

# **BATH AND NORTH EAST SOMERSET COUNCIL**

## **MINUTES OF COUNCIL MEETING**

Tuesday, 25th February, 2020

Present:- **Councillors** Rob Appleyard, Tim Ball, Sarah Bevan, Colin Blackburn, Alison Born, Shelley Bromley, Vic Clarke, Sue Craig, Paul Crossley, Gerry Curran, Chris Dando, Jess David, Tom Davies, Sally Davis, Douglas Deacon, Winston Duguid, Mark Elliott, Michael Evans, Andrew Furse, Kevin Guy, Liz Hardman, Joel Hirst, Lucy Hodge, Duncan Hounsell, Shaun Hughes, Eleanor Jackson, Dr Kumar, Matt McCabe, Hal MacFie, Ruth Malloy, Paul May, Sarah Moore, Robin Moss, Paul Myers, Lisa O'Brien, Michelle O'Doherty, Bharat Pankhania, June Player, Vic Pritchard, Manda Rigby, Dine Romero, Mark Roper, Richard Samuel, Bruce Shearn, Brian Simmons, Alastair Singleton, Karen Walker, Sarah Warren, Karen Warrington, Andy Wait, Chris Watt, Ryan Wills, David Wood and Joanna Wright

Apologies for absence: **Councillors** Neil Butters, Alan Hale, Steve Hedges, Grant Johnson and Shaun Stephenson-McGall

### **94 EMERGENCY EVACUATION PROCEDURE**

The Democratic Services Manager drew attention to the emergency evacuation procedure as set out on the agenda.

### **95 DECLARATIONS OF INTEREST**

Item 8 – Budget & Council Tax; - The Monitoring Officer issued a general dispensation to all Councillors in respect of their payment of Council Tax and any school governorships. She also granted a general dispensation for any Councillors in relation to specific items mentioned in the budget or in receipt of a specific service.

Declarations of interest were made by the following Councillors (all relating to item 8 – Budget & Council Tax);

Councillor Tim Ball – a disclosable pecuniary interest being in receipt of a care package.

Councillor Andy Wait – an 'other' interest, as chair of FAHLAG, a woodland reserve in Keynsham.

Councillor Sarah Warren – an 'other' interest in relation to the schools and music service budgets.

Councillor Robin Moss – an 'other' interest as Director of Radstock and Westfield Big Local CIC.

Councillor Paul Myers – an 'other' interest as Secretary of the Midsomer North Town Trust (Town Hall repairs being undertaken).

Councillor Liz Hardman – an 'other' interest as a Governor at Aspire Academy.

Councillor Karen Walker – an ‘other’ interest as Special Services Operational Manager at the Community Library (in receipt of funds).

Councillor June Player – an ‘other’ interest as a member of a Voluntary group.

Councillor Tom Davies – an ‘other’ interest as a Governor at Oldfield school.

Councillor Michelle O’Doherty – an ‘other’ interest as a Governor at Oldfield school.

Councillor Paul May – an ‘other’ interest as a non-executive Director on the Sirona Board. *[This declaration was made during item 8, when Sirona was mentioned during debate.]*

**96 MINUTES - 14 NOVEMBER 2019, 16 DECEMBER 2019 (X2), 16 JANUARY 2020**

The following minutes were approved and signed by the Chair.

14<sup>th</sup> November 2019 – moved by Councillor Paul Myers and seconded by Councillor Dine Romero.

16<sup>th</sup> December 2019 (S151) – moved by Councillor Brian Simmons and seconded by Councillor Dine Romero.

16<sup>th</sup> December 2019 (IRP) – moved by Councillor Dine Romero and seconded by Councillor Paul Myers.

16<sup>th</sup> January 2020 – moved by Councillor Dine Romero and seconded by Councillor Andy Wait.

**97 ANNOUNCEMENTS FROM THE CHAIR OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE**

The Chair informed Councillors that, with agreement from the Chair of the Children, Adults, Health & Wellbeing Policy Development & Scrutiny Panel Chair (Councillor Vic Pritchard) and Group Leaders, item 12 on this agenda (Maternity Services referral from the Panel) has been deferred to the March 26<sup>th</sup> 2020 Council meeting.

The Chair made the customary announcements regarding mobile phones, webcasting and microphone use.

She thanked members for attending the Holocaust Memorial Day ceremony, which was a memorable occasion. She added that it had been good to see so many Councillors at the Mayor of Bath’s inter-faith event on the theme of ‘water’. These events are so important when community harmony is needed more than ever.

