

Wednesday, 10th September, 2014

**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 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

**57 WELCOME AND INTRODUCTIONS**

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

The Chair welcomed everyone to the meeting.

**58 EMERGENCY EVACUATION PROCEDURE**

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

**59 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**60 DECLARATIONS OF INTEREST**

There were none.

**61 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

There was none. The Chair announced that he would hear item 16 (Bath Freight Consolidation Contract) before item 12 on the agenda.

**62 QUESTIONS FROM PUBLIC AND COUNCILLORS**

There were 19 questions from Councillors and 7 questions from members of the public.

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

## 63 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

Roger Berry (Managing Director, Healthmatic) in a statement apologised for an incident in July when a member of the public had been inadvertently locked in a toilet. He assured the Cabinet that the engineer had arrived very promptly to deal with the situation. The Healthmatic member of staff had undertaken training to ensure that there would be no repeat of the incident. Healthmatic had since made donations to the charities DHI and Julian House.

Councillor David Dixon asked Roger Berry whether he had received any feedback from members of the public about the new facilities. Roger replied that the overwhelmingly positive. There had been only 3 complaints about the 20p charge for use. There had been no complaints about queues, nor had he seen any queues despite having visited the various facilities at different times.

Penny Hay (Director of Research, 5x5x5=creativity and Senior Lecturer in Arts Education, Bath Spa University) in a statement [*a copy of which is attached to the Minutes as Appendix 4 and on the Council's website*] asked Cabinet to endorse the application for UNICEF accreditation of Bath as a Child Friendly City. She reminded Cabinet that the city was a magnet for child friendly initiatives and felt that the status could be of huge benefit to the area.

Councillor Ben Stevens asked Penny Hay to give an example of benefit to local children. Penny referred to the Schools Without Walls project which had been very successful and in which children were active protagonists in their own learning.

Councillor Tim Ball asked Penny whether projects should be adult led or whether children should lead them. Penny observed that the event planned for 1<sup>st</sup> October was co-designed by young people and would not be delivered by adults.

Sue East (Head Teacher, St Andrew Primary) supported Penny Hay's statement. She had discovered that children did not always feel as connected to their city as might be hoped. She urged Cabinet to take up the initiative.

Councillor Tim Ball asked Sue East whether she could ensure that the voice of children would come through clearly and that children were reached even in communities which did not normally respond. Sue East responded that those who worked with children did know how to hear their voice.

Councillor Dine Romero asked what was the most important factor that the Council should work on. Sue East said that the Council should perform an audit on all of its services. Some excellent work had been done in the Roman Baths because children had been consulted.

Councillor David Dixon asked Sue East and Penny Hay whether they would contact him about open spaces. They agreed.

David Redgewell (South West Transport Network) in a statement [*a copy of which is attached to the Minutes as Appendix 5 and on the Council's website*] asked the Cabinet to ensure that there would be no delay to the Great Western Train franchise. He congratulated the Cabinet on saving a number of bus routes and services, despite the incorrect article in the local press. He emphasised the need for maintenance of bus shelters.

Councillor Paul Crossley asked David Redgewell whether he wished to make any points about the freight contract which would be discussed later in the meeting.

David Redgewell said the contract was very important. It was essential to keep HGVs out of the city centre. He asked the Cabinet to work with South Gloucestershire Council to encourage the splitting of loads coming into Bath from the Yate distribution centre.

Peter Downey (Deputy Chairman, Wellow Sports) in a statement [*a copy of which is attached to the Minutes as Appendix 6 and on the Council's website*] asked the Cabinet to make an award of £15,000 to enable the club to extend its facilities.

Andy Smith (Chair, Wellow Sports) in a statement [*a copy of which is attached to the Minutes as Appendix 7 and on the Council's website*] asked the Cabinet to make an award of £15,000 to enable the club to extend its facilities.

