

BATH AND NORTH EAST SOMERSET COUNCIL

MINUTES OF COUNCIL MEETING

Thursday, 21st May, 2015

Present:- **Councillors** Patrick Anketell-Jones, Rob Appleyard, Tim Ball, Colin Barrett, Cherry Beath, Sarah Bevan, Lisa Brett, John Bull, Neil Butters, Anthony Clarke, Paul Crossley, Sally Davis, Douglas Deacon, Michael Evans, Andrew Furse, Charles Gerrish, Ian Gilchrist, Francine Haeberling, Alan Hale, Liz Hardman, Steve Hedges, Eleanor Jackson, Les Kew, Marie Longstaff, Barry Macrae, Robin Moss, Paul Myers, Bryan Organ, Vic Pritchard, Liz Richardson, Caroline Roberts, Nigel Roberts, Dine Romero, Will Sandry, Brian Simmons, David Veale, Martin Veal, Geoff Ward, Tim Warren, Chris Watt, Jasper Becker, Colin Blackburn, Jonathan Carr, Matt Cochrane, Dando, Fiona Darey, Matthew Davies, Emma Dixon, Bob Goodman, Donal Hassett, Deirdre Horstmann, Steve Jeffries, Paul May, Shaun McGall, Michael Norton, Lisa O'Brien, Lin Patterson, Christopher Pearce, Joe Rayment, Mark Shelford, Peter Turner, Karen Walker, Karen Warrington and Alison Millar

Apologies for absence: **Councillors** June Player

1 EMERGENCY EVACUATION PROCEDURE

The Chairman drew attention to the emergency evacuation procedure as set out on the agenda.

2 ELECTION OF CHAIRMAN 2015/16

It was proposed by Councillor Dine Romero, seconded by Councillor Patrick Anketell-Jones, and supported by Councillors Robin Moss, Sarah Bevan and Jonathan Carr and

RESOLVED that Councillor Ian Gilchrist be elected Chairman of the Council for the Council year 2015/16.

Councillor Gilchrist made and signed his Declaration of Acceptance of Office, received the Chain of Office from Councillor Martin Veal and presented the Consort's badge to Mrs Gilchrist. Councillor Gilchrist then addressed the Council. During his speech, Councillor Gilchrist indicated that his preferred form of address was 'Mr Chairman'.

FROM THIS STAGE OF THE PROCEEDINGS, COUNCILLOR IAN GILCHRIST PRESIDED AT THE MEETING.

3 ELECTION OF VICE-CHAIRMAN 2015/16

It was proposed by Councillor Tim Warren, seconded by Councillor Tim Ball, and supported by Councillors Robin Moss, Sarah Bevan and Jonathan Carr and

RESOLVED that Councillor Alan Hale be elected Vice-Chairman of the Council for the Council year 2015/16.

Councillor Alan Hale made and signed his Declaration of Acceptance of Office, received the Chain of Office from Councillor Ian Gilchrist and thanked the Council for his appointment.

4 MINUTES - 17TH FEBRUARY 2015

On a motion from Councillor Tim Warren, seconded by Councillor Dine Romero, it was

RESOLVED that the minutes of 17th February 2015 be approved as a correct record and signed by the Chairman.

5 DECLARATIONS OF INTEREST

There were no declarations of interest made.

6 ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE

Councillor Ian Gilchrist presented Councillor Martin Veal with his past Chairman's badge.

It was proposed by Councillor Francine Haeberling, seconded by Councillor Dine Romero and supported by Councillors Robin Moss, Sarah Bevan and Jonathan Carr and

RESOLVED that this Council places on record its appreciation of the services performed by Councillor Martin Veal in the office of Chairman of the Council for 2014/15.

Councillor Veal then addressed the Council and, in so doing, thanked Members and officers for their support during his year in office. He outlined the diverse and rewarding range of duties and contacts that the year had presented to him. He concluded by thanking his family for their patience and support, and thanked the public for generously supporting his chosen charities.

