

## **BATH AND NORTH EAST SOMERSET**

### **CABINET**

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

Wednesday, 31st October, 2018

#### **Present:**

Councillor Tim Warren	Leader of the Council and Conservative Group Leader
Councillor Charles Gerrish	Cabinet Member for Finance and Efficiency, Conservative Deputy Group Leader North East Somerset
Councillor Vic Pritchard	Cabinet Member for Adult Care, Health and Wellbeing
Councillor Paul Myers	Cabinet Member for Economic and Community Regeneration
Councillor Karen Warrington	Cabinet Member for Transformation and Customer Services
Councillor Paul May	Cabinet member for Children and Young People
Councillor Bob Goodman	Cabinet Member for Development and Neighbourhoods
Councillor Mark Shelford	Cabinet Member for Transport and Environment, Conservative Deputy Group Leader Bath

#### **30 WELCOME AND INTRODUCTIONS**

The Chair welcomed everyone to the meeting.

#### **31 EMERGENCY EVACUATION PROCEDURE**

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

#### **32 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

#### **33 DECLARATIONS OF INTEREST**

There were none.

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

There was none.

The Chair used this opportunity to announce that the Council was running an event called Young Stars Award. The Chair invited residents of Bath and North East Somerset to visit [www.bathnes.gov.uk/ouryoungstars](http://www.bathnes.gov.uk/ouryoungstars) and nominate a child or young person who they feel has achieved something special, however big or small, which they feel deserves recognition.

The Chair also informed the meeting that item 20 (Aequus Shareholder approval of development business case proposal) would be deferred for next week. The Cabinet would be expected to make a decision on this item on 8<sup>th</sup> November 2018. The Group Leaders would be briefed on 6<sup>th</sup> November 2018.

### **35 QUESTIONS FROM PUBLIC AND COUNCILLORS**

There were 21 questions from Councillors and 10 questions from members of the public.

*[Copies of the questions and responses, including supplementary questions and responses if any, are available on the Council's website.]*

### **36 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS**

Luke John Emmett made a statement *[a copy of which is available on the Council's website]* where he expressed his concerns on closure of the Arts Development Department, and the impact this might have to the cultural and financial economy of Bath and North East Somerset.

Caroline Ambrose made a statement *[a copy of which is available on the Council's website]* where she asked the Cabinet to clarify where, when and how Bath's public library services would be provided from January 2019.

Gerard Cooke made a statement as a Vice Chair of the Bristol and West branch of Equity (a union of more than 43,000 performers and creative practitioners). Gerard Cooke said that Equity has condemned phased closure of Arts Development Department. The closure would have severe negative impact for people who depend on public arts grants and especially on those who work in the industry. Gerard Cooke also said that the Council has failed to recognise the importance of arts in local economy and urged the Cabinet to reconsider closure of Arts Development Department. Gerard Cooke ended his statement by saying that it was vital to recognise that £1 invested in arts would bring between £2 and £7 back to the economy.

Councillor Dine Romero read a statement on behalf of Councillor Tim Ball where he expressed his concerns on the School Transport provision *[a copy of which is available on the Council's website]*.

Councillor Richard Samuel made a statement where he said that the Council was at a key point in its development of the policy towards the improvement of air quality. The consultation on Clean Air Zone would close in few weeks and the Cabinet would make the decision not long after that by taking into consideration residents' comments. Councillor Samuel congratulated the Council staff that was involved in this work and highlighted that traffic displacement would occur, which would need to

be resolved, and effective bus service requirements would need to be established. Also, there was a need for WECA Mayor to get involved and for the Council to ask central Government for a proper funding for this project, and under no circumstances allow central Government to collect 10% from the charges for vehicles entering the Clean Air Zone.

Councillor Dine Romero made a statement where she expressed her concerns on the closure of Arts Development Department. Councillor Romero said that these cuts were short sighted with consequences to the residents. Councillor Romero also said that a significant number of people can currently access schemes run by the Arts Development Department, and that its closure would also have a negative impact on visitors to the city.

