well for them (including experience of abuse, neglect, parental mental health, domestic violence, parental imprisonment etc.). Young people with four or more of these factors may benefit from work to address the trauma they have experienced
YOS Family Group/Comparators	The Youth Justice Board has developed sets of Local Authorities linked through common demographics and other characteristics to compare performance with. Bath and North East Somerset’s ‘family’ for youth offending includes Gloucestershire, Wiltshire, Cambridgeshire, Bedfordshire, Oxfordshire, West Sussex, Hampshire, North Somerset, Dorset Combined Authority and South Gloucestershire
Youth Crime Prevention Board	A sub group of the Youth Offending Service Management Board that meets twice each year to oversee work to reduce the rate of first time entrants by analysing first time entrants’ data, identifying areas of concern and sharing good practice.
Youth Justice Board or YJB	The Youth Justice Board for England and Wales is responsible for overseeing the youth justice system, including performance monitoring, providing advice and disseminating good practice. It receives and endorses Youth Justice Plans and issues the Youth Justice Grant on behalf of the Ministry of Justice.

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Bath & North East Somerset Council	
MEETING	Council
MEETING DATE:	11 July 2019
TITLE:	Treasury Management Outturn Report 2018/19
WARD:	All
AN OPEN PUBLIC ITEM	
<p>List of attachments to this report:</p> <p>Appendix 1 – Performance Against Prudential Indicators Appendix 2 – The Council’s Investment Position at 31st March 2019 Appendix 3 – Average monthly rate of return for 2018/19 Appendix 4 – The Council’s External Borrowing Position at 31st March 2019 Appendix 5 – Arlingclose’s Economic & Market Review Q4 of 2018/19 Appendix 6 – Interest & Capital Financing Budget Monitoring 2018/19 Appendix 7 – Summary Guide to Credit Ratings</p>	

1 THE ISSUE

- 1.1 In February 2012 the Council adopted the 2011 edition of the CIPFA Treasury Management in the Public Services: Code of Practice, which requires the Council to approve a Treasury Management Strategy before the start of each financial year, review performance during the year, and approve an annual report after the end of each financial year.
- 1.2 This report gives details of performance against the Council’s Treasury Management Strategy and Annual Investment Plan for 2018/19.

2 RECOMMENDATION

The Council agrees that;

- 2.1 The Treasury Management Report to 31st March 2019, prepared in accordance with the CIPFA Treasury Code of Practice, is noted.
- 2.2 The Treasury Management Indicators to 31st March 2019 are noted.

3 THE REPORT

Summary

- 3.1 The average rate of investment return for the 2018/19 is 0.73%, which is 0.17% above the benchmark rate.
- 3.2 The Council's Prudential Indicators for 2018/19 were agreed by Council in February 2018 and performance against the key indicators is shown in **Appendix 1**. All indicators are within target levels.

Summary of Returns

- 3.3 The Council's investment position as at 31st March 2019 is given in **Appendix 2**. The balance of deposits as at 31st December 2018 and 31st March 2019 are also set out in the pie charts in this appendix.
- 3.4 Gross interest earned on investments totalled £329k. **Appendix 3** details the investment performance, showing the average rate of interest earned over this period was 0.73%, which was 0.17% above the benchmark rate of average 7 day LIBID +0.05% (0.56%).

Summary of Borrowings

- 3.5 The Council's external borrowing as at 31st March 2018 totalled £226.1 million and is detailed in Appendix 4. PWLB annuity borrowing for £20million was arranged during the final quarter to maintain appropriate cashflow balances, in particular reflecting an investment property purchase.
- 3.6 The Council's Capital Financing Requirement (CFR) as at 31st March 2019 was £300.7 million. This represents the Council's underlying need to borrow to finance capital expenditure, and demonstrates that the borrowing taken to date relates to funding historical capital spend.
- 3.7 The CFR represents the underlying need to borrow and the difference from the current borrowing of £226.1 million, represents re-investment of the internal balances of reserves, reducing the in-year borrowing costs in excess of the potential investment returns.
- 3.8 Following Local Government Reorganisation in 1996, Avon County Council's residual debt is administered by Bristol City Council. All successor Unitary Authorities make an annual contribution to principal and interest repayment, for which there is a provision in the Council's revenue budget. The amount of residual debt outstanding as at 31st March 2019 apportioned to Bath & North East Somerset Council is £11.9m. Since this borrowing is managed by an external body and treated in the Council's Statement of Accounts as a deferred liability, it is not included in the borrowing figures referred to in paragraph 5.5.
- 3.9 The borrowing portfolio as at 31st March 2019 is shown in **Appendix 4**.

Strategic & Tactical Decisions

- 3.10 As shown in the charts at **Appendix 2**, the investment portfolio is diversified across Money Market Funds, highly rated UK and Foreign Banks and a UK Building Society. The Council uses AAA rated Money Market funds to

maintain very short term liquidity and had overall investments of £39.7m invested as at 31st March 2019

3.11 The Council does not hold any direct investments with banks in countries within the Eurozone reflecting both on the underlying debt issues in some Eurozone countries and the low levels of interest rates. The Council's investment counterparty list does not currently include any banks from Portugal, Ireland, Greece, Spain and Italy.

3.12 The Council's average investment return is above the budgeted level of 0.45%.

Future Strategic & Tactical Issues

3.13 Our treasury management advisors economic and market review for the fourth quarter 2018/19 is included in **Appendix 5**.

3.14 With GDP Growth rising to 0.6% in the third calendar quarter from 0.4% in the second, the fourth quarter economic growth slowed to 0.2% with weaker expansion in production, construction and services dragging on overall activity. Annual GDP growth at 1.4% continues to remain below trend. Following the Bank of England's decision to increase Bank Rate to 0.75% in August 2018, no further changes to monetary policy have been made since.

3.15 The benefits of the Council's current policy of internal borrowing are monitored regularly against the likelihood that long term borrowing rates are forecast to rise in future years. The focus remains on the rate of increase and the medium-term peak.

3.16 The borrowing that has taken place in 2018/19 is therefore driven by a need to maintain an appropriate working cash balance rather than any immediate changes to interest rates.

Budget Implications

3.17 A breakdown of the revenue budget showing interest and capital financing and the year end position based on the period April to March is included in **Appendix 6**. An overall underspend of £741k is reported towards the Council's net revenue outturn, mainly related to the re-phasing of capital spend leading to lower than forecast borrowing costs and minimum revenue provision (MRP) requirement. (Overall Outturn is reported elsewhere on the Agenda). This is partly offset by lower internal income related to service charges for funding debt costs in relation to the re-phased capital projects.

4 STATUTORY CONSIDERATIONS

4.1 This report is for information only.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

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

6 RISK MANAGEMENT

- 6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.
- 6.2 The Council's lending & borrowing list is regularly reviewed during the financial year and credit ratings are monitored throughout the year. All lending/borrowing transactions are within approved limits and with approved institutions. Investment and Borrowing advice is provided by our Treasury Management consultants Arlingclose.
- 6.3 The CIPFA Treasury Management in the Public Services: Code of Practice requires the Council nominate a committee to be responsible for ensuring effective scrutiny of the Treasury Management Strategy and policies. The Corporate Audit Committee carries out this scrutiny.
- 6.4 In addition, the Council maintain a risk register for Treasury Management activities, which is regularly reviewed and updated where applicable during the year.

7 CLIMATE CHANGE

- 7.1 This is a technical report for information only and does not directly link to climate change policy.

8 OTHER OPTIONS CONSIDERED

- 8.1 None

9 CONSULTATION

- 9.1 Consultation has been carried out with the Cabinet Member for Resources, Section 151 Finance Officer and Monitoring Officer.

Contact person	<i>Donna Parham- 01225 477468; Giles Oliver- 01225 477209 Donna_Parham@bathnes.gov.uk ; Giles_Oliver@bathnes.gov.uk</i>
Background papers	<i>2018/19 Treasury Management & Investment Strategy</i>
Please contact the report author if you need to access this report in an alternative format	

APPENDIX 1

Performance against Treasury Management Indicators agreed in Treasury Management Strategy Statement

1. Authorised limit for external debt

These limits include current commitments and proposals in the budget report for capital expenditure, plus additional headroom over & above the operational limit for unusual cash movements.

	2018/19 Prudential Indicator	Actual as at 31st March 2019
	£'000	£'000
Borrowing	434,000	226,125
Other long term liabilities	2,000	0
Cumulative Total	436,000	226,125

2. Operational limit for external debt

The operational boundary for external debt is based on the same estimates as the authorised limit but without the additional headroom for unusual cash movements.

	2018/19 Prudential Indicator	Actual as at 31st March 2019
	£'000	£'000
Borrowing	403,000	226,125
Other long term liabilities	2,000	0
Cumulative Total	405,000	226,125

3. Upper limit for fixed interest rate exposure

This is the maximum amount of total borrowing which can be at fixed interest rate, less any investments for a period greater than 12 months which has a fixed interest rate.

	2018/19 Prudential Indicator	Actual as at 31st March 2019
	£'000	£'000
Fixed interest rate exposure	403,000	206,125*

* The £20m of LOBO's are quoted as variable rate in this analysis as the Lender has the option to change the rate at 6 monthly intervals (the Council has the option to repay the loan should the Lender exercise this option to increase the rate).

4. Upper limit for variable interest rate exposure

While fixed rate borrowing contributes significantly to reducing uncertainty surrounding interest rate changes, the pursuit of optimum performance levels may justify keeping flexibility through the use of variable interest rates. This is the maximum amount of total borrowing which can be at variable interest rates.