The Chair made Members aware of the VE Day celebrations in Bath and NE Somerset on 8<sup>th</sup> May 2020, and the Abbey service of Thanksgiving on 10<sup>th</sup> May 2020 and asked Councillors to support events in their local communities too.

The Chair requested that the Council's good wishes for a speedy recovery be conveyed to David Redgewell, who was unable to speak on JTP4.

The Chair informed Members of the sad news that former B&NES Councillor for Paulton (1995 – 2003), Pat Hogg, had died. She is remembered as a doughty champion for equalities issues. The Chair asked Members to stand for a minute's silence.

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

There were no items of urgent business.

## **99 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC**

Statements were made by the following members of the public;

Elizabeth Hallam made a statement and presented a petition of 1060 signatures calling for Entry Hill Golf course to be saved. Elizabeth explained her view that the golf course was being neglected, as responsibility for it was split between Greenwich Leisure Limited and the Council's Parks department. A full copy of the statement is available on the Council's Minute book and attached to the online minutes. In response to a question from Councillor Paul Crossley about how many other Pay & Play courses there were within a 20-mile radius of the Entry Hill course, Ms Hallam responded that she was not aware of any that weren't an actual Golf club. Councillor Liz Hardman asked about affordability and if Entry Hill was cheaper than nearby clubs. Ms Hallam responded that it was £12.80 to play, which was considerably cheaper than the £30 - £40 rates at various nearby clubs that she listed.

Lara Varga made a statement opposing the new Charging Framework which she maintained will bring further costs to the most vulnerable in society. A full copy of the statement is available on the Council's Minute book and attached to the online minutes. In response to a question from Councillor Rob Appleyard querying if Ms Varga had had an opportunity to discuss her concerns with officers, Ms Varga replied that she had met officers on a number of occasions but was not yet satisfied with the responses she had received.

Faye Dicker, a resident of Whitchurch village and founder of the South Bristol Wrong Road Group, made a statement regarding JLTP4. She welcomed the withdrawal from the Joint Spatial Plan but queried why the housing and ring road plans through greenbelt remained in the JLTP4 especially in the light of the climate emergency and expected ecological emergency declarations. A full copy of the statement is available on the Council's Minute book and attached to the online minutes. Councillor Jo Wright queried if Ms Dicker was aware of a connectivity deficit in the Whitchurch area, to which she responded that she was not, and would not like to see a ring road around the greenbelt.

Kim Hicks made a statement to Council calling upon Councillors to not adopt the JLTP4 with the South Bristol Orbital road still included. She urged Councillors to listen to the residents who had responded to the consultation report. A full copy of the statement is available on the Council's Minute book and attached to the online

minutes. Councillor Dine Romero queried if Ms Hicks considered there to be a connectivity deficit in and around Whitchurch and asked what measures she would like to see. Ms Hicks responded that she did not see a deficit, and would like to see encouragement to use alternative transport options.

The Chair thanked all the speakers for their contributions which were referred to the relevant Cabinet Members.

## **100 BUDGET & COUNCIL TAX 2020/21 AND FINANCIAL OUTLOOK**

The Council considered a report presenting the Cabinet's revenue and capital budgets together with proposals for Council Tax and Adult Social Care Precept for 2020/21.

On a motion from Councillor Dine Romero, seconded by Councillor Paul Myers, it was **RESOLVED** that, in accordance with rule 16 (Suspension of Rules), the Council suspends Council rule 42 (Content and Length of Speeches) for the duration of this debate so as to enable variations to be permitted to the length of speeches by the Cabinet Member for Resources, the Conservative, Independent and Labour Group Leaders or their nominated Spokespersons, and the Chair of the Corporate Policy Development and Scrutiny Panel.

On a motion from Councillor Richard Samuel, seconded by Councillor Dine Romero, it was