The Chairman then;

1. Welcomed and congratulated all newly-elected Councillors and invited the Council to place on record its appreciation of the past service given by the Members who retired following the Election;
2. Invited Council to note the appointment of Cllr Dine Romero as Liberal Democrat Group Leader, Cllr Robin Moss as Labour group Leader, Cllr Sarah Bevan as Independent Group Spokesperson, Cllr Jonathan Carr as Green Group Leader and confirm that Cllr Tim Warren remains in office as Conservative Group Leader, and further note that political groups have been formed with membership of Conservative 37, Liberal Democrat 15, Labour 6, Independents & Village Voice 5 and Green 2;

3. Invited the Council to stand in silence as a mark of respect following the recent death of Parish Councillor and Chair of the Avon Local Councils' Association, Peter Duppa-Miller;
4. Asked everyone to turn off their mobile phone or switch to silent to avoid disrupting the meeting, and explained that some Councillors are accessing their meeting papers via iPads;
5. Announced that the meeting was being webcast and invited anyone who did not wish to be filmed to make themselves known to the camera operators; and
6. Congratulated the Property & Project Delivery team for winning two more awards for the Keynsham development, this time from the British Council for Offices. They won in the South West section for Innovation and for best Corporate Office. They have also been shortlisted for a RICS award for Regeneration.

7 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There were no items of urgent business.

8 REPORT OF URGENT DECISION BY THE CHIEF EXECUTIVE

The Council noted the following decisions that the Chief Executive had made concerning amendments to the Council Capital programme and borrowing limits since the last Council meeting;

- An increase in the capital budget for Odd Down Sports Ground of up to £290K to cover an additional scope of works, to be funded by a Revenue Contribution to Capital (RCCO) from the Outturn underspend for 2014/15.
- The capital project for a new Primary School in the Ensleigh Development to be fully approved with a total budget of £4m funded by Basic Needs Grant and available Developer's contributions from 2015/16 onwards.
- An increase in Council borrowing limits by £7 million from the 2015/16 allocation to fund additional capital expenditure and a consequent adjustment to the capital programme.

These decisions were deemed as urgent and were taken following consultation with Political Group Leaders, the Monitoring Officer and the Section 151 Officer.

9 NOTIFICATION OF MEMBERS ELECTED ON 7TH MAY 2015

Council noted this item.

10 APPOINTMENT OF LEADER

Councillor Tony Clarke, seconded by Councillor Liz Richardson, proposed Councillor Tim Warren as Leader of the Council and spoke in support of the nomination. Councillors Dine Romero and Robin Moss supported the nomination and added their

thanks to Councillor Paul Crossley for his 13 years as Leader of the Council. It was then

RESOLVED that Councillor Tim Warren be duly elected as Leader of Bath and North East Somerset Council for the period ending with the Annual Meeting in May 2019.

Note – the above resolution was passed with all Councillors voting in favour, except for the Labour group and Green group who abstained.]

11 APPOINTMENT OF COMMITTEES & PANELS, & OTHER ANNUAL BUSINESS

The Council considered a report on its non-executive and regulatory committee arrangements for the Council year May 2015 to May 2016.

Councillor Tim Warren moved the recommendations and, in so doing, outlined the Panels and Committees that were proposed, introduced the role of Member Advocate, explained the new Cabinet Assistant role and explained that he had decided to make appointments to his Cabinet, as follows;

- Councillor Charles Gerrish - Finance & Efficiency
- Councillor Martin Veal - Community Services
- Councillor Vic Pritchard - Adult Social Care & Health
- Councillor Tony Clarke - Transport
- Councillor Marie Longstaff - Homes & Planning
- Councillor Michael Evans - Children's Services
- Councillor Patrick Anketell-Jones - Economic Development

He outlined the ways in which they intended to deliver on their manifesto. The proposal was seconded by Councillor Charles Gerrish and then

RESOLVED

1. To approve a structure for non-executive and regulatory decision making, and the Scrutiny function as set out in the Constitution, and identified in its current form in this report at Appendix 2, with the following amendments;
 - a. the revised number of panels and remits as shown in the attached scrutiny remits document;
 - b. the change of name from Development Control to Development Management committee;
 - c. the revised political proportionality table and alterations to the number of seats as shown in the revised Appendix 1;
 - d. the removal of the Restructuring Implementation Committee from the bodies in Appendix 2 being established at this meeting;
2. To approve the terms of reference for Committees and Panels etc as set out in Appendix 2 to the report and constitute those bodies accordingly, with the necessary revisions arising from the decisions of this meeting;

