

BATH AND NORTH EAST SOMERSET

CABINET

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

Wednesday, 4th December, 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

83 WELCOME AND INTRODUCTIONS

The Chair was taken by Councillor Paul Crossley, Leader of the Council.
The Chair welcomed everyone to the meeting.

84 EMERGENCY EVACUATION PROCEDURE

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

85 APOLOGIES FOR ABSENCE

There were no apologies for absence.

86 DECLARATIONS OF INTEREST

There were none.

87 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

88 QUESTIONS FROM PUBLIC AND COUNCILLORS

There were 7 questions from the following Councillors: Anthony Clarke (3), Liz Richardson, Vic Pritchard (2), Charles Gerrish.

There were no questions from the following members of the public.

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

89 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

Councillor Jeremy Sparks in a statement *[a copy of which is attached to these Minutes as Appendix 2 and on the Council's website]* explained that the issue of traffic speeds on the A37 through Clutton was one of the most common issues raised by his constituents. He presented a petition of 76 signatures asking Cabinet to reduce the speed limit from 40mph to 30mph, in line with all other rural parishes on the A37 in the area.

Rosemary Naish (Chair, Clutton Parish Council) in a statement *[a copy of which is attached to these Minutes as Appendix 3 and on the Council's website]* supported the petition presented by Councillor Sparks. She felt that the move would not be costly but would be well received and would improve safety.

Sheila Clarke (Timsbury Road Safety Group) in a statement *[a copy of which is attached to these Minutes as Appendix 4 and on the Council's website]* highlighted the difficulties encountered by residents of two care homes in South Road, Timsbury, during snowy conditions because the road is not gritted. She presented a petition of 597 signatures asking Cabinet to include South Road Timsbury in the gritting route.

David Redgewell (South West Transport Network) in a statement reminded Cabinet of its Equality duty and of its promise given the previous year to grit all Dial-a-Ride routes. On the issue of bus subsidies, he asked the Cabinet to work with other surrounding Councils to persuade the Mayor of Bristol not to withdraw £700K support, which would impact delivery of off-peak services and particularly the Bristol to Bath bus service. He further asked Cabinet to ensure that the Council would comply fully with the law and would phase out high-floor buses, particularly on the numbers 5 and 10 services.

The Chair assured David Redgewell that Leaders of the surrounding authorities were in close negotiations with the Mayor of Bristol over this issue.

Robert Morgan in a statement *[a copy of which is attached to these Minutes as Appendix 5 and on the Council's website]* observed that the Council did not appear to have a Conservation Management Plan for assets in their possession. He asked the Cabinet to ensure that officers would always observe Council policy in their dealings and highlighted a situation in his own experience.

The Chair assured Robert Morgan that he would provide a full and complete response to his statement within 5 days of the meeting.

90 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 13th November 2013 be confirmed as a correct record and signed by the Chair.

91 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

There were none.

92 MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

The Chair welcomed Councillor Sally Davis (Chair of the Early Years, Children and Youth PDS Panel) and asked her to introduce the Panel's recommendations from its meeting to consider the Call-in of the Cabinet decision on restructuring of the Early Years Service.

Councillor Davis in a statement [*a copy of which is attached to these Minutes as Appendix 6 and on the Council's website*] explained the findings of the Panel. The Panel still felt that the Cabinet had not answered a number of questions. The Panel had upheld the Call-in because members had felt that Cabinet had failed to give enough detail in their previous decision as to when the proposals would be implemented. The Panel had asked that Cabinet reconsider its original decision and that the replacement decision would give more detail of how and when progress would be made.

The Chair thanked Councillor Davis for her explanation and said that Cabinet would fully consider the Panel's recommendations at item 18 of the agenda.

93 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

The Cabinet agreed to note the report.

94 HERITAGE SERVICES COLLECTIONS DEVELOPMENT POLICY

Councillor Ben Stevens introduced the item by reminding Cabinet of the need to maintain the integrity of the Council's collection. The Council had an excellent record and wished to retain accredited status for its museums and galleries. He praised the work of its museum staff and moved the proposals.