### **RESOLVED**

1. That Council approves;

- a) The General Fund net revenue budget for 2020/21 of **£118.25m** and the individual service cash limits for 2020/21 as outlined in Annex 1.
- b) The savings and income generation plans outlined in Annex 2(i), priorities 2(ii), one-off allocations 2(iii), pressures 2(iv) in conjunction with the Equalities Impact Assessment Report in Annex 3.
- c) An increase in Council Tax of 1.99% in 2020/21 (an increase of £27.88 per Band D property).
- d) An increase of 1.99% to Council Tax for the Adult Social Care Precept in recognition of the current demands and financial pressures on this service. This is equivalent to an increase of £27.88 on a Band D property.
- e) The movement in reserves outlined in paragraph 5.5 of the report and the adequacy of Un-earmarked Reserves at £13.5m within a risk assessed range requirement of £12.3m - £13.5m.
- f) The Efficiency Strategy attached at Annex 4.
- g) The Capital Programme for 2020/21 of £109.507m including new and emerging capital bids outlined in Annex 5(i), planned sources of funding in 5.7.2, and notes the programme for 2021/22 to 2024/25 and that any wholly funded projects coming forward during the year will be added to the Capital Programme in line with the Budget Management Scheme.
- h) The delegation of implementation, subject to consultation where appropriate, of the capital programmes set out in Annex 5(ii) to Annex 5(iv)

to the relevant Director in Consultation with the appropriate Portfolio Holder.

- i) The Community Infrastructure Levy (CIL) allocations and amendments outlined in Annex 5(v).
  - j) The Capital & Investment Strategy attached at Annex 6.
  - k) The MRP Policy attached at Annex 7.
  - l) The Capital Prudential Indicators outlined in 5.7.8
  - m) The Annual Pay Policy Statement at Annex 9.
  - n) The Council Tax Support Scheme for 2020/21 shown in the following link: <http://beta.bathnes.gov.uk/sites/default/files/2020-01/Bath%20%26%20NE%20Somerset%20S13A%20202021%20v3.pdf> and referred to in 5.3.4.
  - o) The Adult Social Care Charging and Financial Assessment Framework at Annex 10.
  - p) The Direct Payment Policy at Annex 11.
2. That the Council approves the technical resolutions that are derived from the budget report, and all the figures in that report, including the precepts for towns, parishes and other precepting bodies as set out in Annex 12.
3. That Council notes the S151 Officer's report on the robustness of the proposed budget and the adequacy of the Council's reserves outlined in 5.6.

**THE COUNCIL APPROVES THE BUDGET AND COUNCIL TAX FOR 2020/21 AS INDICATED ABOVE AND ACCORDINGLY RESOLVES:**

4. That the 2020/21 revenue expenditure is funded as follows:

	Total £
<b>2020/21 Gross Expenditure</b>	<b>352,251,749</b>
2020/21 Income (service income and specific grants)	189,766,855
Core Funding:	
Retained Business Rates*	62,824,054
Collection Fund Surplus	2,224,840
<b>2020/21 Gross Income</b>	<b>254,815,749</b>
<b>Council Tax Requirement (excluding Parish Precepts)</b>	<b>97,436,000</b>

\* Before Tariff Payment of £39.615m

- 5.
- a. That it be noted that on the 18th December 2019 the Director of Finance (as authorised section 151 officer) agreed **66,879.90** Band D property equivalent as the Council Tax Base for the year 2020/21 in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 made under Section 35(5) of the Local Government Finance Act 1992.
  - b. The amounts calculated by the Council, in accordance with Regulation 6 of the Regulations, as the amount of its Council Tax Base for the year for dwellings in those parts of its area to which one or more special items relate is given as Annex 12 (Annex 1 (1)).  
[Annex 12 (Annex 1 (1)) gives Band D Tax base by parish]

6. That the following amounts be now calculated by the Council for the 2020/21 financial year in accordance with Sections 31 to 36 of the Local Government and Finance Act 1992, as amended:

- a. **£355,140,629** (=£352,251,749 (gross expenditure including contribution to reserves) +£2,888,880 (Parish precepts)) being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the 1992 Act.

*[This is the gross expenditure incurred in performing functions and charged to the revenue account, contingencies for revenue, any financial reserves to be raised, financial reserves to meet prior year deficit not yet provided for, any amounts transferred from its general fund to its collection fund in accordance with section 97(4) of the Local Government Finance 1988 Act, and any amounts transferred from general fund to collection fund under section 98(5) of 1988 Act.]*

- b. **£254,815,749** (gross income) being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the 1992 Act.

*[This is the income estimated to accrue which will be credited into the revenue account for the year in accordance with proper practices, any amounts transferred in the year from the collection fund to the general fund in accordance with section 97(3) of the 1988 Act, any amounts which will be transferred from the collection fund to the general fund pursuant to a direction under section 98(4) of the 1988 Act and will be credited to the revenue account for the year, and financial reserves used to provide for items in Section 31A(2)]*

- c. **£100,324,880** being the amount by which the aggregate at 6(a) above exceeds the aggregate at 6(b) above calculated by the Council in accordance with Section 31A(4) of the 1992 Act as its Council Tax requirement for the year.