Debbie Clarkson read a statement [*a copy of which is attached to the Minutes as Appendix 8 and on the Council's website*] on behalf of Dr. Heather Andrews (Head of Local Fundraising, Wellow Sports) asking the Cabinet to make an award of £15,000 to enable the club to extend its facilities.

Chris Wordsworth (Vice-Chair, Wellow Sports) in a statement [*a copy of which is attached to the Minutes as Appendix 9 and on the Council's website*] asked the Cabinet to make an award of £15,000 to enable the club to extend its facilities.

Ron Humphreys (Wellow Sports) in a statement [*a copy of which is attached to the Minutes as Appendix 10 and on the Council's website*] asked the Cabinet to make an award of £15,000 to enable the club to extend its facilities.

Sibella Chauveau (Young member, Wellow Sports) in a statement [*a copy of which is attached to the Minutes as Appendix 11 and on the Council's website*] asked the Cabinet to make an award of £15,000 to enable the club to extend its facilities.

Robert Morgan (Guildhall Market Stallholder) in a statement [*a copy of which is attached to the Minutes as Appendix 12 and on the Council's website*] thanked Councillor Crossley for meeting with him and for agreeing a way forward following a number of months of uncertainty. He asked Councillor Crossley to ensure that he would be sent a letter confirming that no enforcement or other action was to be taken against him over the allegations of illegal development which he emphasised were false.

Councillor Paul Crossley confirmed to Robert Morgan that in their meeting they had agreed to suspend all actions on both sides. He assured Robert that he would receive the information from officers that he had requested.

Jay Risbridger (Director, Bath Currency CIC) in a statement advised the Cabinet that the inauguration of the Bath Pound was moving forward, with a launch date in early 2015. She observed that early involvement of the Council would be essential to the success of the scheme and she asked the Cabinet to commit to this.

Cabinet members asked about some of the practical arrangements supporting the scheme and Jay Risbridger responded.

## 64 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 16<sup>th</sup> July 2014 be confirmed as a correct record and signed by the Chair.

## **65      CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET**

There were none.

## **66      MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES**

The Chair welcomed to the meeting Councillor Sally Davis, Chair of the Early Years, Children and Youth PDS Panel, and invited her to speak.

Councillor Davis in a statement [*a copy of which is attached to the Minutes as Appendix 4 and on the Council's website*] thanked all those who had taken part in the consultation exercise over the restructuring of the Early Years service. She asked Cabinet to keep her Panel fully informed and involved in future consideration of the proposals and she presented the recommendations recently agreed by the Panel.

## **67      SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING**

The Chair drew attention to a replacement report, including some more recent decisions, [*copies of which had been placed in the public gallery prior to the meeting and which is attached to these Minutes as Appendix 2 and on the Council's website*].

The Cabinet agreed to note the report.

## **68      BATH FREIGHT CONSOLIDATION CONTRACT**

David Redgewell said he was very pleased that the contract was to be renewed. He remained concerned about the level of vehicles and emphasised the need to reduce the number of HGVs coming into the city. He asked the Cabinet to encourage Wiltshire County Council to look at its distribution networks too, especially around Trowbridge.

Councillor Charles Gerrish in an *ad hoc* statement welcomed the paper and said that he supported the principle. He observed however that there was no mention of what would happen if Bristol declined to renew. He asked the Cabinet to consider making it a condition of awarding planning consent to companies that they would use this facility. He suggested that Planning Officers be asked to make it a condition for businesses that they use this facility. He asked for Keynsham to be included in the contract.

Councillor Anthony Clarke in an *ad hoc* statement was supportive but emphasised the need to persuade big businesses to commit to the scheme

Councillor Caroline Roberts introduced the item and explained to Councillor Gerrish that there was already good reason to have a high level of confidence that Bristol would adopt the same approach. She agreed to consider the inclusion of Keynsham in the scheme, as part of the Keynsham Transport Strategy. She emphasised the Cabinet's commitment to sustainable deliveries and said that the number of companies involved had risen from 17 in 2011 to 34 in 2014. It was a contributing

factor in improving air quality and in reducing the dirt and damage to buildings. She moved the proposals.