Councillor Paul Crossley seconded the proposal. He spoke particularly of the trust built up between the Council and its public donors; although occasionally there was a need to buy or sell items, the Council had always sought to honour the conditions placed upon donations. He praised the museums and art gallery staff for delivering an excellent service.

On a motion from Councillor Ben Stevens, seconded by Councillor Paul Crossley, it was

RESOLVED (unanimously)

(1) To APPROVE the Collections Development Policy.

95 B&NES HOMELESSNESS STRATEGY

Councillor Eleanor Jackson in an *ad hoc* statement reminded the Cabinet that a task and finish group investigation into youth homelessness had been conducted in 2010. She still had to report that there were over 200 "sofa surfers" in the Somer valley however, and probably more in Bath. She asked the Cabinet to stay alert to the problem.

Councillor Simon Allen introduced the item by reminding Cabinet that the Council had a very good track record of supporting homeless adults and young people. This was achieved by working closely with partners. He highlighted some known causes of homelessness and listed a number of ways in which the Council was seeking to help by intervening before people became homeless. He committed the Council to delivering a gold standard service.

He moved the proposals.

Councillor Tim Ball seconded the proposals which he felt were excellent and long-awaited. The report showed that homelessness was preventable. He emphasised that the policy be kept up-to-date.

On a motion from Councillor Simon Allen, seconded by Councillor Tim Ball, it was

RESOLVED (unanimously)

(1) To NOTE the report; and

(2) To APPROVE the Homelessness Strategy 2014-2018.

96 SCHOOLS CARBON REDUCTION PROGRAMME - INVEST TO SAVE LOAN FUND

Councillor Dine Romero moved the recommendations. She explained that good quality data was now available about schools energy usage and was keen to see the benefits of the Invest to Save proposals.

Councillor Paul Crossley seconded the proposals. He felt that a time of climate chaos was ahead and that the solution must come from working with schools to educate young people. He promised a report back at a future date to update Cabinet on progress.

Councillor Ben Stevens expressed the hope that the proposals would lead to the Council winning another award for being proactive in green issues.

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

RESOLVED (unanimously)

(1) To NOTE the progress made in completing energy surveys of all schools as the latest stage of the Schools Carbon Reduction Programme;

(2) To APPROVE capital allocations of £500,000 for the Invest to Save Loan Fund and £290,000 for the Schools Carbon Reduction Grant for inclusion in the Children's Service Capital Programme 2013/14 to assist schools in undertaking energy efficiency measures; and

(3) To DELEGATE to the Strategic Director, People and Communities the approval of loan funding following an assessment of the individual business plans submitted by schools.

97 CHANGE OF CONTROL - THERMAE DEVELOPMENT COMPANY LIMITED

Colin Skellet in an *ad hoc* statement explained why he felt that YTL would be well qualified to operate the spa franchise and would deliver a reliable operation which they would develop in the interest of the company, the Council and the local economy.

Councillor Peter Anketell-Jones in an *ad hoc* statement asked whether the change of operator would have any effect on entrance charges, or on the special offers presently enjoyed by local residents.

Councillor David Bellotti in introducing the item said that the key issue was about the lease for operating the spa. Cabinet would be asked to agree to transfer the operating lease from one company to its parent company. The essential principle was that the Council would not be worse off as a result – of which he was confident. He felt that it would be unreasonable to refuse the transfer. He moved slightly different proposals from those recommended in the report.

Councillor Ben Stevens said that he was satisfied that YTL would be a very capable operator. They had already shown evidence of a strong local commitment and where they were operating elsewhere they had commendably developed the local supply chain. He seconded the proposal.

Councillor Paul Crossley reminded the Cabinet of the difficult times which had led up to the birth of the spa and contrasted those difficulties with the great success of the scheme now. He expressed a debt of thanks to Thermae for operating the spa so successfully which had helped develop the local tourist economy. He emphasised that the asset was not being sold – what was to be transferred if agreed by Cabinet would be the lease to operate the facility.