	2018/19 Prudential Indicator	Actual as at 31st March 2019
	£'000	£'000
Variable interest rate exposure	246,000	20,000

5. Upper limit for total principal sums invested for over 364 days

This is the maximum amount of total investments which can be over 364 days. The purpose of this indicator is to control the Council's exposure to the risk of incurring losses by seeking early repayment of its investments.

	2018/19 Prudential Indicator	Actual as at 31st March 2019
	£'000	£'000
Investments over 364 days	50,000	0

6. Maturity Structure of borrowing

This indicator is set to control the Council's exposure to refinancing risk.

	Upper Limit	Lower Limit	Actual as at 31st March 2019
	%	%	%
Under 12 months	50	Nil	13.3*
12 months and within 24 months	75	Nil	0
24 months and within 5 years	75	Nil	0
5 years and within 10 years	100	Nil	0
10 years and above	100	Nil	86.7

* The CIPFA Treasury management Code now requires the prudential indicator relating to Maturity of Fixed Rate Borrowing to reference the maturity of LOBO loans to the earliest date on which the lender can require payment, i.e. the next call date (which are at 6 monthly intervals for the £20m of LOBO's). However, the Council would only consider repaying these loans if the Lenders exercised their options to alter the interest rate.

7. Average Credit Rating

The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the weighted average credit rating of its investment portfolio. A summary guide to credit ratings is set out at **Appendix 7**.

	2018/19 Prudential Indicator	Actual as at 31st March 2019
	Rating	Rating
Minimum Portfolio Average Credit Rating	A-	AA

APPENDIX 2

March

The Council's Investment position at 31st March 2019

The term of investments is as follows:

Term Remaining as at 31st March 2019	Balance at 31st March 2019
	£'000's
Notice (instant access funds)	14,720
Up to 1 month	
1 month to 3 months	10,000
Over 3 months	15,000
Total	39,720

The investment figure is made up as follows:

	Balance at 31st March 2019
	£'000's
B&NES Council	35,966
Schools	3,754
Total	39,720

The Council had a total average net positive balance of £45.1m during the period April 2018 to March 2018.

Chart 1: Council Investments as at 31st March 2019 (£39.7m)

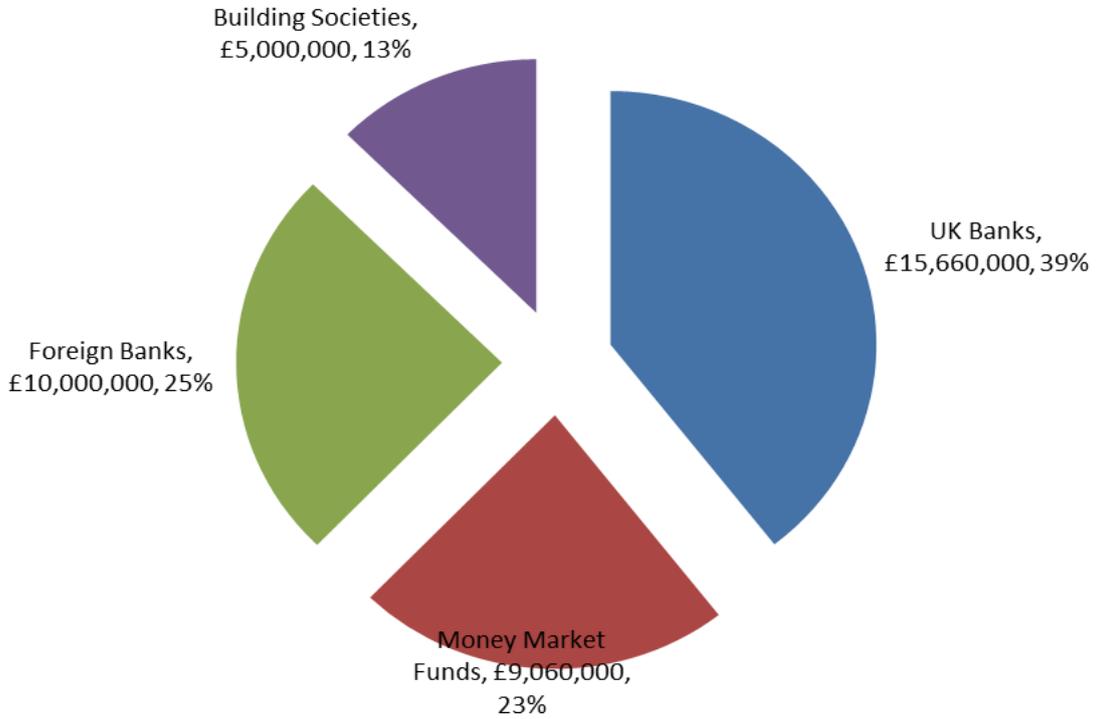


Chart 2: Council Investments as at 31st December 2018 (£53.2m)

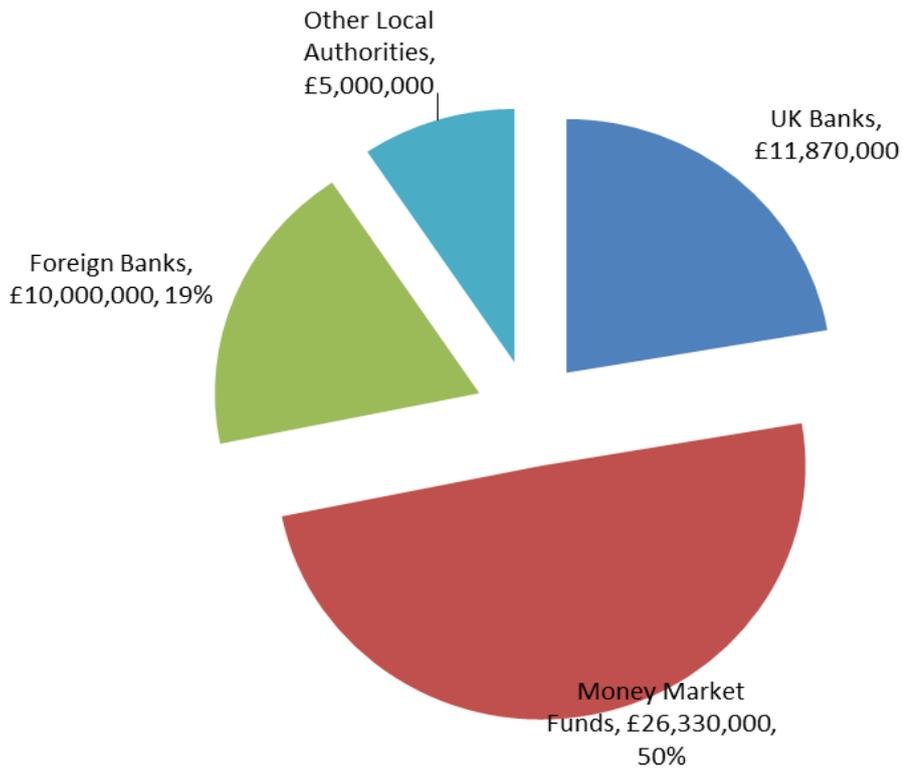


Chart 3: Council Investments per lowest equivalent Long Term credit rating (£39.7m) 31th March 2019

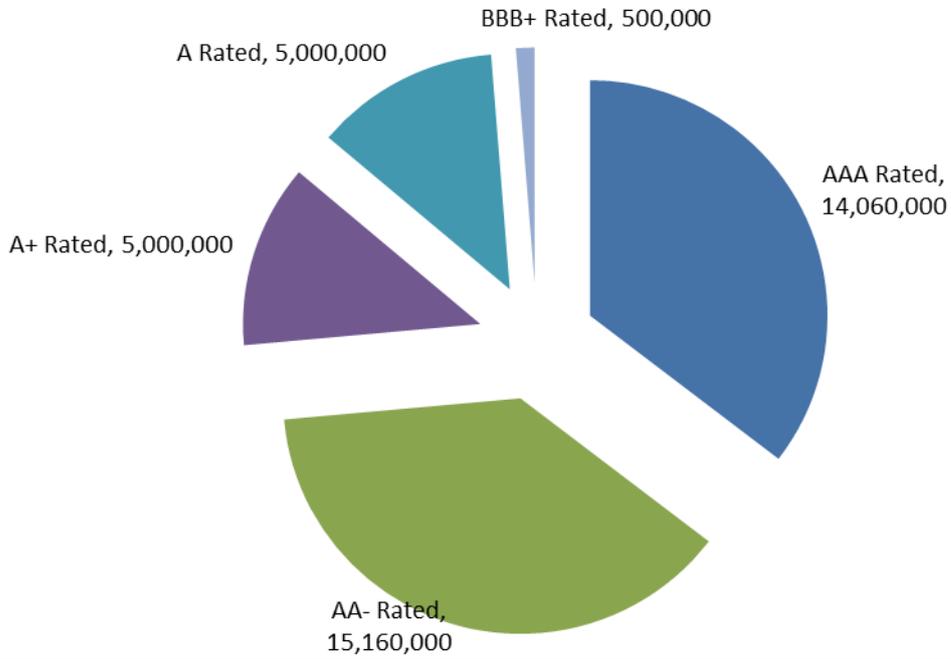
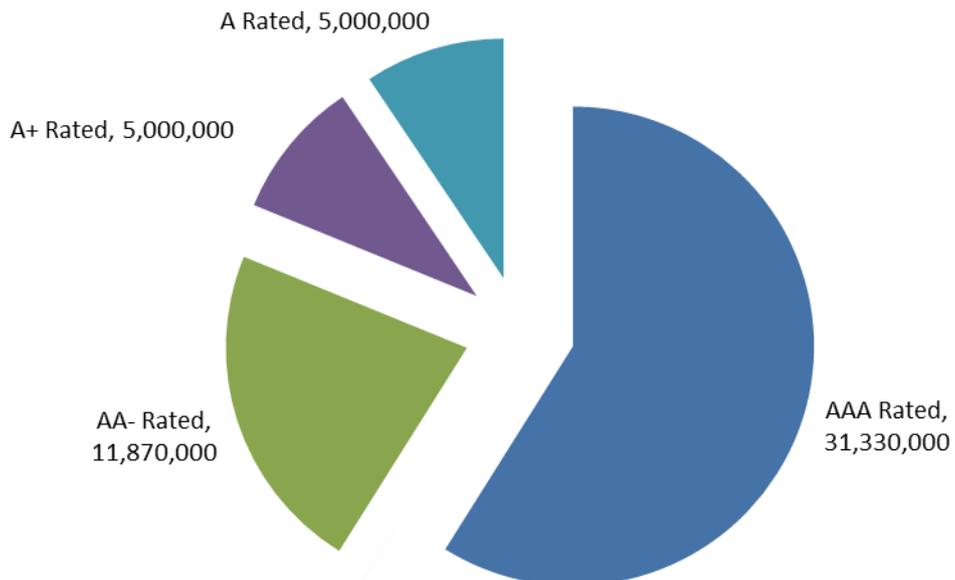