Councillor Paul Crossley seconded the proposal. He was pleased that the contract was to be renewed. He assured David Redgewell that Cabinet would consider the situation in Wiltshire too. He assured Councillor Charles Gerrish that should Bristol change its mind, the Cabinet would give serious consideration to continuing; but he was confident that Bristol would commit.

Councillor David Dixon supported the proposals. He was pleased that there was an alternative, rather than just to hit businesses with the planning approach. He observed to Councillor Charles Gerrish that some Keynsham businesses had already committed to the existing scheme. He agreed that the Trowbridge situation needed to be explored.

Councillor Tim Ball supported the proposals. He responded to Councillor Charles Gerrish that the imposition of planning conditions was not an option because the government minister had recently stripped Councils of many of its planning powers.

Councillor David Bellotti emphasised the importance of the proposals for the health of people in the city. He commended the businesses which had already signed up to the contract.

On a motion from Councillor Caroline Roberts, seconded by Councillor Paul Crossley, it was

**RESOLVED** (unanimously)

(1) To AWARD the new contract for three years, with an option to terminate after two years. If either authority took the decision to terminate the contract after two years, the other authority would have the option to continue for a further year; and

(2) To ASK the Strategic Director of Place during the contract period to explore local options that would help to expand the service further.

## **69 ADVICE AND INFORMATION STRATEGY 2014-17**

Councillor Vic Pritchard in an *ad hoc* statement said he was pleased that the strategy had reached this point. He observed however that the Action Plan was not included with the published papers.

Peter Duppia-Miller in an *ad hoc* statement [*a copy of which is attached to these Minutes as Appendix 13 and on the Council's website*] asked the cabinet to consider use of the Town and Parish Councils as information points, particularly for self-service information.

Councillor Simon Allen apologised that the action plan was not yet available. He explained that there had been two periods of consultation on this issue. In particular, views had been sought from the Apex providers, CAB, SWAN, Age UK, DHI and the Carers Centre. This group had been asked to draw up the action plan in conjunction with the Council, as stated in the report.

Councillor Allen said that the strategy was very ambitious because there were a large number of separate sources of information. He thanked Peter Duppamiller for the offer of help from Parish Clerks.

He moved the proposals.

Councillor David Bellotti seconded the proposal. He recognised that people wanted and needed to be able to get information from a single point. He wanted to avoid the Council becoming no more than a signpost to other sources of information. He felt these proposals would achieve that.

Councillor Paul Crossley observed in response to Councillor Vic Pritchard that at paragraph 8.5 the report stated that the action plan would be developed in consultation with the partners. He asked the Democratic Services Officer to ensure that the action plan would in due course be published.

On a motion from Councillor Simon Allen, seconded by Councillor David Bellotti, it was

**RESOLVED** (unanimously)

- (1) To NOTE the consultation feedback received and subsequent amendments made to the draft document; and
- (2) To AGREE the Strategy.

## 70 B&NES ECONOMIC STRATEGY REVIEW AND SKILLS PLAN

Councillor Patrick Anketell-Jones in an *ad hoc* statement welcomed the strategy as a very good response to changing economic times. He made the following observations about the issue: the danger of intensifying economic activity in a small area, thus putting demand on the infrastructure, meant that the Cabinet should consider an urban plan, not just a transport strategy; the nature of high-growth business was changing rapidly; Midsomer Norton was falling behind the pack and although the paper was forward-looking, it was focused too much on the city of Bath.

Councillor Eleanor Jackson in an *ad hoc* statement supported the comments made by Councillor Anketell-Jones about Midsomer Norton. Her PDS Panel had asked for an economic report on that area. She pointed out that over 60% of the working population in that area commuted into Bath or Bristol for their work.