- d. **£ 1,500.08** being the amount at 6(c) above divided by the amount at 5(a) above, calculated in accordance with Section 31B of the 1992 Act, as the basic amount of Council Tax for the year.

*[This is the average Band D Council tax including B&NES and parish precepts]*

- e. **£ 2,888,880** being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the 1992 Act.

*[This is the total of parish precepts]*

- f. **£1,456.88** being the amount at 6(d) above less the result given by dividing the amount at 6(e) above by the amount at 5(a) above, calculated by the Council, in accordance with Section 34(2) of the 1992 Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no special item relates.

*[This is the B&NES Band D Council tax only excluding parish precepts]*

- g. The amounts given by adding to the amount at 6(f) above the amounts of special items or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 5(b) above, calculated by the Council, in accordance with section 34(3) of the 1992 Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate are given at Annex 12 (Annex 1 (3)).

*[Annex 12 (Annex 1 (3)) gives the Band D Council tax for each area including the parish precepts]*

- h. The amounts given by multiplying the amounts at 6(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the 1992 Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands are given in Annex 12, (Annex 1 (4)).

*[Annex 12, (Annex 1 (4)) shows the B&NES and parish Council Tax for all bands.]*

#### Precepting Authorities

7. That it be noted that for the year 2020/21 the Police & Crime Commissioner for Avon and Somerset has determined the amount in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of the dwellings shown below:-

#### 8. Avon and Somerset Police

##### Valuation Bands

A	B	C	D	E	F	G	H
<b>£151.87</b>	<b>£177.19</b>	<b>£202.50</b>	<b>£227.81</b>	<b>£278.43</b>	<b>£329.06</b>	<b>£379.68</b>	<b>£455.62</b>

9. That it be noted that for the year 2020/21 Avon Fire Authority met on 12th February 2020 to determine the amounts in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of the dwellings shown below:-

#### 10. Avon Fire Authority

##### Valuation Bands

A	B	C	D	E	F	G	H
<b>£49.96</b>	<b>£58.29</b>	<b>£66.61</b>	<b>£74.94</b>	<b>£91.59</b>	<b>£108.25</b>	<b>£124.90</b>	<b>£149.88</b>

11. That, having calculated the aggregate in each case of the amounts 8, 10 and 6(h) above, the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992 hereby sets the following amounts as the amounts of Council Tax for the 2020/21 financial year for each of the categories of dwellings shown, as listed in Annex 12 (Annex 1 (5)).

12. On average (for a Band D, 2 adult household) the Council Tax for 2020/21 will be as follows:

Reference Band D 2019/20 £		£ Band D 2020/21	% Increase on 2019/20
1,300.28	Bath and North East Somerset Council*	1,328.16	1.99*
100.84	- Adult Social Care (ASC)*	128.72	1.99*
<b>1,401.12</b>	<b>Sub Total B&amp;NES (Including ASC)</b>	<b>1,456.88</b>	<b>3.98</b>
41.52	Average Parish Precept	43.20	4.05
73.48	Avon Fire Authority	74.94	1.99
217.81	Avon and Somerset Police	227.81	4.59
<b>1,733.93</b>	<b>Total Tax Charged</b>	<b>1,802.83</b>	<b>3.97</b>

[Overall annual increase in average Band D Council Tax is £68.90]

\* The percentage figures represent the number of percentage points which increases for the Adult Social Care precept and the B&NES general expenditure charge each contribute to the overall increase set by the Council in 2020/21.

13. The Council's basic amount of Council Tax for 2020/21 is not determined to be excessive in accordance with principles approved under section 52ZB Local Government Finance Act 1992.

[Notes;

1. The above resolutions were carried on a named vote as set out below;

Councillors voting in favour (35) ; - Rob Appleyard, Tim Ball, Alison Born, Shelley Bromley, Sue Craig, Paul Crossley, Gerry Curran, Jess David, Tom Davies, Douglas Deacon, Winston Duguid, Mark Elliott, Andy Furse, Kevin Guy, Joel Hirst, Lucy Hodge, Duncan Hounsell, Dr Kumar, Hal McFie, Ruth Malloy, Matt McCabe, Sarah Moore, Michelle O'Doherty, Bharat Pankhania, Manda Rigby, Dine Romero, Mark Roper, Richard Samuel, Bruce Shearn, Alastair Singleton, Andy Wait, Sarah Warren, Ryan Wills, David Wood, Joanna Wright.