Chart 4: Council Investments per lowest equivalent Long Term credit rating (£53.2m) 31th December 2018



APPENDIX 3

Average rate of return on investments for 2018/19

	April %	May %	June %	July %	Aug %	Sep %
Average rate of interest earned	0.50%	0.60%	0.61%	0.60%	0.71%	0.74%
Benchmark = Average 7 Day LIBID rate +0.05% (source: Arlingclose)	0.41%	0.41%	0.41%	0.41%	0.63%	0.64%
Performance against Benchmark %	+0.09%	+0.19%	+0.20%	+0.19%	+0.08%	+0.10%

	Oct %	Nov %	Dec %	Jan %	Feb %	Mar %	Average for Period
Average rate of interest earned	0.75%	0.82%	0.81%	0.82%	0.84%	0.83%	0.73%
Benchmark = Average 7 Day LIBID rate +0.05% (source: Arlingclose)	0.63%	0.64%	0.63%	0.63%	0.62%	0.62%	0.56%
Performance against Benchmark %	+0.12%	+0.16%	+0.18%	+0.19%	+0.22%	+0.21%	+0.17%

APPENDIX 4
Councils External Borrowing at 31st March 2019

Borrowing	Amount (£)	Start	Maturity Date	Interest Rate
LONG TERM				
PWLB	10,000,000	15/10/04	15/10/34	4.75%
PWLB	5,000,000	12/05/10	15/08/35	4.55%
PWLB	5,000,000	12/05/10	15/02/60	4.53%
PWLB	5,000,000	05/08/11	15/02/31	4.86%
PWLB	10,000,000	05/08/11	15/08/29	4.80%
PWLB	15,000,000	05/08/11	15/02/61	4.96%
PWLB	5,300,000	29/01/15	08/04/34	2.62%
PWLB	5,000,000	29/01/15	08/10/64	2.92%
PWLB	18,485,552	20/06/16	20/06/41	2.36%
PWLB	9,302,947	24/02/17	16/02/40	2.28%
PWLB	9,390,197	04/04/17	16/02/43	2.26%
PWLB	7,981,019	08/05/17	15/02/42	2.25%
PWLB	6,896,403	10/08/17	10/04/67	2.64%
PWLB	9,702,041	13/12/17	10/10/42	2.35%
PWLB	9,708,599	06/03/18	10/10/42	2.52%
PWLB	9,777,159	06/03/18	10/10/47	2.62%
PWLB	9,853,265	10/09/18	20/07/43	2.42%
PWLB	9,852,481	06/12/18	20/06/43	2.38%
PWLB	9,950,587	12/12/18	20/06/68	2.59%
PWLB	4,924,955	13/12/18	20/06/43	2.35%
PWLB	20,000,000	11/02/19	11/02/68	2.52%
KBC Bank N.V*	5,000,000	08/10/04	08/10/54	4.50%
KBC Bank N.V*	5,000,000	08/10/04	08/10/54	4.50%
Eurohypo Bank*	10,000,000	27/04/05	27/04/55	4.50%
Gloucestershire C C	5,000,000	25/11/14	19/12/19	2.05%
Gloucestershire C C	5,000,000	19/12/14	19/12/19	2.05%
Overall Total	226,125,204			

*All LOBO's (Lender Option / Borrower Option) have reached the end of their fixed interest period and have reverted to the variable rate of 4.50%. The lender has the option to change the interest rate at 6 monthly intervals. Should the lender use the option to change the rate, then at this point the borrower has the option to repay the loan without penalty.

APPENDIX 5

Economic and market review for April to March 2019

Economic background:

After spiking at over \$85/barrel in October 2018, oil prices fell back sharply by the end of the year, declining to just over \$50 in late December before steadily climbing toward \$70 in April 2019. UK Consumer Price Inflation (CPI) for February 2019 was up 1.9% year/year, just above the consensus forecast but broadly in line with the Bank of England's February Inflation Report. The most recent labour market data for the three months to January 2019 showed the unemployment rate fell to a new low 3.9% while the employment rate of 76.1% was the highest on record. The 3-month average annual growth rate for pay excluding bonuses was 3.4% as wages continue to rise steadily and provide some upward pressure on general inflation. Once adjusted for inflation, real wages were up 1.4%.

After rising to 0.6% in the third calendar quarter from 0.4% in the second, fourth quarter economic growth slowed to 0.2% as weaker expansion in production, construction and services dragged on overall activity. Annual GDP growth at 1.4% continues to remain below trend. Following the Bank of England's decision to increase Bank Rate to 0.75% in August, no changes to monetary policy have been made since.

The US Federal Reserve continued its tightening bias throughout 2018, pushing rates to the 2.25%-2.50% range in December. However, a recent softening in US data caused the Fed to signal a pause in hiking interest rates at the last Federal Open Market Committee (FOMC) meeting in March.

With the 29th March 2019, the original EU 'exit day' now been and gone, having failed to pass a number of meaningful votes in Parliament, including shooting down Theresa May's deal for the third time, MPs voted by a majority of one (313 to 312) to force the prime minister to ask for an extension to the Brexit process beyond 12th April in order to avoid a no-deal scenario. Recent talks between the Conservative and Labour parties to try to reach common ground on a deal which may pass a vote by MPs did not yield any positive results. The EU have granted an extension to 31st October and its leaders have been clear that the terms of the deal are not up for further negotiation. The ongoing uncertainty continues to weigh on sterling and UK markets.

While the domestic focus has been on Brexit's potential impact on the UK economy, globally the first quarter of 2019 has been overshadowed by a gathering level of broader based economic uncertainty. The US continues to be set on a path of protectionist trade policies and tensions with China in particular, but with the potential for this to spill over into wider trade relationships, most notably with EU. The EU itself appeared to be show signs of a rapid slowdown in economic growth with the major engines of its economy, Germany and France, both suffering misfires from downturns in manufacturing alongside continued domestic/populist unrest in France. The International Monetary Fund downgraded its forecasts for global economic growth in 2019 and beyond as a consequence.

Financial markets: December was a month to forget in terms of performance of riskier asset classes, most notably equities. The FTSE 100 (a good indicator of global corporate sentiment) returned -8.8% assuming dividends were reinvested; in pure price terms it fell around 13%. However, since the beginning of 2019 markets have rallied, and the FTSE 100 and FTSE All share indices were both around 10% higher than at the end of 2018.

Gilt yields continued to display significant volatility over the period on the back of ongoing economic and political uncertainty in the UK and Europe. After rising in October, gilts

regained their safe-haven status throughout December and into the new year - the 5-year benchmark gilt yield fell as low as 0.80% and there were similar falls in the 10-year and 20-year gilts over the same period dropping from 1.73% to 1.08% and from 1.90% to 1.55%. The increase in Bank Rate pushed up money markets rates over the year and 1-month, 3-month and 12-month LIBID (London Interbank Bid) rates averaged 0.53%, 0.67% and 0.94% respectively over the period.

Recent activity in the bond markets and PWLB interest rates highlight that weaker economic growth is not just a UK phenomenon but a global risk. During March the US yield curve inverted (10-year Treasury yields were lower than US 3 month money market rates) and German 10-year Bund yields turned negative. The drivers are a significant shift in global economic growth prospects and subsequent official interest rate expectations given its impact on inflation expectations. Further to this is world trade growth which collapsed at the end of 2018 falling by 1.8% year-on-year. A large proportion of this downturn in trade can be ascribed to the ongoing trade tensions between the US and China which despite some moderation in January does suggest that the International Monetary Fund's (IMF) and Organisation for Economic Co-Operation & Development's (OECD) forecasts for global growth in 2019 of 3.5% might need to be revised downwards.