Councillor John Bull in an *ad hoc* statement expressed disappointment that the strategy did not differentiate between towns geographically. He reminded the Cabinet that new jobs would require new work locations and was concerned that there were no such proposals, which would be a real hurdle to overcome.

Peter Duppamiller in an *ad hoc* statement [*a copy of which is attached to these Minutes as Appendix 14 and on the Council's website*] referred to paragraph 5.12 of the strategy and re-iterated the view of the Town and Parish Councils Association that this was a strategic issue. He strongly urged the early implementation of Theme

12, which he said must deliver reliable, high-speed broadband to every home and business in the rural area.

Councillor Ben Stevens introduced the item by reminding the Cabinet that this was a commitment given in 2010. The document set out the local economic priorities. The 2008 recession had caused a reduction in jobs but this had been reversed. There was a particular emphasis on high-tech opportunities. High-speed broadband was a critical plank in the strategy, as was the development of the market towns. He would welcome a conversation with Councillor Patrick Anketell-Jones if he felt the strategy was not flexible enough towards businesses.

Councillor Stevens felt that Midsomer Norton was a very successful market town with a thriving High Street and that proposed initiatives in that area would contribute to this. He observed that steps had been taken to encourage the use of some sites in Paulton but many companies were looking particularly for sites along the A4 corridor.

Councillor Stevens referred to the 3 key schemes, listed in paragraph 5.2 of the report. He moved the proposals.

Councillor Paul Crossley seconded the proposal. He emphasised that solutions were coming forward for the Cadbury site in Keynsham and for Midsomer Norton. The whole area was proving to be very attractive to new companies.

Councillor Tim Ball congratulated Councillor Ben Stevens for the excellent strategy. This was one part of the Core Strategy which would back up all the Council has been doing. He was keen to see the growth in businesses, houses and jobs in the Radstock area.

Councillor David Dixon observed that in 2011, when the current administration had been formed, the area had not yet been acknowledged as the 3<sup>rd</sup> best place to live in the UK as it now was. He was delighted that things were beginning to move forward in Midsomer Norton and Radstock. The challenge would be to build suitable accommodation and office buildings in the area. He pointed out to those who had complained of bad broadband coverage in the rural areas that the businesses in Walcot Street also suffered because of the old copper broadband installation.

Councillor David Bellotti was pleased that unemployment was reducing in the area, there had been a massive reduction in benefit claimants and businesses and colleges were providing large numbers of apprenticeships.

Councillor Ben Stevens, in summing up, said he would be meeting very soon with Bradwells to discuss the broadband provision in Walcot Street.

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

**RESOLVED** (unanimously)

- (1) To ENDORSE the objectives and priorities set out in the Economic Strategy Review and agree the Action Plan as a framework for partnership action in the period 2014–2020; and

(2) To DELEGATE authority to the Strategic Director for Place, in consultation with the Cabinet Member for Sustainable Development, to:

- (i) agree a framework for measuring and monitoring progress against the key priorities in the Economic Strategy; and
- (ii) agree minor amendments to the Strategy & Action Plan in conjunction with the Economic Partnership Group prior to publication of the documents.

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

Vicky Drew in a statement [*a copy of which is attached to these Minutes as Appendix 15 and on the Council's website*] referred to the fact that Children's Centres were being shut all over the country and appealed to Cabinet to avoid closing any in the area.

Councillor Liz Hardman in an *ad hoc* statement reminded Cabinet of the huge consultation process which had taken place earlier in the year and asked what part the feedback had played in the thinking leading up to the current proposals. She observed that 70% of the respondents had been parents. She encouraged Cabinet to give an opportunity for the proposed staff co-operative to be put in place.

Councillor John Bull in an *ad hoc* statement said that Children's Centres were still faced with cuts of £1M. The business case for a staff mutual would take 18 months to prepare and he asked Cabinet to allow time for this to happen. He suggested that funds could be used from the Council's reserves to suspend any plans until the end of the financial year, so as not to make any changes which would be impossible to reinstate at a later date.