### **37 MINUTES OF PREVIOUS CABINET MEETING**

It was **RESOLVED** that the minutes of the meeting held on Wednesday 5th September 2018 be confirmed as a correct record and signed by the Chair.

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

There were none.

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

There were none.

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

The Cabinet agreed to note the report.

### **41 WESTFIELD NEIGHBOURHOOD DEVELOPMENT PLAN**

Ron Hopkins (Vice Chairman Westfield Parish Council) read out the statement where he thanked Council officers for their support in preparing the Westfield Neighbourhood Development Plan over the last 3.5 years. Ron Hopkins also said that Westfield Parish Council was grateful for the Plan, especially as Westfield was one of the youngest Parishes in the country. Ron Hopkins invited the Council to continue to support Westfield in its development.

Councillor Eleanor Jackson, as Westfield Ward Member, also welcomed and thanked the officers and all of those involved in the Westfield Neighbourhood Development Plan. Councillor Jackson also thanked all volunteers who gave their time in organising events in Westfield. Councillor Jackson concluded her statement by saying that benefits of the Plan were already in the report, though the main benefit would be in creating community identity, in particular merging old community with the new.

Councillor Bob Goodman introduced the report by saying that he was pleased to bring this Plan for adoption. There had been a lot of time and effort put into creation of this plan which was one of the 7 already adopted Neighbourhood Development Plans, with 9 more Plans in waiting. Councillor Goodman also said that it would be important for community to have their say on this matter, and it would improve close working between the Parish Council and its residents.

Councillor Goodman concluded his comments by thanking everyone who was involved in creation of this Plan.

Councillor Bob Goodman moved the recommendations.

Councillor Karen Warrington seconded the motion by saying that the Plan would focus on the local community and how they want to develop the area. Councillor Warrington also thanked to all those involved in the process.

Councillor Vic Pritchard also welcomed the Plan by appreciating the amount of effort from all those involved in the production of the Plan. Councillor Pritchard also said that by having a Neighbourhood Development Plan, residents would be able to dismiss any attempts from new developers to persuade the community in approving their proposals.

Councillor Paul May congratulated the Ron Hopkins, Councillor Jackson and Westfield Parish Council on their part in bringing the Plan together which would be great credit to Westfield.

**RESOLVED** (unanimously) that the Cabinet agreed to make and bring into force the Westfield Neighbourhood Development Plan as part of the Development Plan for the Westfield Neighbourhood Area, in accordance with Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011 and the Housing and Planning Act 2016).

## **42 BANES NEW LOCAL PLAN OPTIONS CONSULTATION**

Councillor Dine Romero made an ad-hoc statement where she expressed concerns by Saltford residents in terms of any proposals on the Green Belt area around Keynsham and Saltford. Councillor Romero also said that the Green Belt makes a significant contribution to residents and visitors. Councillor Romero asked the Cabinet to give an assurance that they would stand against developments in the Green Belt.

Councillor Paul Crossley made an ad-hoc statement where he said that setting a Local Plan that would suit everyone was never an easy task. Councillor Crossley also said that rents in Bath were so high that the term 'affordable' has become nonsensical. There was a need for a strategy that could be communicated with the locals MPs about changes required in the law that would meet the needs of our people. Councillor Crossley expressed his concerns on growing number of short terms rents in Bath; lack of social housing and the impact of new developments on the Green Belt.

Councillor Bob Goodman introduced the report.

The Council was reviewing its planning policy framework to ensure it was up-to-date

and responded to the key issues that the area was facing. The consultation document was a discussion document and sets out options. The results of the consultation would be used to inform the draft plan due to be published in 2019.

Key issues in the document;

- Options for greater controls over new student accommodation, with a greater emphasis on focussing new university related developments at the campuses.
- Relocation of Bath's Household Reuse and Recycling facility.
- Expansion and mix of uses of the Somer Valley Enterprise Zone.
- The introduction of new restrictions on the location of fast food takeaways to prevent them from opening near schools and youth facilities.
- A review of parking standards and provision for electric vehicles infrastructure.