Credit background:

Credit Default Swap (CDS) spreads drifted up towards the end of 2018 on the back of Brexit uncertainty before declining again in 2019 and continuing to remain low in historical terms. After hitting around 129 basis points in December 2018, the spread on non-ringfenced bank NatWest Markets plc fell back to around 96bps at the end of March, while for the ringfenced entity, National Westminster Bank plc, the CDS spread held relatively steady around 40bps. The other main UK banks, as yet not separated into ringfenced and non-ringfenced from a CDS perspective, traded between 33 and 79bps at the end of the period.

The ringfencing of the big four UK banks (Barclays, Bank of Scotland/Lloyds, HSBC and RBS/Natwest Bank plc) transferred their business lines into retail (ringfenced) and investment banking (non-ringfenced) entities.

In February, Fitch put the UK AA sovereign long-term rating on Rating Watch Negative as a result of Brexit uncertainty, following this move with the same treatment for UK banks and a number of government-related entities.

There were minimal other credit rating changes during the period. Moody's revised the outlook on Santander UK to positive from stable to reflect the bank's expected issuance plans which will provide additional protection for the its senior unsecured debt and deposits.

APPENDIX 6

Interest & Capital Financing Costs – Budget Monitoring 2018/19 (Apr to March)

April to March 2019	YEAR END POSITION			ADV/FAV
	Budgeted Spend or (Income) £'000	Actual Spend or (Income) £'000	Actual over or (under) spend £'000	
Interest & Capital Financing				
- Debt Costs	7,647	6,340	(1,307)	FAV
- Internal Repayment of Loan Charges	(10,998)	(9,400)	1,597	ADV
- Ex Avon Debt Costs	1,140	1,143	3	ADV
- Minimum Revenue Provision (MRP)	6,230	5,267	(963)	FAV
- Interest on Balances	(304)	(375)	(71)	FAV
Total	2,974	3716	(741)	FAV

APPENDIX 7

Summary Guide to Credit Ratings

Rating	Details
AAA	Highest credit quality – lowest expectation of default, which is unlikely to be adversely affected by foreseeable events.
AA	Very high credit quality - expectation of very low default risk, which is not likely to be significantly vulnerable to foreseeable events.
A	High credit quality - expectations of low default risk which may be more vulnerable to adverse business or economic conditions than is the case for higher ratings.
BBB	Good credit quality - expectations of default risk are currently low but adverse business or economic conditions are more likely to impair this capacity.
BB	Speculative - indicates an elevated vulnerability to default risk, particularly in the event of adverse changes in business or economic conditions over time.
B	Highly speculative - indicates that material default risk is present, but a limited margin of safety remains. Capacity for continued payment is vulnerable to deterioration in the business and economic environment.
CCC	Substantial credit risk - default is a real possibility.
CC	Very high levels of credit risk - default of some kind appears probable.
C	Exceptionally high levels of credit risk - default is imminent or inevitable.
RD	Restricted default - indicates an issuer that has experienced payment default on a bond, loan or other material financial obligation but which has not entered into bankruptcy filings, administration, receivership, liquidation or other formal winding-up procedure, and which has not otherwise ceased operating.
D	Default - indicates an issuer that has entered into bankruptcy filings, administration, receivership, liquidation or other formal winding-up procedure, or which has otherwise ceased business.

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Bath & North East Somerset Council	
MEETING:	Council
MEETING DATE:	11th July 2019
TITLE:	Amendments to the Constitution
WARD:	All
AN OPEN PUBLIC ITEM	
<p>List of attachments to this report: Appendix 1 – Constitution sections for review Appendix 2 – Planning Delegation scheme</p>	

1 THE ISSUE

- 1.1 The Constitution is a single point of reference which contains the principal governance structures and procedures of the authority. It sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people.
- 1.2 This report sets out various proposed amendments to the Constitution to ensure that it is kept up to date and effective.

2 RECOMMENDATION

The Council is asked to;

- 2.1 Agree the amendments to the various constitution sections, as a result of the reduced Council size, as set out in paragraph 3.1 and Appendix 1; and
- 2.2 Agree the revised Planning Delegation scheme for adoption (attached at Appendix 2) for the reasons set out at paragraph 3.2.

3 THE REPORT

3.1 Local Government Boundary Review – Implications of Revised Councillors Numbers

The recent Local Government Boundary Review has resulted in the size of the Council reducing from 65 to 59 Members. It is therefore timely to review any Constitutional rules which make reference to a number or percentage of Councillors. Appendix 1 sets out those rules and proposes a revised number.

3.2 Changes to the Planning Delegation scheme

(1) Vice Chair

It is proposed to extend the scheme of delegation to require consultation by officers with both Chair and Vice Chair. Following the appointment of a permanent Vice Chair, referrals to committee will be decided by the Chair and the appointed Vice Chair. If there are different views, the Chair's decision will prevail. The Chair or Vice Chair will be the sole decision maker during absence by the other. This is necessary to ensure continuity of service and avoid delays in the planning process.

(2) Viability appraisals

It is proposed that the scheme of delegation is amended to confirm that any planning application which is subject to a viability assessment challenging policy compliance will be reported to Planning Committee. This is to ensure that decisions on these matters are transparent and discussed in the public domain. This sends a clear message that there is a commitment to delivering affordable housing within the district as set out within the Liberal Democrat manifesto.

(3) Material departures from approved major applications.

Where an applicant proposes significant material changes to an approved major application this shall be referred to the Chair and Vice Chair to determine if the changes should be reconsidered by the Planning Committee. As with viability assessments above, the Chair shall have a prevailing decision on referral.

(4) Aequus Developments Limited (ADL)

The scheme of delegation has been amended to clarify how planning applications submitted on behalf of ADL will be dealt with. These applications will be treated in the same way as applications submitted by any other developer/applicant, which is in line with the Council's draft protocol for ADL.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

4.1 The Constitution must be in compliance with the terms of the Local Government Act 2000, Local Government and Public Involvement in Health Act 2007 and Local Democracy, Economic Regeneration and Construction Act 2009, Localism Act 2011 and any other relevant statutory acts or guidance.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

5.1 Viability appraisals will be independently scrutinised by appropriately qualified specialists. There is a potential risk of judicial review or cost being awarded against the Council at appeal if Members seek to overturn recommendations in relation to planning obligations where the viability assessment have been subject to independent assessment. If members are unable to evidence and qualify a recommendation to overturn, this exposes the council to a resource risk, financial risk, legal risk and reputational risk.

5.2 There are no financial or property implications arising directly from the other constitutional changes. The proposed change to the question submission deadline has a small impact on the public.

6 RISK MANAGEMENT

6.1 Considered as part of the formulation of proposals.

7 CLIMATE CHANGE

7.1 There are no direct implications arising from this report.

8 OTHER OPTIONS CONSIDERED

8.1 If the Constitution is not amended, it will not be robust enough to support effective decision making processes at Council, or reflect the correct legal position.

9 CONSULTATION

9.1 The Chief Executive, Section 151 Officer and Chair of the Planning Committee were consulted in preparing this report.

Contact person	<i>Jo Morrison, Democratic Services Manager 01225 394358</i> <i>Lisa Bartlett, Director – Development & Public Protection 01225 477550</i>
Background papers	<i>The Constitution.</i>
Please contact the report author if you need to access this report in an alternative format	

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	EXISTING RULE	FOR CONSIDERATION/ PROPOSED AMENDMENT
Part 4A, rule 10 Six month rule	(2) written notice, requesting the Chief Executive to arrange for the Council to reconsider the matter, and endorsed by no fewer than 16 Members of the Council, is submitted to the Chief Executive. The term “endorsed” shall include individual signatures on the notice or electronic communications from individual members. The receipt of a communication from at least 16 Members signifying their endorsement of the action requested in the notice will be sufficient authority for the Chief Executive to take action to include the item on a Council agenda.	Replace 16 with 15
Part 4A, rule 18 Minimum number of Members present (Quorum)	No business shall be transacted at a meeting of the Council unless at least one quarter of the whole number of Members of the Council is present. This is taken to be 16 elected Councillors of Bath & North East Somerset.	25% of 59 = 14.75. Round up to 15
Part 4A, rules 32, 33 & 34 Questions and statements	As soon as each submission has been made, the Chair shall invite the Leaders of Political Groups with at least 20% of Council seats to indicate if they require a 10 minute (maximum) debate on the particular submission. Only if all such Leaders agree, shall the Council then proceed to the debate. Where there is no such agreement, no debate will be permitted.	20% of Council seats now amounts to 11.8 Members. Round up to 12 or down to 11?
Part 4A, rule 45 Voting	If before a vote is taken, a member proposes it, and 6 other members agree, a named vote will be taken of those in favour of or against a proposal, and those abstaining from voting. This information will be recorded in the minutes of the meeting.	Replace 6 with 5
Part 4D-1, rule 2 Submission of call-in	A notice requesting a “call-in” of an executive decision shall be in writing and signed by 10 or more elected members (excluding Cabinet Members) making the request. The request shall be deposited with the Chief Executive.	Replace 10 with 9

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OFFICER DELEGATIONS

PLANNING COMMITTEE

1. General Delegations

The Director - Development and Public Protection and the following Officer(s) (“Designated Officers”) and their duly appointed deputies are within the Authority’s approved procedures (but subject to all relevant legislation and the Council’s Standing Orders, Financial Regulations, Strategy and Programme) authorised to take decisions on behalf of the Council in respect of matters of managerial or professional responsibility and to put into effect approved schemes of the Council’s Strategy and Programme.