Councillor Michael Evans in an *ad hoc* statement emphasised that it was not possible to use funds which should be available to future generations. He pointed out that it had never been intended that the Sure Start initiative would provide universal access to services. He recognised the ability of a staff mutual to access certain external funding which the Council as a public body was prevented from accessing. He gave credit to the Cabinet that it had been able to avoid closing any Children's Centres.

Councillor Eleanor Jackson in an *ad hoc* statement acknowledged the diminishing funds available, but emphasised that people wished to see Children's Centres protected. She strongly supported the proposals put forward by the Early Years, Children and Youth PDS Panel and the proposal from Councillor Bull that Cabinet should suspend any changes during the current financial year.

Councillor Dine Romero introduced the item. With reference to the possible staff mutual, she would need to know that any business case would be viable. It could possibly be in place by summer 2016 but would need time to mature before being floated off from the Council. She thanked those who had contributed to the debate, including those who had responded to the consultation and particularly to the staff of the Children's Centres. She felt that there were two conflicting pressures: reducing

resources and meeting the needs of children. She proposed to meet both. She emphasised that no Children's Centres had been or would be closed. She recognised the importance of outreach work and, as a result, the number of Health Visitors was being expanded. She was confident that the needs of families would continue to be met.

Councillor Romero said she wanted to explore further the possibility of a staff mutual and that some additional transitional funding would be required while this was achieved. She moved the proposals.

Councillor Simon Allen seconded the proposal. He thanked the staff in the Children's Centres for doing a very difficult job. He applauded their bravery in submitting a Right to Provide request and reminded the Cabinet that the council does have previous experience of setting up mutual organisations. He emphasised that no Children's Centres had been closed but that they would be opened up to the community even more. He felt that the alternative suggested by Councillor Bull would be too expensive.

Councillor David Dixon was very impressed by the management buyout proposal. He strongly valued consultation but reminded Cabinet that it was usually impossible to deliver everything the public said they wanted.

Councillor Ben Stevens felt that the proposals were excellent and responded to Vicky Drew by reminding her that no Children's Centres had or would be closed.

Councillor Dine Romero summed up by reminding the Cabinet of the history of the issue. The budget for Early Years services had been reduced by a budget decision taken in full Council. While other authorities had closed many Children's Centres, this authority had not had any closures, nor had it increased Council Tax. But the service will by necessity look different.

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

**RESOLVED** (unanimously)

- (1) To NOTE the results of the consultation processes and the range of views expressed by respondents, both for and against each element of the proposed changes;
- (2) To AGREE to implement the new proposed service model, in order to deliver the cost savings approved in the Council's approved Medium Term Service and Resource Plan;
- (3) To NOTE the 'Right to Provide' proposal submitted by Children's Centre staff who wish to explore the development of a 'staff mutual', (which could help to enable some elements of universal provision to be delivered without direct Council funding), and to AGREE to permit the staff to develop a business case;
- (4) To DELEGATE authority to the Strategic Director (People and Communities) and Cabinet Member for Early Years, Children and Youth, in consultation with the

Section 151 Officer, to have discretion at key stages to halt the process if it becomes evident that the business case is not going to be viable;

- (5) To AGREE in light of the above that the Council will continue to be the direct provider of Children's Centre Services for 9 Children's Centres until March 2018 unless a staff mutual is established at an earlier date for an appropriate procurement process to be undertaken;
- (6) To AGREE in light of the above the continuation of the Bath West Children's Centre Services (the 2 Children's Centres contracted from an external provider) through appropriate procurement mechanisms to run until March 2018 in order to align with the in-house service;
- (7) To AGREE that both the Council service and commissioned provider will be required to work together to enable the new two-service model to be progressively implemented ahead of a full re-commissioning process to let a contract that runs from April 2018 onwards;
- (8) To APPROVE the inclusion of further transitional funds of £104,000 in 2015/16 and plan for transitional funding of £76,000 in the Council Budget for 2015/16, with transitional funding to be spread over the following 2 financial years to support these measures, due to the resulting delay in achieving the full implementation of the new two-service model;
- (9) To INSTRUCT officers and commissioned providers to continue to promote and explore opportunities to enable some universal services, such as groups and peer networks, to be delivered without direct Council funding; and
- (10) To ASK the Early Years, Children and Youth Policy Development and Scrutiny Panel to receive a report and review implementation of new models a year following implementation.