The Local Plan must also reflect the requirements in the Joint Strategic Plan, such as:

- Rolling forward the District's housing requirements to 2036
- Set out more details on the new Garden Communities at North Keynsham (1,400 new homes) and South East of Whitchurch (1,600 homes). This would create exemplar, high quality communities to provide new affordable homes, jobs and infrastructure, eg the new Keynsham Link Road; Keynsham Station improvements and bus service improvements will help to relieve existing congestion and improve air quality.
- New housing sites, including affordable housing, in other towns and villages

Cabinet would also consider a report on Strategic Transport Options to ensure that new growth is properly aligned with necessary infrastructure.

The consultation would run from 12<sup>th</sup> November 2018 to 21<sup>st</sup> December 2018 and there would be exhibitions in Bath, Keynsham,, the Somer Valley and Whitchurch.

Councillor Bob Goodman moved the recommendations.

Councillor Tim Warren seconded the motion by thanking the officers and Members who had worked on the report. Councillor Warren agreed with comments from Councillors Romero and Crossley on the importance of the Green Belt and on the negative impact of short term rental homes. Councillor Warren concluded his statement by saying that we need houses for the residents of Bath and North East Somerset and again highlighted the importance of the Green Belt, in particular around the Keynsham area which would need to stay separated from Bristol.

Councillor Paul May commented that he was pleased that all parties had the same view in terms of the Green Belt importance and preservation, and congratulated the officers on producing the report.

Councillor Charles Gerrish said that he was also pleased that all parties had the same view in protecting the Green Belt though the Council had a duty to co-operate with neighbouring authorities as part of the West of England Combined Authority. Councillor Gerrish highlighted the importance of the link road to Northern Keynsham development which would not only improve access to the development but also significantly reduce traffic from Keynsham centre. Councillor Gerrish also said that new estates would need to consider car owners' habits to park cars outside their

houses, and for that reason should consider building wider roads to avoid traffic congestions. Councillor Gerrish concluded his statement by inviting the public to engage in the consultation.

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

(1) Agreed the Local Plan Options consultation document for public engagement from 12th November to 21st December 2018;

(2) Delegated authority to the Director, Development and Public Protection, to make minor changes to the document for clarification and accuracy prior to publication.

### **43 JOINT COMMUNITY SAFETY PLAN**

Councillor Richard Samuel made an ad-hoc statement where he said that the Joint Community Safety Plan lacked visible targets on how the crime would be reduced in Bath and North East Somerset. Councillor Samuel also said that he had huge respect for Council officers and Police, who were doing their best to reduce the crime, though that would seem to be difficult task down to reduced funding from the central Government. Councillor Samuel felt that Avon and Somerset Police, and Local Authority, have not considered in detail potential implications on increased crime in the area. Councillor Samuel concluded his statement by saying that the Plan has had some good areas of work though he had no confidence that much would be achieved in terms of crime reduction.

Councillor Dine Romero made an ad-hoc statement where she also felt a lack of confidence that the Plan would achieve much in terms of the crime reduction in the area. Councillor Romero mentioned a campaign by the Liberal Democrats Group to open a Police station in Bath, which would not only be used by the Police but also for joined up working between different agencies. Councillor Romero asked the Cabinet if they felt that there should be more substance in the Plan.

Councillor Bob Goodman introduced the report by saying that he has chaired the Responsible Authorities Group (RAG), which meets quarterly with a number of agencies involved, and that RAG have achieved progress in some areas. The Avon and Somerset Police have worked closely with the Council on production of the Joint Community Safety Plan which had three main themes: protect the most vulnerable from harm; strengthen local communities for improved outcomes; and, continue active work with the Avon and Somerset Police. The Plan as such was a magnificent milestone as it was the first document of that kind since 2012. Councillor Goodman also said that there was comparable low crime rate in Bath and North East Somerset area although he was concerned with an upturn in drug dealing. Councillor Goodman expressed his concern that the Police and Crime Commissioner funding would last until year 2020 though the Plan was set until year 2021, which could present a risk in the future. Councillor Goodman concluded his introduction by thanking Samantha Jones for her hard work on putting the Plan together.

