

BATH AND NORTH EAST SOMERSET

CABINET

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

Wednesday, 13th November, 2013

Present:

Councillor Paul Crossley	Leader of the Council
Councillor David Dixon	Deputy Leader and Cabinet Member for Neighbourhoods
Councillor Simon Allen	Cabinet Member for Wellbeing
Councillor Tim Ball	Cabinet Member for Homes and Planning
Councillor David Bellotti	Cabinet Member for Community Resources
Councillor Katie Hall	Cabinet Member for Community Integration
Councillor Caroline Roberts	Cabinet Member for Transport
Councillor Dine Romero	Cabinet Member for Early Years, Children and Youth
Councillor Ben Stevens	Cabinet Member for Sustainable Development

65 WELCOME AND INTRODUCTIONS

The Chair was taken by Councillor Paul Crossley, Leader of the Council.

The Chair welcomed everyone to the meeting.

66 EMERGENCY EVACUATION PROCEDURE

The Chair drew attention to the evacuation procedure as set out in the Agenda.

67 APOLOGIES FOR ABSENCE

There were no apologies for absence.

68 DECLARATIONS OF INTEREST

There were none.

69 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

70 QUESTIONS FROM PUBLIC AND COUNCILLORS

There were 18 questions from the following Councillors: Alan Hale, Geoff Ward, Patrick Anketell-Jones (2), Charles Gerrish (3), Michael Evans, Tim Warren, Liz Richardson (2), Anthony Clarke (5), Eleanor Jackson, David Laming.

There were 2 questions from the following members of the public: Judith Chubb-Whittle (Chair, Stanton Drew Parish Council), Simon Whittle.

[Copies of the questions and response, including supplementary questions and responses if any, have been placed on the Minute book as Appendix 1 and are available on the Council's website.]

71 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

Clarke Osborne (Chair, Stanton Wick Action Group) in a statement *[a copy of which is attached to these Minutes as Appendix 2 and on the Council's website]* expressed dissatisfaction with the lack of progress in completing the DPD process and asked Cabinet to allocate resources to complete the DPD, to remove unsustainable sites from the list and to proceed with the Lower Bristol Road site.

Karen Abolkheir (Stanton Wick Action Group) in a statement *[a copy of which is attached to these Minutes as Appendix 3 and on the Council's website]* listed a number of ways in which she felt the DPD so far had not been well managed. She urged Cabinet to ensure that progress would be made on the project.

72 MINUTES OF PREVIOUS CABINET MEETING

On a motion from Councillor Paul Crossley, seconded by Councillor David Dixon, it was

RESOLVED that the minutes of the meeting held on Wednesday 11th September 2013 be confirmed as a correct record and signed by the Chair.

73 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

There were none.

74 MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

The Chair invited Councillor Sally Davis (Chair of Early Years, Children and Youth PDS Panel) to introduce to Cabinet the Panel's recommendations relating to the Reorganisation of Early Years, Children's Centres and Early Help Service.

Councillor Davis in her statement *[a copy of which is attached to these Minutes as Appendix 4 and on the Council's website]* explained the Panel's Terms of Reference and how it had worked to deliver its recommendations. She listed the 8 recommendations, which had previously been published in the Notes of the Panel's meeting.

The Chair thanked Councillor Davis and said that the Cabinet would give consideration to the Panel's recommendations when considering the issue later in the agenda.

75 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

The Cabinet agreed to note the report.

76 CAPITAL ALLOCATION OF THE DEPARTMENT FOR EDUCATION GRANT PROVIDED FOR EARLY LEARNING FOR TWO YEAR OLDS

Councillor Dine Romero in moving the proposals explained that they were a continuation of the process of increasing the provision of child care for 2-year-olds

from 20% to 40% at no cost to the Council. She asked Cabinet to agree the capital allocation of the grant.

Councillor Simon Allen seconded the proposal, saying that this was very good news. He particularly welcomed the investment of extra places in Radstock.

On a motion from Councillor Dine Romero, seconded by Councillor Simon Allen, it was

RESOLVED (unanimously)

(1) To AGREE to adopt recommendation 6.3 of the 2013 Childcare Sufficiency Assessment by using available capital to increase the supply of 2 year old places in the areas identified as follows:

- Twerton, Bath
- Keynsham
- Writhlington, Radstock

77 RE-STRUCTURING OF THE EARLY YEARS, CHILDREN'S CENTRE AND EARLY HELP (0 - 11 YEARS) SERVICES 2014 - 2016

Councillor John Bull in a statement *[a copy of which is attached to these Minutes as Appendix 5 and on the Council's website]* asked for a reversal of the plans. He felt that the PDS Panel's response to the issue was not sufficient. The aim of Children's Centres should be to reach all young children and their parents; moving to targeted services for only vulnerable families would undo the progress made since Sure Start. He asked that the Panel should be asked to reconvene and come up with proposals for a sustainable level of service.