On a motion from Councillor David Bellotti, seconded by Councillor Ben Stevens, it was

RESOLVED (unanimously)

- (1) To APPROVE in principle the proposed change of control;
- (2) To AUTHORISE and give delegated authority to the Chief Executive, in consultation with the Leader and the Chief Financial and Monitoring Officers, to grant consent subject to any outstanding matters being resolved to her satisfaction; and
- (3) To AUTHORISE the Chief Financial Officer, in consultation with the Chief Executive and Monitoring Officer, to enter into any necessary arrangements or take any other action to give effect to the decision, including finalising the terms of a formal deed of consent.

98 CYCLE CITY AMBITION GRANT BID

Councillor Eleanor Jackson congratulated officers on winning the award. She asked Cabinet if some of the funds might be used to place signage at a particular spot on the cycle track near Radstock, where users of the track had sometimes been confused.

Councillor Caroline Roberts agreed to bear in mind the comments made by Councillor Jackson. She said that the proposals were asking Cabinet to accept £58K match funded so as to make very welcome improvements to the Seven Dials area. She moved the proposals.

Councillor David Dixon agreed with the remarks of Councillor Jackson about the need for signage on the cycle track in Radstock and said he felt the signage should be provided soon. He referred to the proposals moved by Councillor Roberts and said he thought that a £58K investment to get a £1.2M return was excellent news. He felt that the Seven Dials was a very interesting place and the proposed development would make it even better. He seconded the proposal.

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

RESOLVED (unanimously)

(1) To ACCEPT the DfT Cycle City Ambition grant to develop the Seven Dials concept scheme and associated contraflow cycle facilities in Saw Close, Monmouth Street, Westgate Buildings, Lower Borough Walls, New Street and Avon Street into a detailed scheme following consultation;

(2) To DELEGATE authority to the Strategic Director for Place in consultation with the Cabinet Member for Transport to approve and implement a detailed design following consultation and approval of £58,000 match funding by Council; and

(3) To NOTE that implementation of the scheme will be subject to successful completion of statutory processes, including Traffic Regulation Orders and Cycle Track Orders.

99 **ADVICE AND INFORMATION SERVICES STRATEGY**

Joe Scofield in a statement [*a copy of which is attached to these Minutes as Appendix 7 and on the Council's website*] pointed out that large numbers of residents from the Twerton and Whiteway area had been helped by the Citizens Advice Bureau in the previous 3 years. He appealed to Cabinet to sustain the help and support offered to a large number of people.

Lin Patterson in a statement [*a copy of which is attached to these Minutes as Appendix 8 and on the Council's website*] said she felt that the strategy document made a convincing case for continuing the current level of funding for Citizens Advice Bureau. She argued that the CAB had the ability to attract and hold long serving volunteers and had an unrivalled reputation for service.

Councillor Tim Warren in an *ad hoc* statement acknowledged the hard work of officers who had produced the report in such a short timeframe. He felt however that a report to Council in January would have allowed more time to develop a strategy. He felt that the report placed before Cabinet did not address all the points made by Council. He asked a number of questions which he felt remained unanswered. In particular, the report did not explain how the service would be delivered, nor how it would be funded.

Councillor Simon Allen introduced the item. He said that if the strategy were adopted, it would start a 6-week consultation process. He had been pleased that the strategy had come about as a result of democracy in action – as a request from Council. The aim of the Council should be to ensure that people know how and where to get the information and advice they need and are able to maximise their independence by using the knowledge they have gained. The strategy would reflect recent changes in society by protecting vulnerable members of society.

He moved the proposals.

Councillor Katie Hall observed that Councils would soon have a statutory duty to provide certain information and advice services. She therefore warmly seconded the proposals.

On a motion from Councillor Simon Allen, seconded by Councillor Katie Hall, it was

RESOLVED (unanimously)

- (1) To AGREE to consult for a period of 6 weeks from 9th December to 24th January on the draft Advice & Information Strategy 2014-16; and
- (2) To ASK for a report on the outcome of the consultation at its February 2014 meeting, with a view to agreeing and publishing an Advice & Information Strategy 2014-17 in fulfilment of the commitment made at Council on 14 November 2013.

