

## **BATH AND NORTH EAST SOMERSET**

### **CABINET**

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

Wednesday, 4th May, 2016

#### **Present:**

Councillor Tim Warren	Leader of the Council and Conservative Group Leader
Councillor Liz Richardson	Cabinet Member for Homes and Planning
Councillor Patrick Anketell-Jones	Cabinet Member for Economic Development, Conservative Deputy Group Leader Bath
Councillor Charles Gerrish	Cabinet Member for Finance and Efficiency, Conservative Deputy Group Leader North East Somerset
Councillor Vic Pritchard	Cabinet Member for Adult Social Care and Health
Councillor Anthony Clarke	Cabinet Member for Transport
Councillor Martin Veal	Cabinet Member for Community Services
Councillor Michael Evans	Cabinet Member for Children's Services

#### **90 WELCOME AND INTRODUCTIONS**

The Chair welcomed everyone to the meeting.

#### **91 EMERGENCY EVACUATION PROCEDURE**

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

#### **92 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

#### **93 DECLARATIONS OF INTEREST**

There were none.

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

There was none.

#### **95 QUESTIONS FROM PUBLIC AND COUNCILLORS**

There were 10 questions from Councillors and 2 questions from members of the public.

*[Copies of the questions and responses, including supplementary questions and responses if any, have been placed on the Minute book at Democratic Services and are available on the Council's website.]*

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

The Chair informed the meeting that all registered speakers asked to address the Cabinet before the relevant agenda item.

**97 MINUTES OF PREVIOUS CABINET MEETING**

**RESOLVED** that the minutes of the meeting held on Wednesday 10th February 2016 be confirmed as a correct record and signed by the Chair, subject to the following amendment:

- Page 9, paragraph 5 should read: 'Councillor Charles Gerrish highlighted these Key Priorities within the budget....'

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

There were none.

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

The Cabinet agreed to note the report.

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

The Chair informed the meeting that Scrutiny Inquiry Day findings, conduct by the Communities, Transport and Environment Policy Development & Scrutiny Panel (CTE PDS), would be considered under agenda item 'Receipt of information requested by Council on the Park & Ride/East of Bath Transport issues. Councillor John Bull would have an opportunity to address the Cabinet as the Chair of the CTE PDS Panel.

**101 RECEIPT OF INFORMATION REQUESTED BY COUNCIL ON THE PARK & RIDE/EAST OF BATH TRANSPORT ISSUES**

The Chair informed the meeting that he would first invite registered speakers to address the Cabinet. Councillor John Bull would then address the Cabinet as the CTE PDS Panel Chair.

Barry Henderson, Secretary of the Federation of Bath Residents' Associations, read out a statement *[a copy of which is available on the Minute Book at Democratic Services and on the Council's website]* where he said that FOBRA had welcomed the integrated transport solution achieved in the Bath Transport Strategy, which was agreed by all parties on the Council in November 2014 and endorsed by the results of the general and local elections a year ago. There was a need for eastern Park

and Ride which may not be the most important part but was an essential part of the overall Strategy, and FOBRA asked the Cabinet to press ahead with it.

Andrew Lea said that the Cabinet should make a decision by taking into consideration correct information provided by their officers. However, according to Andrew Lea, officers had used an out of date data and had not acknowledge that capacity of existing Park and Rides were only at its highest due to predictable events. Andrew Lea added that Transport department had overlooked revised guidance by DEFRA and concluded that the Cabinet has moral and legal requirement to make their decision against Park and Ride east of Bath.

Annie Kilvington said that the Council had misinterpreted the law related to air quality management and added that planning department cannot accept an application if an emission exceeds legal limits. Annie Kilvington also said that the Council had not used data submitted by the Bathampton Meadows Alliance (Alliance) and urged the Cabinet to reject east of Bath Park and Ride report.

Tim Williams said that reports presented to the Cabinet had had omissions and shortcomings. Tim Williams also said that Park and Ride east of Bath had not been decided and that many towns and cities were moving away from Park and Ride concept. Tim Williams concluded his statement by saying that single Scrutiny Inquiry Day on the subject of Park and Ride was not enough and held at inconvenient time, and the report had failed to mention quite few important issues, including evidence from Alliance. Tim Williams asked the Cabinet to consider those issues before making their decision on the Park and Ride.

Christine Boyd said that report from the Local Development Framework (LDF) group had showed that the Park and Ride was unaffordable, taking into consideration that the whole project would cost the Council £12m. Christine Boyd also said that this would be poor value for money and it would take only 5% of traffic from London Road. Christine Boyd also commented that the Council had used out of date evidence and urged the Cabinet to make reasonable decision on this matter.