Councillor Bob Goodman moved the recommendations.

Councillor Mark Shelford seconded the motion by saying that this was an important paper which has received a support from the Police. Councillor Shelford also said

that he would welcome Police presence on the streets and not just by having a Police station. Councillor Shelford welcomed that Police have been using bodycams when dealing with the perpetrators.

Councillor Paul May also welcomed the Plan and praised the joint working between the Youth Offending Team and the Police. Councillor May stressed importance of joined up work with other agencies in terms of crime reduction.

Councillor Vic Pritchard commented that crime figures for Bath and North East Somerset were lower than anywhere else in the country, and highlighted the importance of working together with other agencies on bringing the crime figures down.

Councillor Charles Gerrish commented that the Police were resolving the anti-social behaviour in Keynsham. Councillor Gerrish also said that victims of the crime should be involved by working with relevant agencies. Councillor Gerrish concluded his statement by saying that quite often some issues get inflated by social media.

**RESOLVED** (unanimously) that the Cabinet agreed the Joint Plan and recommend it to full Council for adoption.

#### **44 TREASURY MANAGEMENT 2018/19 QUARTER 2 PERFORMANCE REPORT (MID-YEAR UPDATE)**

Councillor Charles Gerrish introduced the report by saying that the Prudential Code and CIPFA's Code of Practice on Treasury Management requires regular monitoring and reporting of Treasury Management activities. This report has outlined details of performance against the Council's Treasury Management Strategy and Annual Investment Plan 2018/19 for the first six months of 2018/19. The average rate of investment return for the first six months of 2018/19 was 0.63%, which was 0.14% above the benchmark rate. The Council's external borrowing as at 30th September 2018 totalled £182.8 million. A short term loan for £2.5 million matured during the quarter and new long term PWLB annuity borrowing for £10 million was arranged during the quarter to maintain appropriate cash flow balances. The Council's Capital Financing Requirement (CFR) as at 31st March 2018 was £247.1 million with a projected total of £434 million by the end of 2018/19 from self-investment and re-phasing of capital programmes. The current revenue forecast was for an underspend of £495k, mainly related to external interest savings from re-phasing of capital spend.

Councillor Charles Gerrish moved the recommendations.

Councillor Paul May seconded the motion by praising Councillor Gerrish and the relevant officers for their work.

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

- 1) The Treasury Management Report to 30th September 2018, prepared in accordance with the CIPFA Treasury Code of Practice, is noted;
- 2) The Treasury Management Indicators to 30th September 2018 are noted.

#### **45 MEDIUM TERM FINANCIAL STRATEGY**

Councillor Richard Samuel made an ad-hoc statement saying that over the last 3 years there were further cuts central Government funding to Local Government. Overall, there was £16bn of cuts to Local Governments across the country, and those cuts have had significant negative impact on Local Authorities such as Bath and North East Somerset. There were no real solutions on how this problem would be resolved yet there were more cuts to arts services, waste services, youth services, public services, etc. Councillor Samuel concluded his statement by expressing concern on further unprecedented cuts to the Council.

Councillor Joe Rayment made an ad-hoc statement where he held responsible central Government administrations for the cuts over the last 8 years. Councillor Rayment also said that the austerity was not over, despite what the Chancellor has said in his speech, and further cuts would cause reduction in more services provided by the Council. Councillor Rayment concluded his statement by saying that he saw proposals by the Council to lobby the central Government to get funding from other places, though this would not be enough to help the current and future situation.

Councillor Paul Crossley made an ad-hoc statement where he said that cuts in funding to Local Government were performed over decades and not just over the last 8 years.