Councillors voting against (10); - Vic Clarke, Sally Davis, Michael Evans, Paul May, Paul Myers, Lisa O'Brien, Vic Pritchard, Brian Simmons, Karen Warrington, Chris Watt.

Councillors abstaining (9); - Sarah Bevan, Colin Blackburn, Chris Dando, Liz Hardman, Shaun Hughes, Eleanor Jackson, Robin Moss, June Player, Karen Walker.]

## 101 B&NES CORPORATE STRATEGY 2020-2024

Following recommendation by Cabinet on 13<sup>th</sup> February 2020, the Council considered a report seeking adoption of the Corporate Strategy and Corporate Delivery Programme to guide Council activity and budget planning over the next four years.

On a motion from Councillor Dine Romero, seconded by Councillor Richard Samuel, it was

**RESOLVED** to;

1. Thank those who provided feedback on the draft Corporate Strategy and agree to continue to work with local communities to ensure their involvement during the strategy's implementation and review;

2. Note the responses and agree the recommendations and next steps following the feedback on the draft strategy, as set out in the Corporate Strategy Engagement Report in Appendix Two;
3. Note and consider the responses from the Policy Development and Scrutiny Panels also set out in the Corporate Strategy Engagement Report in Appendix Two;
4. Adopt the new Corporate Strategy 2020-2024, including the new Community Engagement Charter;
5. Adopt the new Corporate Delivery Programme 2020-2020.

*[Notes;*

1. *The above successful resolution was carried with 42 Councillors voting in favour and 10 Councillors voting against.]*

## **102 TREASURY MANAGEMENT STRATEGY STATEMENT AND TREASURY INVESTMENT STRATEGY 2020/21**

The Council considered the Treasury Management Strategy Statement and Treasury Investment Strategy 2020/21 which is prepared within the framework of the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice 2017 Edition (the CIPFA Code). This report fulfils the Authority's legal obligation under the Local Government Act 2003 to have regard to the CIPFA Code.

The Strategy Statements were scrutinised by the Corporate Audit Committee at the 6<sup>th</sup> February 2020 meeting, and reported to Cabinet on 13<sup>th</sup> February 2020.

On a motion from Councillor Richard Samuel, seconded by Councillor Mark Elliott, it was unanimously

### **RESOLVED**

To approve the actions proposed within the Treasury Management Strategy Statement (Appendix 1).

## **103 APPROVAL OF THE JOINT WEST OF ENGLAND LOCAL TRANSPORT PLAN 4 FOR ADOPTION BY WEST OF ENGLAND COMBINED AUTHORITY JOINT COMMITTEE**

The Council considered a report seeking approval for the Joint Local Transport Plan 4 and to recommend the plan for adoption by the West of England Combined Authority Joint Committee.

On a motion from Councillor Joanna Wright, seconded by Councillor Matt McCabe, it was unanimously

**RESOLVED** to;

1. Approve the draft Joint Local Transport Plan 4 for adoption by the West of England Combined Authority Joint Committee; and
2. Delegate authority to the Director of Environmental Services, in consultation with the Cabinet Members for Transport Services, for any required drafting amendments to the Joint Local Transport Plan 4 and to advise the Leader of any recommended amendments prior to adoption by WECA Joint Committee.

*[Notes;*

1. *During debate, an amendment was moved by Councillor Paul May and seconded by Councillor Paul Myers seeking to add detail to the description of orbital corridor routes on page 399 of the agenda pack. This was lost with 14 Councillor voting in favour and 38 Councillors voting against.]*

**104 REFERRAL FROM CHILDREN, ADULTS, HEALTH & WELLBEING PDS PANEL - MATERNITY SERVICES RECONFIGURATION UPDATE**

This item was deferred until 26<sup>th</sup> March 2020.

**105 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS**

Councillor Lisa O’Brien made a statement to Council outlining a solution to rough sleeping and homelessness from the Billy Chip Foundation by purchasing a ceramic chip which can be used to exchange for food and drinks in certain food outlets. Councillor O’Brien described how the scheme works and encouraged Councillors to give it their support. Councillor Tim Ball asked for the details to be circulated to Members. Councillor Liz Hardman asked if Bath had any supporting outlets, to which Councillor O’Brien responded that there were currently three, with plans for more.

The Chair thanked everyone for their attendance and closed the meeting.

The meeting ended at 9.39 pm

Chair .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**