Nicolette Boater read out a statement *[a copy of which is available on the Minute Book at Democratic Services and on the Council's website]*.

Councillor Dine Romero said that she had recognised that there was a need in addressing air quality, pollution and traffic issues in the city which would require sustainable long term solution. Councillor Romero also said that there had been some talk on how standalone Park and Ride had been agreed in Transport Strategy and how bus scheme had been considered as an interim measure though this would need to be complementary to other measures without unacceptable impact on amenities, residents and on the Area of Outstanding Natural Beauty. Councillor Romero expressed her concerns with the Park and Ride consultation and asked the Cabinet to take more time to consider findings from the Scrutiny and LDF group.

Councillor John Bull, Chair of the CTE PDS Panel, said that the Scrutiny Inquiry Day had looked at integrated responses to transport difficulties and opportunities to the east of Bath. Councillor Bull also said that he was surprised that members of Alliance did not favour the report. All evidence received on the day from large number of contributors had been included in the Scrutiny report. The report also contains what had been discussed at various workshops on the day. Councillor Bull

explained that there was a lot of interest in linking A36 and A46, in upgrading A350, rail and transport via River Avon.

Councillor John Bull commented that the case for 1,600 spaces at the Park and Ride east of Bath was not made. The report suggested that there should be more publicity of Lansdown Park and Ride considering that existing Park and Ride sites had not been fully used at the moment. Councillor Bull concluded his statement by saying that there was no need for a large Park and Ride site east of Bath just for people who work in Bath.

Councillor Patrick Anketell-Jones asked Councillor John Bull if there was a need for a smaller Park and Ride.

Councillor John Bull responded that, according to data from Alliance, only 25% of all Park and Ride sites were used in the period up to 9.30am. These figures would need to be validated, and if correct then there would be a case for smaller Park and Ride site.

Councillor Geoff Ward (Bathavon North) said that this issue had been challenging and urged the Cabinet to make the right decision. Councillor Ward highlighted natural beauty of Bathampton meadows and asked the Cabinet to explore all other options before making their final decision.

Councillor Liz Richardson said that the Local Development Framework (LDF) group report was a summary of a thorough process. The LDF group was not asked to look at the reasoning for having Park and Ride but to consider site options taking into account five objectives (as set out in the report). The LDF group had made a decision that Cabinet Members who were part of the group should be substituted by other Council Members. The LDF group meeting were open to Ward Members affected. The LDF group had started with seven sites to explore and ended up with a total of twenty one sites to consider. Through the sequential process some of those sites were not deemed to be viable. Councillor Richardson thanked everyone who contributed to the report and asked the Cabinet to note the report.

Councillor Anthony Clarke accepted report from the Scrutiny Inquiry Day and the LDF group. Councillor Clarke said that the Scrutiny had asked some specific questions in the report and answers to those questions would be provided by Councillor Clarke and team off officers at one of the future CTE PDS Panel meetings. Councillor Clarke also thanked to all those involved in the process.

Councillor Anthony Clarke informed the meeting that the Cabinet have received a large amount of information through the CTE PDS Panel and the cross-party LDF group reports and from the community. Further detailed analysis is required of each site, and Cabinet have decided not to use the provisional date set for 18th May to allow this work to be completed. A revised date would be announced in the near future and the revised timetable would not impact upon the overall timeframe for the project.

Councillor Tim Warren also thanked CTE PDS Panel and the cross-party LDF group for their report and also to every single individual and organisation for their contribution in this matter. Councillor Warren highlighted that there was huge transport problem in Bath and the Cabinet would look into all data and evidence in order of making right and future proof decision which would set long term solution.

The Cabinet **NOTED** the reports outlining the findings and conclusions from the Communities, Transport and Environment Policy Development & Scrutiny Panel Inquiry Day and the sites review undertaken by the LDF Steering Group; in order to help their deliberations in determining the recommended solution to the transport issues to the east of Bath.

## **102 YOUTH JUSTICE PLAN**

Councillor Michael Evans thanked the author of this report. Councillor Evans informed the meeting that the Council has a statutory obligation to publish a Youth Justice Plan. The principal, statutory aim of the youth justice system was to prevent youth offending by 10-17 year olds. The Youth Justice Plan reviews the positive progress made last year in work with young people at risk of offending and re-offending and with their parents/carers and victims and sets out how services are to be resourced and delivered in 2016-17. Actions in the work plan would contribute to making Bath and North East Somerset a safer place and to helping young people work towards more positive, crime-free outcomes.

Councillor Michael Evans moved the recommendations.

Councillor Patrick Anketell-Jones seconded the motion by saying that he was happy to support adoption of the Youth Justice Plan. As lead partner, the Council would continue to support the work of all agencies involved in the youth justice system, to prevent young people from offending. Councillor Anketell-Jones was particularly pleased to see the positive reduction in the number of young people coming into the youth justice system for the first time.