Councillor Charles Gerrish introduced the report by saying that Local Government had suffered cuts in funding from different administrations. This strategy spans five years although there was only certainty of the level of Government funding for next year at present. The recent consultation paper has outlined that several funding streams were to be reviewed for 2020/21; these included Fairer Funding, Business Rate Retention, New Homes Bonus, and Better Care Funding and these changes would pose a significant financial risk for B&NES in 2020/21. Despite the uncertainty the Council would still need to plan its finances for the medium to longer term and therefore the Strategy was based on best estimates at this stage. The Council has had a good track record in savings delivery with £55.4m delivered between 2013/14 to 2017/18 and, a further £17m expected in this financial year – a total of £72.4m over six years. These estimates showed that the Council would need to find a further £50.3m in savings over the next five years. In essence the Council would need to reduce net spend by approximately 44.5% (15.2% of gross spend) over the next five years. The current plans identified, delivered, and would continue to deliver a high number of efficiency savings and therefore the scope for delivering further large savings from efficiencies were limited.

Councillor Charles Gerrish moved the recommendations.

Councillor Tim Warren seconded the motion by saying that the Council were in difficult times with a huge pressure on the budget. The Council did not choose to make these cuts, but something had to be done. Councillor Warren also said that if the cuts were not made in services such as Arts Department or similar then other services would suffer.

Councillor Paul May said that we have to live with allocated resources. Councillor May highlighted that children services were under significant pressure and for that reason the Council would need to get the best from assets that we have.

Councillor Vic Pritchard reminded the Cabinet that 80% of Council's budget was for children and adult social care.

**RESOLVED** (unanimously) that the Cabinet agreed to approve the Medium Term Financial Strategy.

#### **46 THE GREAT SPAS OF EUROPE**

Councillor Vic Pritchard left the meeting at this point (5.50pm).

Councillor Rob Appleyard made an ad-hoc statement by saying that Liberal Democrat Group fully endorsed the submission of the Great Spas of Europe nomination to UNESCO. Councillor Appleyard also said that this was a good piece of work which was supported by a number of previous administrations and which would bring quite a few benefits to Bath.

Councillor Paul Crossley made an ad-hoc statement where he thanked Tony Crouch for his dedicated and hard work on submitting Bath nomination for the Great Spas of Europe. Councillor Crossley also hoped that UNESCO would agree that Bath deserves to be recognised as one of the Great Spas of Europe.

Councillor Eleanor Jackson made an ad-hoc statement by saying that this was an extremely important report which would give everyone a boost, and which would bring more tourists to Bath. Councillor Jackson also said that Brexit and fracking may have detrimental impact on future status of Bath.

Councillor Paul Myers introduced the report by thanking all previous Cabinet Members for Economic Development, no matter what party they have belonged to, for their part in supporting and promoting Bath as one of the Great Spas of Europe. Councillor Myers also said that, if Bath was recognised as one of the Great Spas of Europe it would gain global recognition.

Councillor Paul Myers moved the recommendations.

Councillor Mark Shelford seconded the motion by saying that this was quite important for Bath and surrounding areas, and thanked Councillor Myers for his contribution.

**RESOLVED** (unanimously) that the Cabinet agreed endorse the submission of the Great Spas of Europe nomination to UNESCO.

#### **47 STRATEGIC TRANSPORT CONSULTATION OPTIONS**

Councillor Neil Butters made an ad-hoc statement where he said that the Liberal Democrat Group was in favour of the consultation on the Strategic Transport in the area.

Councillor Mark Shelford introduced the report by saying that the Council would revise its planning policy framework to ensure it was up-to-date and responds to the key issues that the District was facing. The Transport Studies have developed the strategic infrastructure identified to support/facilitate growth in the WoE Joint Transport Study. The Transport Studies were a crucial next step in developing a new Local Plan, clearly setting how the Strategic Transport Infrastructure would be provided to support growth in our area.

The Transport Studies would be consulted on as part of a district wide consultation in conjunction with the Local Plan, in particular on Hicks Gate Roundabout, A4 to A4175 East Keynsham Corridor Study, and South East Bristol and Whitchurch Package.