Councillor Bull presented a petition of 880 signatures to Cabinet.

The Chair referred the petition to Councillor Dine Romero for her response in due course.

Councillor Liz Hardman in a statement *[a copy of which is attached to these Minutes as Appendix 12 and on the Council's website]* introduced her minority report and reminded Cabinet that the Panel had admitted that there were a number of unanswered questions. She felt that the Panel should be asked to report back to Cabinet in December with new proposals.

Roz Lambert (Chief Exec, First Steps Bath) in a statement *[a copy of which is attached to these Minutes as Appendix 6 and on the Council's website]* said that if Children's Centres were obliged to be self-funding, they would depend only on government Early Years funding and fees from parents. The kind of holistic intervention presently possible would be lost.

Sue Pendle (Chair of Trustees, First Steps Bath) in a statement read by Dougie Brown *[a copy of which is attached to these Minutes as Appendix 7 and on the Council's website]* said that the 38% cut was out of balance with the rest of the Council's budget reductions. It was also out of line with the Council's stated priorities. Provision should be based on need, not on financial savings alone.

Nettie Williams (parent, Radstock) in a statement *[a copy of which is attached to these Minutes as Appendix 8 and on the Council's website]* spoke of her personal passion to see Children's Centres thriving and helping young families especially at critical times in their lives.

Jane Carter (Branch Secretary, UNISON) in a statement *[a copy of which is attached to these Minutes as Appendix 9 and on the Council's website]* spoke of the importance of the work undertaken by Children's Centres and of the concern of her members about the impact of the proposed cuts. She urged the Cabinet to note the issues raised and to consider the recommendations of the minority report.

Councillor Eleanor Jackson in a statement *[a copy of which is attached to these Minutes as Appendix 10 and on the Council's website]* expressed her concern that the PDS Panel had been asked to consider where the cuts should be made, but had not been asked to consider the depth of the cuts. Not enough account had been taken of the equality impact assessment. If the cuts were made as recommended, the service remaining would not be sustainable. She urged Cabinet to accept the proposals outlined in the minority report.

Tony Crouch (Chair, Keynsham Children's Centre Advisory Group) in a statement stressed that Cabinet should not make a decision based only on the information currently available. He asked for further thought to be given to the issue.

Elsie McKenzie in an *ad hoc* statement explained her role as Assistant Head Teacher and SENCO in a nursery for 2-year-olds. She felt that her job would become untenable if the input from Children's Centres was lost.

Councillor Michael Evans in an *ad hoc* statement said that as a member of the Task and Finish Group, he had been aware that the Panel was dealing with the consequences of a Council Budget adopted in February. Children's Centres were very valued. But he acknowledged that the Cabinet were obliged to manage within budget. He appealed to Cabinet to find funds from another source, even if short term, to minimise the impact of the changes.

A mother and user of a Children's Centre in an *ad hoc* statement said that Children's Centres were essential to some families. She didn't know where she would be without her local Children's Centre.

Lesley Mansell (Chair, Radstock Town Council) in an *ad hoc* statement *[a copy of which is attached to these Minutes as Appendix 11 and on the Council's website]* welcomed the recent re-opening of a Children's Centre in Radstock. She reported that the petition handed in by Councillor John Bull had been well received in Radstock. The Youth Service had already been reduced in the town. She agreed with Councillor Liz Hardman that the process leading up to the Panel's report had been flawed.

Councillor Dine Romero introduced the item by thanking all those who had contributed to the debate and to the investigations by the Task and Finish Group. The level of cuts imposed by central government had been unprecedented and the Council could not escape this. She had been impressed by the passion and enthusiasm of those she had heard. She wanted to emphasise that although across the country Children's Centres were being closed, the proposals before Cabinet were not to close any Children's Centres at all. Any changes would not be implemented until March 2015. She asked Cabinet to support her proposals to focus on finding new ways to deliver Children's Centre services.

She moved the proposals.