	<u>Designated Officer(s)</u>	<u>Deputies</u>
	Director - Development and Public Protection	Head of Planning Deputy Head of Planning (Development Management) Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement Principal Planning Officer Senior Planning/Conservation Officer Senior Planning Enforcement Officer Planning/Conservation Officer Planning Enforcement Officer Senior Arboricultural Officer Apprentice Planning Officer/Trainee Planning Officer Senior Technical Support Officer Technical Support Officer

	Head of Legal and Democratic Services and Monitoring Officer	Legal Officers

2. Specific Officer Delegations

(i) Listed below are those matters falling within the remit of the Committee (“Functions”) and delegated by the Committee to the Officers shown (“Nominated Officers”)

(ii) Unless otherwise stated, reference to Function is to the relevant one arising under the Town and Country Planning Act 1990 as subsequently amended or re-enacted, including any Regulations or Orders made under that Act.

(iii) Reference to any other Act includes any amendments to, or re-enactment of, that Act and/or any Orders or Regulations made under that Act.

(iv) Reference to any Order or Regulations include reference to any Order or Regulations amending or revoking and re-enacting that Order or those Regulations with or without modification.

(v) Nominated Officers are to:-

- a. perform all functions on behalf of the Council and in the Council’s name,
- b. act, subject to statutory requirements, within any relevant aspects of the Council’s Strategy and Programme,
- c. consult with the appropriate professional or technical Officer of the Authority in respect of matters not within the competence of the Nominated Officer; and
- d. maintain an adequate record of action taken.

SCHEME OF DELEGATION – PLANNING & RELATED APPLICATIONS
& ENFORCEMENT

A	<u>PLANNING APPLICATIONS</u>	<u>Nominated Officers</u>
1	<p>To determine all applications for planning and other permissions, excluding Permissions in Principle (see section B below) but including Listed Building Consent <u>except</u> where:</p> <p>1 A Ward Member has, before a delegated decision is made and within four weeks of the publication of the Weekly List containing that application, submitted in writing to:</p> <p>development_management@bathnes.gov.uk</p> <p>a request, for the attention of the relevant case officer, that the application be referred to Committee specifying the planning reasons for the request and such referral has been agreed by the Chair and/or Vice Chair of Planning Committee, taking into account:-</p> <ul style="list-style-type: none"> • Relevant material considerations raising significant planning concerns • Significant implications for adopted policy • The nature, scale and complexity of the proposed development. <p>(NB the Ward Member will be expected to attend the Committee meeting at which the application they referred is to be discussed.)</p> <p>2 An application has been subject of a letter of objection or support from the Parish Council for the area including the application site (or for an adjoining area) which is contrary to officer recommendation, when there shall be prior consultation with the Chair and/or Vice Chair of the Planning</p>	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer

	<p>Committee before a decision is made whether or not to refer the application to committee. For the purpose of this section, letters of objection or support that do not give Planning Policy based reasons will be disregarded, although all representations will be taken into account in determining the application.</p> <p>3 The Director - Development and Public Protection and/or the Head of Planning considers that the application should be considered by Committee.</p> <p>4 The applicant is a Councillor for Bath and North East Somerset or a Council employee who works within Planning Services.</p> <p>5 The application is one in connection with either a Councillor for Bath and North East Somerset Council or a Council employee or someone who is privately employed in any capacity (e.g. as agent or consultant) and who has direct links with the Planning Service.</p> <p>6. Any planning application which is subject to a viability assessment in respect of affordable housing will be reported to Planning Committee</p> <p>7 Any applications for which ADL (Aequus Developments Limited) is the applicant will be treated in the same way as applications submitted by any other developer.</p> <p>NB No nominated officer may determine an application in respect of which they have also acted as Case Officer.</p>	
B	<u>PRIOR NOTIFICATIONS</u>	<u>Nominated Officers</u>
1	Applications for Prior Approval in accordance with the provisions of the General Permitted Development Order 2015 as amended or other Regulations that impose a strict deadline for the issuing of a decisions, or where the application cannot be reported to	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning

	<p>Committee in time for a decision notice to be supplied to the applicant prior to the expiry of the statutory period, shall be determined under delegated powers, and not be reported to Committee, even if one of the exceptions numbered A1 – 5 above applies.</p>	<p>(Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer • Planning Information Officer/Planning Apprentice
C	<p>PERMISSION IN PRINCIPLE</p>	<p>Nominated Officers</p>
	<p>Applications for Permission in Principle (PIPs) and Technical Details Consent (TDCs) in accordance with the provisions of the Town and Country Planning (Permission in Principle) Order 2017</p> <p>Due to the short period for determination of these applications (5 weeks) a Ward Member wishing to call the application to Planning Committee must make their request in writing within two weeks of the publication of the Weekly List in order for it to be considered within the relevant committee cycle.</p> <p>Requests should be submitted to development_management@bathnes.gov.uk for the attention of the relevant case officer, and must specify the planning reasons for the request. Any such referral must be agreed by the Chair and/or Vice Chair of Planning Committee, taking into account:-</p> <ul style="list-style-type: none"> • Relevant material considerations raising significant planning concerns • Significant implications for adopted policy • The nature, scale and complexity of the proposed development. <p>(NB the Ward Member will be expected to attend the Committee meeting at which the application they referred is to be discussed.)</p>	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer

	<p>An application for PIP or TDC subject to a letter of objection or support from the Parish Council for the area including the application site (or for an adjoining area) which is contrary to officer recommendation, when there shall be prior consultation with the Chair and/or Vice Chair of the Planning Committee before a decision is made whether or not to refer the application to committee. Letters of objection or support that do not give Planning Policy based reasons will be disregarded, although all representations will be taken into account in determining the application.</p> <p>The Director - Development and Public Protection and/or the Group Manager, Development Management may call any application for PIP or TDC to Committee.</p> <p>Where the applicant is a Councillor for Bath and North East Somerset or a Council employee who works within Planning Services, the application will be presented to Committee.</p> <p>Where the application is one in connection with either a Councillor for Bath and North East Somerset Council or a Council employee or someone who is privately employed in any capacity (e.g. as agent or consultant) and who has direct links with the Planning Service it will be presented to Committee.</p> <p>No nominated officer may determine an application in respect of which they have also acted as Case Officer.</p>	
D	<u>PLANNING ENFORCEMENT</u>	<u>Nominated Officers</u>
1	The issue of Discontinuance/ Enforcement Stop Notice(s) and making applications for and enforcing injunction(s) in cases of urgency.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development

		<p>Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer
2	The issue of Temporary Stop Notices.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
3	The issue of Planning Contravention Notices and notice under Section 330 Town & Country Planning Act 1990 and Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
4	The issue of Breach of Condition Notices.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning

		<p>and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer
5	<p>The issue of Enforcement Notices in the following circumstances:</p> <p>(i) where planning permission has been granted for development but the development is subsequently not carried out in accordance with the approved plans;</p> <p>(ii) where the owner of the property has been notified in advance by the Council in writing that planning permission is required for the development, but the development is subsequently carried out without the required planning permission;</p> <p>(iii) where the unauthorised development relates to a material change of use (other than to use as a dwelling house);</p> <p>(iv) where the unauthorised development relates a temporary use of land;</p> <p>(v) where time is of the essence to keep the unauthorised development within the control of the Council as local planning authority</p> <p>(vi) Where unauthorised development has been carried out and a retrospective application has been refused/dismissed on appeal.</p> <p>(vii) Where unauthorised development has been carried out and an application for planning permission could not address the harm caused and therefore is unlikely to be granted</p>	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
6	<p>The issue of Notices requiring the proper maintenance of land adversely affecting the amenity of a neighbourhood.</p>	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development

		<p>Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer
7	<p>To authorise prosecution proceedings where:</p> <p>a) The requirements of an Enforcement Notice have not been carried out as specified in the notice.</p> <p>b) The requirements of a Breach of Condition Notice have not been complied with.</p> <p>c) Where unauthorised works have been carried out to a listed building where significant irreversible harm has been caused.</p>	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
8	<p>To determine not to take any form of enforcement action where it is considered NOT to be expedient to do so having regard to the development plan and any other material planning considerations.</p>	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning Enforcement Officer • Planning Enforcement Officer
E	<u>ADVERTISEMENTS ENFORCEMENT</u>	<u>Nominated Officers</u>
1	<p>To take appropriate action (whether prosecution, injunction proceedings or enforcement) in respect of the unauthorised display of an advertisement.</p>	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning

		<ul style="list-style-type: none"> • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
F	<u>LISTED BUILDINGS AND CONSERVATION AREAS ENFORCEMENT</u>	<u>Nominated Officers</u>
1	<p>The issue of Listed Building Enforcement Notices in the following circumstances:-</p> <p>(i) Where Listed Building Consent has been granted for works and the works have not been carried out in accordance with that Consent.</p> <p>(ii) Where the owner/occupier of the property has been notified in advance by the Council in writing that Listed Building Consent is required for the proposed works and the works are subsequently carried out without the required Listed Building Consent.</p> <p>(iii) Unauthorised works have been carried out to a listed building and an application for retrospective listed building consent has been refused or an appeal in respect of the unauthorised works has been dismissed.</p> <p>(iv) Where unauthorised works have been carried out to a listed building and an application for listed building consent could not address the harm caused and would therefore unlikely to be granted.</p>	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
2	To determine not to take listed building enforcement action for unauthorised works where it is considered NOT to be expedient to do so.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development