It was **RESOLVED** that the Cabinet recommends adoption of the Youth Justice Plan as part of the Council's Policy and Budget Framework and notes this can be accommodated within the Council budget.

The Cabinet also recommends the Youth Justice Plan to Council as fulfilling the requirements of the Crime and Disorder Act 1998 and agrees it can be submitted to the Youth Justice Board for England and Wales.

## **103 PRIMARY AND SECONDARY SCHOOL ORGANISATION PLAN 2015 - 2019**

Councillor Michael Evans said that Local Authority would still retain the legal responsibility for pupil place planning in its area. In order to do this effectively the Local Authority would have to identify where new school places would be required as a result of underlying population growth or pupils generated from new housing development, how much additional provision would be required and when. This additional provision might be provided via Basic Need funding from the Government or Developer Contributions or CIL as a result of new housing developments. The Plan would serve as a useful planning tool to identify areas and levels of need, when investment in places would be needed and also to inform discussions with Developers.

Councillor Michael Evans moved the recommendations.

Councillor Tim Warren seconded the motion by saying that he was happy to support this plan to increase primary school provision in the district as part of the £7 million investment in local primary schools. The Council would constantly review school place provision to ensure meeting the needs of local parents and children over the coming years. The Council must ensure the right number of school places in the right locations to meet the needs of a growing population and the demands created by new housing development, whilst at the same time supporting parental preferences.

Councillor Charles Gerrish said that two new schools would open in September 2017 and asked for a clarification on whether those two schools would have just reception classes or they would be whole schools. Councillor Gerrish also asked if the Head of the School would be appointed for those two schools before they open.

Councillor Michael Evans responded that, for both schools, school structure would be as a whole. The Local Authority would take into consideration birth dates and anticipated needs though it would be expected that both schools would start from Reception and Year 1 classes first, and grow over years. Councillor Evans also said that Heads of both schools would be appointed before schools open.

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

1. Approved the proposed strategy for the provision of school places within the 2015 – 2019 plan period.
2. Approved the proposed strategy for the provision of school places over the longer term within the Core Strategy plan period.

#### **104 97/101 WALCOT ST : GENESIS TRUST**

Councillor Dine Romero asked for an assurance that this Cabinet was satisfied that the original decision, that had been made by previous Administration, was properly made and in accordance with Council's procedures. Councillor Romero also said that this project demonstrated that the value of services to be delivered by Genesis was equal to, or greater than the rent abatement and that the cost benefit ratio demonstrated clear overall benefit to the public.

Councillor Charles Gerrish said that on 9<sup>th</sup> September 2015 the Cabinet resolved to request that a further report be brought back to Cabinet to consider and approve that the provisions in the original report were satisfied. The original decision that had been made by previous Administration, was properly made and in accordance with Council's procedures. The value of services to be delivered by Genesis was equal to, or greater than the rent abatement. The cost benefit ratio demonstrated clear overall benefit to the public. The capital input of £100,000 was approved and included in the 2014/15 Corporate Capital Estate Planned Maintenance cost plan and this has been carried forward into 2016/17. Councillor Gerrish welcomed the expansion of the Genesis Life Skills project and also establishment of a new 'social enterprise' project named 'Acacia'.

Councillor Charles Gerrish moved the recommendations.

Councillor Vic Pritchard seconded the motion by saying that he was happy to support the grant of a lease to the Genesis Trust, particularly in light of the further information provided within this report. The benefits that the Genesis Trust would be delivering

to the community were incredibly worthwhile and the Council is pleased to support this by offering a rental concession. The cost/benefit analysis had demonstrated a clear overall benefit to the public.

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

- 1) Reconfirm authority, first approved in the Single Member Decision E2741 dated 11th February 2015, that the Corporate Property Officer be authorised to enter into an agreement for lease leading to grant of a lease based on the agreed heads of terms. The structure of the transaction has been amended however and the contract will be a direct lease to commence from date of exchange.
- 2) Note that:
  - a. Assessment work undertaken has demonstrated that the value of services as a result of the Community Asset Transfer if externally procured is at least equal to or greater than the value of the rent abatement (£20,000pa)
  - b. A separate cost/benefit analysis has demonstrated a clear overall benefit to the public purse from the asset transfer project
- 3) Adopt and agree the Social Objects to be delivered as a result of the Community Asset Transfer and to note the arrangements for monitoring and review
- 4) Note the range of uses that are considered inappropriate for the environment as stated in the Social Objects part of the report.

The meeting ended at 5.20 pm

Chair \_\_\_\_\_

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

**Prepared by Democratic Services**