Councillor Paul Crossley seconded the proposal. He reminded Cabinet of the difficult times and unprecedented cuts by central government. He emphasised that no Children's Centres were to be closed, but there would be a refocusing on those most in need. He thanked First Steps and the other speakers, and the PDS Panel for its hard work on a difficult brief.

Councillor David Bellotti acknowledged the part played by Children's Centres as a partner across many different services. He outlined some recent improvements in services, but said that it was necessary to find new models of delivery. It would not be acceptable to charge vulnerable families for the service, nor would it be acceptable to close any centres. He supported the proposals.

Councillor Tim Ball remembered that he had been involved in funding First Steps when it originally set up in Twerton. He had said then that should central funding be removed, the provision would be in danger of failing. He expressed some doubt about the relevance of the petition, because many signatories had been erroneously told that the Children's Centres were to be closed.

Councillor David Dixon thanked Councillor Liz Hardman for her minority report. He had been disappointed by the outcome of the main Scrutiny report. He wanted the Scrutiny Panel to be asked to look again at the issue. He supported the recommendations.

Councillor Dine Romero summed up by reminding everyone that the Panel had worked to its Terms of Reference so it was not true to say they had failed in their task. She thanked them for their hard work. The ongoing debate would enable a new model to be developed, drawing on all the contributions received.

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

RESOLVED (unanimously)

(1) To NOTE that the Early Years, Children & Youth Policy Development and Scrutiny Panel had a number of questions, in particular which services will be provided at the Children's Centres under the proposed new model, who will run the various Children's Centres, and to whom these services will be available;

(2) To NOTE the issues raised in the Minority Report; and

(3) To FORMULATE their response to the Panel's recommendations and to the Minority Report.

78 STANDARDS AND GENERAL CONDITIONS TO BE ATTACHED TO HACKNEY CARRIAGE AND PRIVATE HIRE LICENCES

David Redgewell in an *ad hoc* statement objected that no Equality Impact Assessment had been provided, nor referred to in the report. He was angry that the Council was still allowing operators to run from the train station with not a single vehicle with disabled access. He asked when the Council would enforce this. He was unhappy that the report imposed no conditions about accessibility.

The Chair assured David Redgewell that an Equality Impact Assessment had been completed and said that he would arrange for him to be sent a copy.

Councillor Anthony Clarke in an *ad hoc* statement asked that other vehicles be considered for licensing under special circumstances, as are wedding and funeral cars already. He also asked why the use of GPS was not allowed.

Councillor David Laming in an *ad hoc* statement asked for more detail about the available training.

Councillor David Dixon introduced the item. He apologised that no Equality Impact Assessment had been published with the proposals. He replied to David Redgewell's observation about accessible vehicles at the station by assuring him

that all new vehicles must in future be fully accessible, so the fleet would gradually move towards compliance. Operators would also be required to undertake manual handling training which will be both practical and theory, with an assessment which would require a pass.

Councillor Dixon explained the reasons why GPS was not allowed in vehicles.

He moved the proposals.

Councillor Caroline Roberts seconded the proposals.

Councillor Ben Stevens agreed to the proposals and felt that they would contribute to making Bath a welcoming place to visit.

Councillor Tim Ball agreed with the points made by David Redgewell about accessible vehicles at the station. He looked forward to the improvements promised by Councillor Dixon.

Councillor David Dixon, summing up, said that the majority of drivers were excellent and the conditions were to ensure that. The drivers had been keen when the training opportunity had been suggested. He observed that it would be possible to negotiate with the train operator to see if access to the taxi rank immediately outside the station could be improved.

On a motion from Councillor David Dixon, seconded by Councillor Caroline Roberts, it was

RESOLVED (unanimously)

(1) To ADOPT the policy for hackney carriage and private hire licensing standards; and

(2) That the Cabinet provide comment to the Licensing Committee on the general conditions relating to hackney carriage and private hire drivers, specified in the report.

79 REVIEW OF B&NES LOCAL DEVELOPMENT SCHEME

David Redgewell in an *ad hoc* statement said he was generally pleased with the proposals although had some concerns about accessibility issues, which needed more detail. He welcomed the involvement of Scrutiny in exploring the possibility of a public transport link into Wiltshire.

Councillor Liz Richardson in an *ad hoc* statement made some observations about paragraph 3.4 of the report. She asked for clarification of the meaning of the “S” in the chart in Annex 1.