		<p>Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer
3	Making applications for and enforcing injunctions in cases of urgency.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
4	To take action to commence prosecution proceedings in respect of unauthorised demolition of buildings or works to buildings.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
	<p>NOTE: In all the above circumstances, the Officer using the delegations would have to be satisfied in each case that it is expedient to take (or not to take) Enforcement action.</p> <p>The decision with reasons is to be documented, and provided to the complainant in line with the published enforcement policy.</p>	
G	<u>LISTED BUILDINGS/CONSERVATION AREAS</u>	<u>Nominated Officers</u>
1	Issue of Building Preservation Notices and Emergency Building Preservation Notices	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning

		<p>(Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer
2	Deciding whether small changes to proposals which have previously been granted Listed Building Consent or Planning Permission for Demolition by the Council will materially affect the character of the building or the proposal.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
3	Determine applications for approval of minor details required by a condition imposed on a grant of Listed Building Consent or Planning Permission for Demolition	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer
4	Decisions as to whom to consult on applications for Listed Building Consent and Planning Permission for Demolition	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning

		<p>(Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer • Senior Planning/ Conservation Officer • Senior Planning Enforcement Officer • Planning/ Conservation Officer • Planning Enforcement Officer
5	Decisions as to whether Listed Building Consent or Planning Permission for Demolition is necessary	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer
6	The determination of the validity of	<ul style="list-style-type: none"> • Director - Development and

	<p>applications for Listed Building Consent or Conservation Area Consent and the issuing of directions requiring further information in support of an application for Listed Building Consent or Planning Permission for Demolition and verification of particulars of information given in respect of an application.</p>	<p>Public Protection</p> <ul style="list-style-type: none"> • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer
7	<p>Deciding to whom to direct notification of a receipt of a Listed Building Consent or Conservation Area Consent application</p>	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer

		<ul style="list-style-type: none"> • Planning Enforcement Officer
8	Setting the precise wording of notices, conditions imposed and other notes on Listed Building Consents or Planning Permission for Demolition and reasons for refusals to reflect the intentions of Committee when making its decision.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer
9	The submission of applications to the Secretary of State for Scheduled Monument Consent to carry out minor works of repair and minor alterations to Council owned buildings	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer

		<ul style="list-style-type: none"> • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer
10	Deciding whether or not a planning application requires to be publicised as affecting the character or appearance of a Conservation Area	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer
11	Deciding whether or not a Planning Application requires to be advertised as affecting the setting of a Listed Building	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development

		<p>Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer
12	Service of Urgent Works and Repair Notices in respect of Listed Buildings in cases of urgency	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning
13	Making Directions under Article 4 of the Town and Country Planning (General Development) Order 1988 as regards Conservation Areas	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
14	Countersigning a Listed Building Heritage Partnership Agreement	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development

		<p>Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer
15	Deciding an application for a Certificate of Lawfulness of Works to a Listed Building	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
16	Responding to consultations from Dioceses and Parochial Parish Councils regarding works to Listed Buildings under the Faculty procedures	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer •
H	<u>ADVERTISEMENTS</u>	<u>Nominated Officers</u>
1	Applications for consent under the Town and Country Planning (Control of Advertisements) Regulations 2007	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development

		<p>Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer
2	Deciding where no formal application under the advertisement regulations need be submitted for the display of a banner across the highway	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
I	<u>MISCELLANEOUS</u>	<u>Nominated Officers</u>
1	Determining applications for non-material amendments to proposals which have been previously approved by the Council under the provisions of the Town and Country Planning Act 1990.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer
2	Determining applications for the approval of details required by a condition imposed on the grant of Planning Permission	<ul style="list-style-type: none"> • Director - Development and Public Protection

		<p>Head of Planning</p> <ul style="list-style-type: none"> • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer
2 (a)	Determining applications for the approval of minor material amendments (Section 73 Applications) of proposals which have been previously approved by the Council under the provisions of the Town and Country Planning Act	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
3 (a)	Decisions as to the requirement for environmental assessments under The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 in connection with submitted or proposed planning applications	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and

		<p>Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer
(b)	Decisions as to the scope of environmental assessments in connection with proposed planning applications	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning Officer • Senior Planning Enforcement Officer
(c)	Decisions as to the requirement for further information to be submitted for an environmental assessment.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning Officer • Senior Planning Enforcement Officer

4	Decision as to whether to advertise applications	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer • Senior Technical Support Officer • Technical Support Officer
5	Decisions as to whom to consult on all applications e.g. Ministry of Agriculture	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer

		<ul style="list-style-type: none"> • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer
6	Consultation under Pastoral Measure 1983	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
7	Informal Decisions as to whether planning permission is necessary.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer

		<ul style="list-style-type: none"> • Planning Enforcement Officer • Senior Technical Support Officer • Technical Support Officer • • Apprentice Planning Officer • Trainee Planning Officer
8	Determining applications for Certificates of Existing Lawful use or Development or Proposed Use or Development	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
9	Determining applications for Certificates of Alternative Development under the Land Compensation Act 1961	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
10	To determine applications received under the Town and Country Planning (General Permitted Development) Order 2015 and the Town and Country Planning (General Development Procedure) Order 2015 as it applies to agricultural permitted developments and notifications for demolition.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development

		<p>Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer
11	Making observations on prospective development in the environs of the District	<ul style="list-style-type: none"> • Director, Development • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer
12	Consultation from adjoining District Councils in relation to planning applications within their district	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer

		<ul style="list-style-type: none"> • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer
13	Determination of validity of planning applications and the issuing of directions requiring further information in support of an application for planning permission and verification of particulars of information given in respect of an application	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer • Trainee Planning Officer • Apprentice Planning Officer • Senior Technical Support Officer • Technical Support Officer
14	Dealing with any matters relating to fees for development management applications	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development

		<p>Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer <p>Trainee Planning Officer Apprentice Planning Officer</p> <ul style="list-style-type: none"> • Senior Technical Support Officer • Technical Support Officer
15	Deciding to whom to direct notification of a receipt of planning or other applications	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer

		<ul style="list-style-type: none"> • Planning/Conservation Officer • Planning Enforcement Officer Trainee Planning Officer Apprentice Planning Officer • Senior Technical Support Officer • Technical Support Officer
16	Settling the precise wording of notices, conditions imposed on permissions or consents and reasons for refusals to reflect the intentions of the Committee when making its decision	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer
17	Determining applications for the erection of overhead electricity lines and telecommunications apparatus	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and

		<p>Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer
18	<p>To determine notifications received under the Town and Country Planning (General Permitted Development) Order 2015 for alterations or extensions to a dwellinghouse where no objections are received from the adjoining premises.</p>	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer • Trainee Planning Officer Apprentice Planning Officer
19	<p>To determine notifications received under the Town and Country Planning (General Permitted Development) Order 2015 for alterations or extensions to a dwellinghouse where objections are received from the adjoining premises.</p>	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management) • Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer

		<ul style="list-style-type: none"> • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement Officer
20	To enter into planning obligations including the modification, discharge, variation and release of planning obligations.	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
21	To decline to determine applications pursuant to ss70A - C of the Town and Country Planning Act 1990	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
J	<u>HAZARDOUS SUBSTANCES</u>	<u>Nominated Officers</u>
1	Dealing with all aspects for hazardous substances consent under the Planning (Hazardous Substances) Act 1990	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning

		<ul style="list-style-type: none"> • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
2	Service of hazardous substances contravention notices under Section 24 of the Planning (Hazardous Substances) Act 1990	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
K	<u>TREES AND WOODLANDS</u>	<ul style="list-style-type: none"> • <u>Nominated Officers</u>
1	Making Tree Preservation Orders and confirming Orders except where objections are received	<ul style="list-style-type: none"> • Senior Arboricultural Officer • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
2	The modification of Tree Preservation Orders prior to confirmation	<ul style="list-style-type: none"> • Senior Arboricultural Officer • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development

		<p>Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer
3	The decision not to confirm a Tree Preservation Order	<ul style="list-style-type: none"> • Senior Arboricultural Officer • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement <ul style="list-style-type: none"> • Principal Planning Officer
4	The variation of Tree Preservation Orders except where objections are received	<ul style="list-style-type: none"> • Senior Arboricultural Officer • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement <ul style="list-style-type: none"> • Principal Planning Officer
5	The revocation of Tree Preservation Orders except where objections are received	<ul style="list-style-type: none"> • Senior Arboricultural Officer • Director - Development and Public Protection • Head of Planning <p>Deputy Head of Planning (Development</p>

		<p>Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer
6	In an emergency, to authorise the felling of trees which are the subject of Tree Preservation Orders or within designated Conservation Areas where the trees are considered to be unsound and dangerous	<ul style="list-style-type: none"> • Senior Arboricultural Officer • Director - Development and Public Protection • Head of Planning <p>Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer
7	Approving species for replacement required by a condition imposed on the grant of planning consent	<ul style="list-style-type: none"> • Senior Arboricultural Officer • Director - Development and Public Protection • Head of Planning <p>Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer • Senior Planning Officer • Senior Planning Enforcement Officer
8	To investigate and take appropriate action (whether to prosecute or not) in respect of unauthorised works to protected trees	<ul style="list-style-type: none"> • Senior Arboricultural Officer • Director - Development and Public Protection • Head of Planning