100 CONSIDERATION OF CALL-IN RECOMMENDATIONS: RE-STRUCTURING OF THE EARLY YEARS, CHILDREN'S CENTRE AND EARLY HELP SERVICES

Councillor Liz Hardman in a statement said that the proposed cuts were too deep. She felt that Cabinet had failed to respond adequately to the recommendations of the Panel or of the Minority Report. She had asked for a cost benefit analysis but this had not been provided. She repeated her request that an assurance be given that no cuts would take place before April 2015. She reminded Cabinet that volunteers did a great job but were not obliged to turn up. Rather than allocating money for cycle paths, she would have preferred to use it on keeping Children's Centres running effectively.

Councillor Eleanor Jackson in a statement said that Cabinet would be held to account for cuts in Children's Centres. She asked Cabinet to reconsider its plans because she felt that what was required was a 2-year plan for delivering essential services.

Councillor Dine Romero said that she had already responded directly to all of the Panel's recommendations. Her formal response had been attached as Appendix 2 to the report and she would be asking Cabinet to approve those responses. She had explained to the Panel that not all of the questions can be answered until a model for the future service is confirmed. The Panel also asked for a timetable, which she said has now been provided (Appx 3 of the report). The model would be in place by March 2015. She had not, however, given any assurances that no cuts would be found to be necessary before then.

She moved the proposals.

Councillor Simon Allen seconded the proposal. He confirmed that the whole Cabinet had discussed the issue in depth. He would rather have been able to avoid the current situation but the council was faced with very tough challenges and he reminded those who had Called-in the previous decision that they had offered no alternatives. He supported the approach offered by Councillor Romero and seconded the proposals because it was essential that services should be targeted towards the most vulnerable. He emphasised that no Children's Centre would be closed.

Councillor Ben Stevens supported the proposals. He responded to Councillor Hardman by observing that transferring the one-off capital funding for cycle paths to pay for the recurring revenue costs of Children's Centres was not allowed and not feasible.

Councillor Katie Hall observed that savings had to be found across the Council. She stressed the importance of Early Years intervention but said that a model must be found which would deliver the service within the available budget.

Councillor David Bellotti regretted any reduction to services for children and young people. The current circumstances offered an opportunity to reconsider how services were delivered. Given that central Government had put more funds into

health visitors, this would be a good time to refocus the service. He emphasised however that there was no intention to replace all paid staff by volunteers.

Councillor Bellotti thanked Councillor Sally Davis and the PDS Panel for their hard work. He observed that all of the Panel's recommendations had been accepted by Cabinet. The only recommendation not accepted was the one asking Cabinet to reject the budget agreed by Council in February 2013. Cabinet had given assurances that other services would not be cut in order to refinance the Early Years Service. He reminded Cabinet that the Government had not yet confirmed the new Budget settlement, so it was not fair of others to ask Cabinet to commit to particular Budget items at this stage.

Councillor Paul Crossley repeated that the Cabinet did not take any cuts lightly. But the model for delivery of this service was being reconsidered in the light of the Budget agreed by Council in February. Offers to get involved had been received from a number of organisations, which he felt was very promising and would lead to inevitable change, with new partners. He looked forward to all 4 political groups working together to determine the best way forward.

Councillor Romero affirmed that she would engage with a variety of providers and partners to come up with a model for delivery of a service which would meet the needs of those most vulnerable.

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

RESOLVED (unanimously)

- (1) To NOTE the outcome of the call-in by the Early Years, Children and Youth PDS Panel;
- (2) To AGREE the response to each of the recommendations of the Panel report and the Minority report (Appx 2 of the report);
- (3) To AGREE the consultation and decision timeline (Appx 3 of the report); and
- (4) To REQUEST that the Early Years, Children and Youth PDS Panel receive a presentation from Officers on the developing model at its meeting in January 2014.

The meeting ended at 8.13 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services