Councillor Tim Ball thanked both speakers. He explained to Cabinet that it had been hoped that further progress would have been made on the review – however, in December the Council would be looking at housing numbers with the government inspector. He explained that the “S” in the chart indicated “Submitted” – that is, the process had been completed. He said that dates and timetables would be informed in due course. However, they would tie in closely with the Placemaking Plan.

He moved the proposals.

Councillor Katie Hall seconded the proposals and said that she was very pleased to see the progress that had been made.

On a motion from Councillor Tim Ball, seconded by Councillor Katie Hall, it was

RESOLVED (unanimously)

- (1) To ADOPT the revised Local Development Scheme; and
- (2) To DELEGATE authority to the Divisional Director of Planning and Transport Development, in conjunction with the Cabinet Member for Homes and Planning, to make editorial amendments to ensure the LDS is up-to-date and correct any errors.

80 REVENUE AND CAPITAL BUDGET MONITORING, CASH LIMITS AND VIREMENTS - APRIL 2013 TO SEPTEMBER 2013

Councillor David Bellotti explained that this item was about the way the Council spent its money. It was good news – the Council continued to operate within its budget. He thanked the officers who had worked hard to ensure that services were delivered within budget. He made particular reference to the increased visitor numbers at the Roman Baths and to the fact that the council had been able to repay £50M of expensive debt by careful cash flow management. This had been achieved against the backdrop of no Council Tax rise. He listed a number of projects across the area into which the Council had invested large sums. He moved the proposals.

Councillor Paul Crossley seconded the proposal. He reminded the Cabinet that in difficult financial times it was a huge challenge to deliver services but said how pleased he was that there would be no Children's Centre closures. He listed a number of schemes across the area which had recently been completed.

Councillor David Dixon welcomed the very positive report which showed the investment which had been made into the whole area. He urged Cabinet members to consider what would be done in subsequent years to attract visitors to Bath.

On a motion from Councillor David Bellotti, seconded by Councillor Paul Crossley, it was

RESOLVED (unanimously)

- (1) To ASK Strategic Directors to work towards managing within budget in the current year for their respective service areas, and to manage below budget where possible by not committing unnecessary expenditure, through tight budgetary control;
- (2) To NOTE the revenue budget position;
- (3) To NOTE the capital expenditure position for the Council in the financial year to the end of September and the year end projections;
- (4) To AGREE the revenue virements listed for approval; and
- (5) To NOTE the changes in the capital programme.

81 TREASURY MANAGEMENT MONITORING REPORT TO 30TH SEPTEMBER 2013

David Redgewell in an *ad hoc* statement asked the Cabinet to find a home for the West of England Partnership once it had lost its present space in Wilder House, Bristol.

Councillor David Bellotti introduced the item by explaining that this item was about how the Council managed its cash and debts. He thanked officers for helping to reduce the huge historical debt. He was pleased that the Council had avoided

making risky investments in countries such as Iceland and Portugal. He moved the proposals with pleasure.

Councillor Paul Crossley seconded the proposal. He advised David Redgewell that it had been felt that Wilder House had not been the most suitable venue for the West of England Partnership, so alternative venues were being explored. He promised to get back to David once more information was available.

On a motion from Councillor David Bellotti, seconded by Councillor Paul Crossley, it was

RESOLVED (unanimously)

(1) To NOTE the Treasury Management Report to 30th September 2013, prepared in accordance with the CIPFA Treasury Code of Practice;

(2) To NOTE the Treasury Management Indicators to 30th September 2013; and

(3) To ASK that this Treasury Management Report and attached appendices be reported to November Council and December Corporate Audit Committee.

82 LEARNING PARTNERSHIP WEST

The Chair asked all Cabinet members to confirm that they had read and considered the public interest test. All agreed.

On a motion from Councillor Paul Crossley, seconded by Councillor David Dixon, it was

RESOLVED (unanimously)

(1) To AGREE that the entire report constitutes exempt information according to the categories set out in the Local government Act 1972 (amended Schedule 12A) because it contains information relating to the financial or business affairs of any particular person (including the authority holding that information);

(2) To AGREE that having already been satisfied that the public interest would be better served by not disclosing relevant information, and in accordance with the provisions of Section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business because of the likely disclosure of exempt information as defined in Schedule 12A of the Act as amended.

[At this point the public and press were asked to leave the meeting]

The Cabinet then considered the exempt report and made certain decisions which are exempt from publication for the reasons previously stated.

The meeting ended at 8.35 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services