		<ul style="list-style-type: none"> • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Enforcement Officer • Senior Planning Enforcement Officer • Planning Enforcement Officer
9	To determine applications relating to surgery and/or felling of trees protected by a Tree Preservation Order	<ul style="list-style-type: none"> • Senior Arboricultural Officer • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
10	To determine whether or not to make a Tree Preservation Order following receipt of a notification to undertake tree work in a conservation area	<ul style="list-style-type: none"> • Senior Arboricultural Officer • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement

		<ul style="list-style-type: none"> • Principal Planning Officer
11	To investigate and take appropriate action relating to reports of dangerous trees under the Local Government (Miscellaneous Provisions Act) 1976	<ul style="list-style-type: none"> • Senior Arboricultural Officer • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement
12	To undertake inspections in relation to complaints relating to high hedges under the Anti-social Behaviour Act 2003	<ul style="list-style-type: none"> • Principal Planning Officer • Senior Arboricultural Officer • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Enforcement Officer • Senior Planning Officer • Planning Officer • Planning Enforcement Officer
L	<u>HEDGEROWS</u>	<u>Nominated Officers</u>
1	The powers and duties of the Authority under the Hedgerow Regulations 1997 introduced under Section 97 of the Environment Act	<ul style="list-style-type: none"> • Director - Development and Public Protection

	1995	<ul style="list-style-type: none"> • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning Enforcement Officer • Senior Planning Officer
M	<u>PUBLIC PATH ORDERS (PLANNING)</u>	<u>Nominated Officers</u>
1	The powers and duties of the Authority under Part X of the Town and Country Planning Act 1990 except where valid objections have been received	<ul style="list-style-type: none"> • Director - Development and Public Protection or Director Environmental Services
2	The powers and duties of the Authority under the Local Authorities' Recovery of Costs for Public Path Orders Regulations 1993	<ul style="list-style-type: none"> • Director - Development and Public Protection or Director Environmental Services
N	<u>APPEALS</u>	<u>Nominated Officers</u>
1	In consultation with the Chair and/or Vice Chair and Spokespersons of the Planning Committee agree amendments to applications and to amend/remove reasons for refusal relating to these applications which have been decided by the Committee or by Officers under the terms of the Scheme of Delegation and are now the subject of an appeal	<ul style="list-style-type: none"> • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Senior Planning/Conservation Officer • Senior Planning Enforcement Officer • Planning/Conservation Officer • Planning Enforcement

		Officer
0	<u>GENERAL</u>	<u>Nominated Officers</u>
1	Authorisation of any Officer under any Act	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
2	The institution and conduct of all civil and criminal proceedings by the Authority	<ul style="list-style-type: none"> • Legal Officers
3	Defence of all legal proceedings against the Authority	<ul style="list-style-type: none"> • Legal Officers
4	Issue and service of notices under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 and Section 330 of the Town and Country Planning Act 1990	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Legal Officers
5	Authority to appear before the appropriate licensing or regulatory authority on behalf of the Authority in respect of all matters falling within the remit of the Committee and express formal objections or make general comments as appropriate	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement

		<ul style="list-style-type: none"> • Principal Planning Officer • Legal Officers
6	Making objections or representations on all applications received in pursuance of the Authority's licensing functions where matters fall within the remit of the Committee	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer
7	The institution and conduct of all necessary proceedings and procedures to implement and enforce any decision of the Authority including (for example) any agreement, licence, permit or consent	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Legal Officers • Plus all Nominated Officers for the Function in question
8	The Instruction and Selection of Counsel (including all legal consultants)	<ul style="list-style-type: none"> • Legal Officers
9	Authority to engage Consultants for Commissions not exceeding £10,000	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development

		<p>Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer • Legal Officers • Plus all Nominated Officers for the Function in question
10	Authority to accept tenders or quotations up to £30,000	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement
11	The dealing with and determination of all requests for Environmental Information under the Environmental Information Regulations 2004	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Plus all Nominated Officers for the Function in question
12	“Proper Officer” functions under Part VA (Access to Information) Provisions of the Local Government Act 1972	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development

		<p>Management, Planning and Conservation, & Planning and Enforcement</p> <ul style="list-style-type: none"> • Principal Planning Officer • Plus all Nominated Officers for the Function in question
13	Authority to affix the Common Seal of the Council whenever necessary to complete or give effect to any decision of the Authority	<ul style="list-style-type: none"> • The Head of Legal and Democratic Services and nominated deputies
14	Authentication of documents under Section 234 of the Local Government Act 1972	<ul style="list-style-type: none"> • Director - Development and Public Protection • Head of Planning • Deputy Head of Planning (Development Management); Team Managers; Development Management, Planning and Conservation, & Planning and Enforcement • Principal Planning Officer • Legal Officers • Plus all Nominated Officers for the Function in question

June 2019

Bath & North East Somerset Council	
MEETING	Council
MEETING DATE	11th July 2019
TITLE:	Housing Motion Report
WARD:	All
AN OPEN PUBLIC ITEM	
List of attachments to this report:	
None	

1 THE ISSUE

- 1.1 The Labour Group proposed a motion during the full Council meeting of the 14th March based upon the recommendations of the final report of Shelter's commission on the future of social housing. This motion included a range of proposals surrounding the increase in the delivery of social housing, recovery of empty properties and further regulation of the private rented sector. An amended motion was passed which confirmed support for the vision of the report whilst resolving to...

...defer consideration of the motion until full Council in July 2019 and instruct Officers to prepare an information report for that Council on the options and the implications covering policy, budget and Council operations.

2 RECOMMENDATION

Given the importance of the topic the Council is asked to note that Cabinet have requested;

- 2.1 Further investigative work on the options relating to the building of Council housing and with a report being presented to Cabinet later in the year;
- 2.2 Furthermore that this topic is taken forward for discussion and development at the Climate Emergency and Sustainability Panel for cross party discussion before coming back to Council.

3 THE REPORT

- 3.1 The Labour Group proposed a motion during the Council meeting on the 14th March based upon the recommendations of the final report of Shelter's commission on the future of social housing¹. The Labour motion proposed the following:

This Council believes that:

7 In line with the vision outlined in the Shelter report, all political parties need to rediscover publicly built housing as a key pillar of our national infrastructure. A home is the foundation of individual success in life and a programme of home building can be the foundation of similar national success.

8 A major increase in the delivery of social housing is required to address the housing crisis in B&NES.

Council resolves therefore:

9 To publicly back the principles and solutions outlined in the Shelter report.

10 To start building Council housing again.

11 To change the priorities of ADL, to ensure that more social rented homes are built and rented out by the Council, not by a housing association.

12 To encourage parish councils to use their powers to purchase land and build council houses for local key workers and provide support for community led and community owned affordable housing.

13 To investigate the provision of more funding to enable the re-possession, refurbishment and sale of derelict properties, to develop homes above shops and garages and to adapt empty commercial and operational properties to provide temporary housing for homeless people.

14 To ensure that all rented property is decent and safe by investigating the extension of the present (self funded) licensing scheme to all rented properties, on a rolling basis, not just HMOs. To require all eligible landlords to apply for a licence but in order to encourage landlords to rent property at or below the Local Housing Allowance Rate, to exempt those doing so from the licensing fee.

15 To propose to Government that Bath, where rents are higher, becomes a separate Broad Rental Market Area to North East Somerset, where rents are lower.

16 To enforce minimum levels of affordable housing in new developments using the Local Housing Allowance as the upper limit, including service charges, to determine whether a housing development is genuinely affordable and to rigorously scrutinise all developers claims that a scheme will not be viable if it is made to conform to B&NES standards of social housing supply.

- 3.2 The motion generated significant debate. An amended motion, proposed by Cllr Tim Warren, was passed 44 in favour and with no objections. The amended resolution stated that...

¹ Shelter (2019). Building our Future: A Vision for Social Housing.
Printed on recycled paper

This Council believes that:

7. In line with the vision outlined in the Shelter report, all political parties need to rediscover publicly built housing as a key pillar of our national infrastructure. A home is the foundation of individual success in life and a programme of home building can be the foundation of similar national success.

8. A major increase in the delivery of social housing is required to address the housing crisis in B&NES.

Council resolves therefore:

9. To defer consideration of the motion until full Council in July 2019 and instruct Officers to prepare an information report for that Council on the options and the implications covering policy, budget and Council operations.

3.3 Discussions between the Cabinet and officers have identified that, whilst the Council has made good progress on the delivery of affordable housing, there is a clear desire to go further. As such, further investigative work on the options relating to the building of Council housing has been requested with a report being presented to Cabinet.

3.4 In addition, Cabinet also want to consider how this important area of work, which affects many local residents and which requires action over the long run, can be debated in a more open and transparent way, including the effective use of the scrutiny panels. As a result, it is proposed that this topic is taken forward for discussion and development at the Climate Emergency and Sustainability Panel for cross party discussion before coming back to Council.

4 STATUTORY CONSIDERATIONS

4.1 There are no statutory considerations arising from the recommendation of this report.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

5.1 The main recommendation of this report is that further work is undertaken to consider the options relating to the building of Council in more detail. As such, the direct and immediate resource implications of this report are limited and will be addressed through existing managerial arrangements.