Key issues would be: Identification of key transport challenges and transport objectives in the areas of interest; Identification and shortlisting of potential transport options to address the challenges and objectives; concept design and initial costing of shortlisted options; desk-based assessment of environmental, social and economic impacts, and value for money of the options; and, initial assessment of financial and delivery case of the options.

The consultation would run from 12<sup>th</sup> November to 21<sup>st</sup> December 2018 and there would be exhibitions in Bath, Keynsham, the Somer Valley and Whitchurch. The results of the consultation would be used to inform the preferred route options that would be safeguarded in the draft plan due to be published in 2019.

Councillor Mark Shelford moved the recommendations.

Councillor Tim Warren seconded the motion by saying that working along and together with other Local Authorities within West of England Combined Authority was possible and that big mass-transport system was promising.

The rest of the Cabinet welcomed the report and detailed appendices and suggested that communities would need to be engaged in proper manner, and results of the consultation be open for detailed scrutiny.

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

- 1) Agreed the Strategic Transport Studies consultation documents for public engagement from 12<sup>th</sup> November to 21<sup>st</sup> December 2018;
- 2) Delegated authority to the Director Environmental Services to make minor changes to the document prior to publication.

## **48 YOUTH CONNECT PUBLIC SERVICE MUTUAL**

Councillor Eleanor Jackson made an ad-hoc statement where she said that young people across the area would be able to access youth services if this report is adopted, and urged the Cabinet to support the Strategy which would provide support to young people who need it at the earliest opportunity.

Councillor Dine Romero made an ad-hoc statement where she said that proposals looked good on a face of it, though the report has been driven by cuts from the Council, which were due to reduction in funding from the central Government. Councillor Romero expressed her concern about the longevity of the project, in particular if it would be the subject of future cuts or be taken over by another provider. Councillor Romero concluded her statement by asking the Cabinet to publish the business plan before making the decision, and that the decision should be made in public.

Councillor Joe Rayment asked what would be, in unlikely event, if the decision to establish final approval of the project was not delegated to the Corporate Director.

Councillor Rayment also felt that workers should be sitting on the Board of Trustees for Public Service Mutual.

Councillor Paul May said that last year there was a £500k cut in the budget with £517k left for the service. Councillor May asked if the approved document would be commercially sensitive and subject to scrutiny.

Maria Lucas, Monitoring Officer of the Council, responded that the relevant Policy Development and Scrutiny Panel would be able to scrutinise the business case though it would have to be in confidential/exempt session.

Councillor Paul May introduced the report by saying that it would come back to the Cabinet if the risks were unreasonable for Corporate Director to approve the project. The project would eradicate any flexibility for further budget cuts, and it would be a dedicated youth service project. There was an effective work with a number of agencies and also with a number of voluntary services across the area. The project was set to move the agenda forward in reasonable way and the Council would support the staff as much as it could.

Councillor Paul May moved the recommendations.

Councillor Karen Warrington seconded the motion by saying that she was pleased that people could run their own organisation though she expressed slight concern in the due diligence of the project.

Councillor Tim Warren welcomed the report by saying that this would be an excellent opportunity for the staff to take on the project and that he had confidence that the project would be successful.

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

- 1) Confirm in principle its support for Youth Connect becoming an independent Public Service Mutual, subject to further due diligence/assurance;
- 2) Delegate to the Corporate Director, in consultation with Cabinet Member for Children and Young People, and the Section 151 Officer the final approval to establish the Public Service Mutual and the allocation of transitional funding to support its establishment;
- 3) Note that a further report may come forward for approval for funding when the “due diligence” process has been completed.

**49 AEQUUS - SHAREHOLDER APPROVAL OF DEVELOPMENT BUSINESS CASE PROPOSAL**

This item would be considered on 8<sup>th</sup> November 2018.

The meeting ended at 6.40 pm

Chair \_\_\_\_\_

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

**Prepared by Democratic Services**