3. To approve the appointment of Members to the Committees and Panels in accordance with the requirements of political proportionality and the nominations made by the political groups as shown in revised Appendix 1;
4. To appoint as Chairs of such bodies, those Councillors as may from time to time be nominated by the political group to whom the chairmanship of the body (as allocated in the revised Appendix 1);
5. To authorise the Monitoring Officer to fill any casual vacancies in membership of all the bodies constituted and vacancy in the office of Chair of such bodies in accordance with the wishes of the political groups and the allocation of chairing entitlements made at this meeting;
6. To agree that the bodies on which independent members are to have seats are as shown in the revised Appendix 1;
7. To authorise the Monitoring Officer, in consultation with the Chairs of the Policy Development & Scrutiny Panels, to constitute and support any required Panel joint working as outlined in paragraph 6.1 of the report;
8. To appoint members to Avon Fire Authority on a proportionality basis to be determined;
9. To approve the allocation of Political Assistants to qualifying groups in accordance with section 8 of the report;
10. To instruct the Chief Executive, in consultation with Group Leaders, to make provision for support to the three remaining groups;
11. To approve the attached Planning Code of Conduct for inclusion in the Council's Constitution as set out in paragraph 9 of the report;
12. To note, in light of the decision taken earlier on the agenda to appoint a Leader, that the Leader will publish in due course, a scheme of delegation of executive functions;
13. To note the position regarding the frequency of meetings (as set out in Section 10 of the report) as the basis for enabling the diary of meetings to be prepared, and to authorise the Monitoring Officer to project dates forward and prepare the diary on this basis;
14. To note that an Independent Panel to consider members' allowances is being convened and will report its recommendations in due course;
15. To instruct the Monitoring Officer, in consultation with Group Leaders, to make appointments on non-executive outside bodies and note that the Leader or Cabinet Members will do so for executive outside bodies;
16. To authorise the Monitoring Officer to make and publicise any amendment to the Council's Constitution required, or take any other necessary action, as a

result of decisions taken at this meeting on this and other reports within the agenda, or otherwise as required by law.

12 MONITORING OFFICER APPOINTMENT

The Council considered a report seeking approval for the designation of the new Head of Legal and Democratic Services, Maria Lucas, as the Council's Monitoring Officer from 1st June 2015.

In moving and seconding this motion, Members placed on record their thanks to Vernon Hitchman for his many years of service with Bath City Council and Bath & North East Somerset Council.

On a motion from Councillor Tim Warren, seconded by Councillor Dine Romero, it was

RESOLVED that the Council designate the post of Head of Legal and Democratic Services as the Council's Monitoring Officer, in accordance with section 5 of the Local Government and Housing Act 1989 (as amended by Schedule 5 paragraph 24 of the Local Government Act 2000) with effect from 1 June 2015.

13 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC

David Redgewell made a statement (linked to these minutes online) calling for a modern bus fleet, promoting the MetroWest system and urging the Council to seriously consider the implications for Bath of the City Regions initiative and address it before a solution is imposed upon the area. In response to a question from Councillor Lin Patterson asking Mr Redgewell if he would favour a Park & Ride or investment in public transport, he responded that he felt they were mutually compatible. The Chairman thanked Mr Redgewell for his statement which was then referred to the Cabinet Member for Transport.

Rolf Stein presented two petitions regarding North Road, Bathwick and calling for traffic calming and enforcement measures to be included in the improvement programme for this year. The text of Mr Stein's presentation has been added to the online minutes. In response to a question from Councillor Patrick Anketell-Jones about whether Mr Stein had car usage numbers and average speed details for the road, he responded that the average was about 30mph, meaning some cars were clearly going faster than that. In response to a question from Councillor Dine Romero about whether Mr Stein was aware that the previous administration had agreed to implement a 20mph limit in sections of this road and had called on central Government for the same powers as London and Wales with regard to weight restrictions, Mr Stein responded that the 20mph section is supported as is the fuller proposal they are seeking. In response to a question from Councillor Sarah Bevan about the use of the road as a rat run and alternative routes, Mr Stein responded that it was a convenient point of access for the A36 in both directions. The Chairman thanked Mr Stein for his statement and referred it to the Cabinet Member for Transport.

14 PLEDGE TO CHILDREN IN CARE

The Council considered a report inviting it to affirm its commitment to the Pledge to Children in Care.

On a motion from Councillor Chris Watt, seconded by Councillor Dine Romero, it was

RESOLVED to approve the Bath and North East Somerset Council Pledge to Children and Young People in Care.

The meeting ended at 8.00 pm

Chairman

Date Confirmed and Signed

Prepared by Democratic Services