6 RISK MANAGEMENT

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

7 CLIMATE CHANGE

7.1 The report, in itself, does not have any direct implications for climate change.

8 OTHER OPTIONS CONSIDERED

8.1 None

9 CONSULTATION

9.1 Section 151 Officer and Monitoring Officer have had opportunity to review and input into this report.

Contact person	<i>Graham Sabourn, Head of Housing 01225 477949</i>
Background papers	<i>None</i>
Please contact the report author if you need to access this report in an alternative format	

Bath and North East Somerset Council

Full Council meeting, Thursday 11 July 2019

Liberal Democrat Motion on Ending Unfair Evictions

To be proposed by Councillor Michelle O'Doherty

Council:

1. Welcomes the campaign by the "End Unfair Evictions Coalition", calling for Section 21 of the Housing Act 1988 to be scrapped.
2. Notes that Section 21 brought in "no fault evictions", allowing private landlords to evict tenants with just two months' notice, once the initial term of a tenancy has expired.
3. Notes that fear of "revenge eviction" may discourage renters from complaining about maintenance issues.
4. Notes that housing insecurity can contribute to anxiety and mental health issues, lead to problems with debt, and make it harder for private renters to access services and establish community ties.
5. Acknowledges research published by "Generation Rent" showing the link between Section 21 evictions and rising homelessness in England; and research showing that as many as 80% of private-sector evictions fall under Section 21.
6. Notes that in 2017 the Scottish Government adopted the Private Housing (Tenancies) (Scotland) Act, effectively creating open ended tenancies and banning no-fault evictions, whilst still providing safeguards for landlords.

Council therefore:

7. Supports the "End Unfair Evictions" campaign.
8. Welcomes the recent announcement that government intends to scrap "no fault" evictions.
9. Requests that the Leader write to relevant Ministers and local MPs expressing this Council's support for abolishing Section 21, noting the need for fair safeguards for landlords, and calling for the consultation and legislation to be brought forward without delay.
10. Requests that officers work with the relevant cabinet member to prepare a response to the consultation.
11. Asks the Cabinet Member for Housing, Planning, and Economic Development to consider options for actions the Council could take to improve standards of rental accommodation in B&NES.

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Bath and North East Somerset Council

Full Council meeting, Thursday 11 July 2019

Liberal Democrat Motion on Food Poverty

To be proposed by Councillor Ruth Malloy

Council notes:

1. The Department of Health and Social Care definition of food poverty as “the inability to access or afford food to make up a healthy diet”.
2. That food poverty is a complex issue with many causes; that it can affect anyone, including many people who work and many families, even in an apparently well off area such as ours.
3. There is a growing problem of food insecurity in the UK, affecting as many as 8.4 million people, of which increasing reliance on food banks is one symptom.
4. That food banks in Bath and North East Somerset supply thousands of food parcels each year to local people.
5. Efforts by the Council to raise awareness of families’ eligibility for free school meals, and by extension the pupil premium, locally.
6. The importance of local food systems and education in ensuring access to affordable, sustainable and healthy food options.
7. The Council has previously adopted a Local Food Strategy for Bath and North East Somerset.
8. Addressing food poverty may contribute to improving the health, wellbeing, education and independence of local residents; supporting the local food economy; and reducing environmental impacts.

Council therefore:

9. Commends the invaluable work done by local charities, churches and food banks in Bath and North East Somerset to support people facing food poverty and crisis.
10. Requests the Children, Health & Wellbeing Policy Development and Scrutiny Panel to work with local organisations and develop recommendations for a Food Poverty Action Plan for Bath and North East Somerset.
11. Requests that the Cabinet investigate refreshing the Local Food Strategy for Bath and North East Somerset.

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Council 11 July, 2019

The Future of First Bus

Labour Group to move:

Council notes that:

- 1 FirstGroup, which operates First Bus along with GWR, is considering a sale of its UK businesses.
- 2 FirstGroup has confirmed that intends to divest itself of First Bus.
- 3 The completion of the Bus Strategy by the WECA Mayor is progressing slowly and he does not appear to be pursuing the opportunity to franchise bus services.

This Council believes that:

- 4 Bus services are a vital component of our transport system. Excellent bus services help to encourage sustainable growth, reduce social isolation and support people to get out of their cars. This in turn has a positive impact on pollution, congestion and climate change.
- 5 First operates 90% of the bus services in Bath and North East Somerset, and any change to the management of First Bus must not be at the expense of local bus services.
- 6 First Bus is a significant local employer and uncertainty about the future of the company must be resolved in the interests of its employees.

In light of the above, Council resolves therefore:

- 7 To ask the Leader of the Council, as the Council's representative on the West of England Combined Authority, to call upon the WECA Mayor to:
 - a) Identify and pursue the opportunities presented by the potential sale of First Bus. This could potentially achieve integrated ticketing and low emission buses and allow the West of England Combined Authority to gain control over:
 - (i) bus routes so that the profit-making routes cross-subsidise those with social value;
 - (ii) fare levels (including extending the 50% discount on full fares to all under-19 year olds);
 - (iii) frequency; and
 - (iv) vehicle accessibility.
 - b) Identify the potential for either the West of England Combined Authority or a new co-operative not-for-profit bus company to take over the running of bus services in this area in pursuit of the above.

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Council 11 July, 2019

Clean Up Bath and North East Somerset

Labour Group to move:

Council notes that:

- 1 Bath Live and the Bath Chronicle have launched a campaign to Clean Up Bath.
- 2 The actions of the Council's contractors, 3GS, in fining a resident £150 for feeding pigeons have resulted in national interest in the way in which this Council addresses the problem of litter.
- 3 There is widespread concern about litter among communities not only in Bath but also in North East Somerset and that residents would like to see action taken.

This Council believes that:

- 4 The Clean Up Bath campaign is to be welcomed. Responsibility for keeping our streets, playgrounds and parks clean rests with us all. However, this Council must accept that it has a lead role in addressing littering.
- 5 Any action taken to tackle littering must be proportionate.

Council resolves therefore:

- 6 To ask the Climate Change and Sustainability Policy Development and Scrutiny to undertake a full review into littering in Bath and North East Somerset This review should assess the scale of the problem and identify a range of measures that could help to eliminate litter from our area including:
 - a) Working with businesses to ensure that they are not encouraging the feeding of gulls;
 - b) Ensuring our parks are properly maintained with sufficient bins. During summer months, when bins are overflowing, providing temporary wheelie bins;
 - c) Promoting the Green Flag award which sets the benchmark standard for the management of recreational outdoor spaces;
 - d) Promoting the formation of Friends of Parks to help improve public opens spaces in the context of diminishing Council resources;
 - e) Investigating the potential for a competition to identify the cleanest street, park and playground in Bath and North East Somerset; and
 - f) Reviewing the working of 3GS to ensure that it is meeting the requirements of its contract with Bath and North East Somerset Council and that its enforcement action is proportionate.

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Bath and North East Somerset Council, Full Council Meeting – 11th July 2019

Conservative Motion: B&NES Transport Options between Bristol and Bath

To be moved by Cllr Brian Simmons

This Council notes:

1. That there is an aspiration for a new railway station at Saltford amongst a section of the community;
2. The previous administration's work with the West of England Regional Mayor to ensure a new railway station at Saltford is now featured in a map of transport improvements in the Joint Local Transport Plan 4 (2019-2036);
3. That there is concern over Network Rail's ability to create sufficient capacity for trains to ever stop at Saltford and the cost of the project;

This Council subsequently believes:

4. In view of the promises made by the Liberal Democrats during the May 2019 Local Election Campaign - it is important that the feasibility of opening a railway station at Saltford is fully assessed in the interest of the community;

Therefore, this Council resolves to;

5. Ask the Cabinet to commission a detailed study, when resources allow, which sets out their plan for providing Saltford with a railway station;
6. Refer this matter to the relevant PDS panel to consider and monitor progress of the above and to receive reports from the Cabinet Member for Transport providing an update on how the plan is progressing.

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Bath and North East Somerset Council

Full Council Meeting – 11th July 2019

Conservative Motion: Maintaining Our Heritage

To be moved by Cllr Paul Myers

Council notes:

1. That as a World Heritage site we have a duty to maintain the historic fabric of the city, evidenced by our recently approved Site Management Plan, which seeks to ensure that the city can continue to be enjoyed by future generations;
2. That the Council significantly benefits in income from Tourism and in order to maintain this income there is a commensurate requirement to ensure that the fabric of such a vital income generator is maintained;

Council subsequently believes:

3. In order to maintain the fabric of Bath as a World Heritage Site, it is vital to retain a pool of craftspeople with traditional skills in areas such as wood work/carpentry, plaster, stone work, lead and iron work and roofing;
4. That there have been discussions for some time about the prospect of reviewing the ability to pass skills on through education and training in order to ensure long term sustainability of specialist craft skills;
5. That despite the efforts of Universities and colleges there will always remain the need to build a strong apprenticeship link between the Craft Skills based businesses and educational institutions on the basis of skill development over years of practice;
6. That one of the fundamental issues is that people with vital traditional skills are perhaps least best well placed to address the long term big picture – because they are focused on their craft and making a living;
7. That despite discussions with representatives in the heritage craft skills trade they need some initial support to get a solution off ground, possibly for Council, in conjunction with its heritage partners to facilitate the creation of a Charitable Trust to propagate the retention of traditional craft skills;
8. That if successful, this initiative could also be a service we could export both nationally and internationally as an ability to preserve heritage infrastructure;

Therefore, this Council resolves to;

9. Bring together the heritage maintenance craft businesses, heritage bodies and the educational institutions to explore how they might create a Charitable Trust to focus on preserving traditional skills to maintain the fabric of the World Heritage Site;

10. In order to promote such careers to young people, the council should work with schools, the college and the universities to seek to create a post-14 Skills Academy for Bath & North East Somerset on a suitable site within the area.