## 72 UNESCO INFORMATION DOSSIER

Councillor Patrick Anketell-Jones in an *ad hoc* statement welcomed the information dossier which he said seemed to stretch back a long way. He asked whether the Bath Pattern Book had yet been published and observed that there appeared to be no strategy for limiting the heights of buildings.

Councillor Ben Stevens introduced the item by reminding Cabinet that they would be asked to endorse the document for submission to UNESCO. He commended Tony Crouch, World Heritage Manager, for his hard work in securing the designation of Bath as a World Heritage City. He reminded the Cabinet that protecting the world heritage site and developing the area were not mutually exclusive. He moved the proposal.

Councillor Tim Ball seconded the proposal. He congratulated Councillor Stevens and Tony Crouch for the excellent report. He agreed with Councillor Stevens that protection of the world heritage site was very important but that Bath must not become a sleeping city.

Councillor Paul Crossley said that the Council was seeking designation as a Great Spa Town of Europe. He acknowledged the point made by Councillor Anketell-Jones and said that building heights was one of the issues needing resolution.

Councillor David Dixon reminded the Cabinet that Berkeley House in Snowhill had in its day won awards for design. He felt that the Council must demand the very best design, not simply restrict the heights of buildings. Bath was a living, vibrant city. He had recently been delighted to use his Discovery Card to take the excellent Tower Tour in the Abbey – which he had not known about previously.

Councillor Ben Stevens summed up by committing to check that the Bath Pattern Book had been published. He acknowledged the importance of architectural quality in all development across the area.

On a motion from Councillor Ben Stevens, seconded by Councillor Tim Ball, it was

**RESOLVED** (unanimously)

- (1) To ENDORSE the submission of the dossier to UNESCO.

**73 TREASURY MANAGEMENT MONITORING REPORT TO 30TH JUNE 2014**

Councillor David Bellotti introduced the item. He was delighted to observe that current borrowing was at £70M, which was £50M less than he had inherited from the previous administration. He moved the proposals.

Councillor Tim Ball seconded the proposal. He said that the report showed how well the Council was delivering its programme, within the current economic restraints.

On a motion from Councillor David Bellotti, seconded by Councillor Tim Ball, it was

**RESOLVED** (unanimously)

- (1) To NOTE the Treasury Management Report to 30th June 2014; and
- (2) To NOTE the Treasury Management Indicators to 30th June 2014.

**74 REVENUE & CAPITAL BUDGET MONITORING, CASH LIMITS AND VIREMENTS – APRIL TO JULY 2014**

Councillor David Bellotti introduced the item by observing that for the previous 3 years, the Council had ended the year within its budget and he anticipated the current year would be no exception. He referred to paragraph 2 of Appendix 1, which showed the list of capital projects being delivered by the Cabinet's ambitious programme. He moved the proposals.

Councillor Paul Crossley seconded the proposal and noted that the current level of overspend was only 0.5% which would be rectified by the end of the financial year. He observed that some of the current overspends were demand-led and so very

difficult to control. He reminded Cabinet that investments had been made across the whole of the council's area.

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

**RESOLVED** (unanimously)

- (1) To ASK Strategic Directors to continue 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 July and the year end projections;
- (4) To AGREE the revenue virements listed for approval; and
- (5) To NOTE the changes in the capital programme.

The meeting ended at 9.50 pm

Chair \_\_\_\_\_

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

**Prepared by Democratic Services**