

# BATH AND NORTH EAST SOMERSET COUNCIL

## MINUTES OF COUNCIL MEETING

Thursday, 10th May, 2012

Present:- **Councillors** Simon Allen, Patrick Anketell-Jones, Rob Appleyard, Sharon Ball, Tim Ball, Colin Barrett, Gabriel Batt, Cherry Beath, David Bellotti, Sarah Bevan, Mathew Blankley, Lisa Brett, John Bull, Neil Butters, Bryan Chalker, Anthony Clarke, Nicholas Coombes, Paul Crossley, Gerry Curran, Sally Davis, Douglas Deacon, David Dixon, Peter Edwards, Michael Evans, Paul Fox, Andrew Furse, Charles Gerrish, Ian Gilchrist, Francine Haerberling, Alan Hale, Katie Hall, Malcolm Hanney, Liz Hardman, Nathan Hartley, Steve Hedges, Eleanor Jackson, Les Kew, Dave Laming, Malcolm Lees, Marie Longstaff, Barry Macrae, David Martin, Robin Moss, Paul Myers, Douglas Nicol, Bryan Organ, June Player, Vic Pritchard, Manda Rigby, Caroline Roberts, Nigel Roberts, Dine Romero, Will Sandry, Brian Simmons, Kate Simmons, Jeremy Sparks, Ben Stevens, Roger Symonds, Martin Veal, David Veale, Geoff Ward, Tim Warren, Chris Watt and Brian Webber

Apologies for absence: **Councillor** Loraine Morgan-Brinkhurst MBE

### 1 EMERGENCY EVACUATION PROCEDURE

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

### 2 ELECTION OF CHAIRMAN

It was proposed by Councillor John Bull, seconded by Councillor Tim Ball, and supported by Councillors Les Kew and Doug Deacon and

**RESOLVED** that Councillor Rob Appleyard be elected Chairman of the Council for year 2012/13.

Councillor Appleyard made and signed his Declaration of Acceptance of Office and received the Chain of Office from Councillor Peter Edwards and presented the Consort's Badge to his wife, Alison.

Councillor Appleyard then addressed the Council. During his speech, Councillor Appleyard indicated that he did not have a preferred form of address but asked only that the office of Chairman be treated with respect.

*FROM THIS STAGE OF THE PROCEEDINGS, COUNCILLOR ROB APPLEYARD, AS CHAIRMAN, PRESIDED AT THE MEETING.*

### 3 ELECTION OF VICE CHAIR(MAN)

It was proposed by Councillor Katie Hall, seconded by Councillor Tim Warren, and supported by Councillors John Bull and Doug Deacon and

**RESOLVED** that Councillor Neil Butters be elected Vice Chairman for the Council year 2012/13.

Councillor Butters made and signed his Declaration of Acceptance of Office, received the Badge of Office from Councillor Appleyard and thanked the Council for his appointment.

#### **4 MINUTES - 14TH FEBRUARY 2012 AND 28TH MARCH 2012**

On a motion from Councillor Paul Crossley, seconded by Councillor Steve Hedges, it was **RESOLVED** that the minutes of 14<sup>th</sup> February 2012 and 28<sup>th</sup> March 2012 be confirmed as a correct record and signed by the Chairman.

#### **5 APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Loraine Morgan-Brinkhurst MBE.

#### **6 DECLARATIONS OF INTEREST**

There were no declarations of interest made.

#### **7 ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE**

Councillor Appleyard presented Councillor Edwards with his past Chairman's badge. Councillor Edwards then presented the past Chairman's Consort's badge to his wife, Anne.

It was proposed by Councillor Tim Warren, seconded by Councillor Dine Romero and supported by Councillors John Bull and Doug Deacon and

**RESOLVED** that this Council places on record its appreciation of the services performed by Councillor Peter Edwards in the office of Chairman of the Council for 2011/12.

Councillor Edwards addressed the Council and, in so doing, thanked Members and officers for their support during his year in office. Councillor Edwards paid tribute to the support which he had received from Councillor Appleyard in his role as Vice Chairman over the previous Council Year and wished him well for his term of office as Chairman. Councillor Edwards also thanked his wife Anne for her support throughout his year as Chairman. Councillor Edwards presented the Council with a commemorative Chairman's gavel and block at the end of his speech, which Councillor Appleyard thanked him for on behalf of the Council.

The Chairman then;

1. Welcomed the new Chief Executive, Dr Jo Farrar, to the meeting;
2. Welcomed two members of the Youth Parliament who were visiting the meeting, Mike Fidanolgu (Bath) and William Bridges (North East Somerset);

3. Indicated that he proposed to waive Council Rule 37, so as not to permit Members seconding motions or amendments being able to reserve their right to speak until later in the debate, but to require all seconders if they wished to speak to do so when they seconded the motion or amendment. The Council agreed to this proposal.
4. Informed Council that, should the meeting continue past 8.30pm, he would announce a comfort break.

## **8 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN**

There were no items of urgent business.

## **9 REPORT OF URGENT DECISION - TREASURY MANAGEMENT STRATEGY**

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

### **RESOLVED**

To note that, in accordance with the rules within Constitution concerning Chief Officer's action (Urgency – Part 4 (G) rule 3), the Chief Executive took a decision in February 2012 to support the early implementation of the 2012/13 Treasury Management strategy to enable current treasury activity with the Nat West Bank (the Council's appointed main bankers) to be maintained, following the downgrading alert for its parent company, Royal Bank of Scotland plc.

This decision was deemed as urgent and as falling within Council policy and was taken following consultation with Political Group Leaders.

## **10 APPOINTMENT OF COMMITTEES AND PANELS AND OTHER ANNUAL BUSINESS**

The Council considered a report inviting its approval for the non-executive and regulatory committee arrangements for the Council year May 2012 to May 2013.

On a motion from Councillor Crossley, seconded by Councillor Nathan Hartley, it was

### **RESOLVED to**

1. Approve the structure for non-executive and regulatory decision making and Policy Development & Scrutiny working as set out in the Constitution and identified in its current form in the report at Appendix 2;
2. Note the revised political proportionality as set out in the version of 'Appendix 1 – Revised' attached to the minutes, updated to reflect the changed numbers of Conservative group and Independent group councillors;
3. Appoint the Committees, Panels and other bodies as set out in Appendix 2 with the membership, terms of reference and delegated powers as set out in the

Appendix subject to a working group (of 4 Members in political proportion 1:1:1:1) being established to review the remits of the PDS Panels and authority being delegated to the Monitoring Officer, in consultation with the Group Leaders, to amend and publicise any amendments arising from the working group's findings

4. Approve the addition of three new powers within the Public Rights of Way delegation scheme, as set out in section 12 of the report;
5. Approve the allocation of seats on the Committees and Panels as set out in 'Appendix 1 – Revised' to these minutes, such seats to be filled in accordance with the nominations made by the political groups;
6. Appoint to chair each committee and panel those Councillors as may from time to time be nominated by the political group to whom the chairmanship of the body is allocated (as set out in Appendix 1 - Revised);
7. 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;
8. Determine the bodies on which independent members are to have seats as either voting or non-voting members and appoint such members accordingly;
9. 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;
10. Approve the addition of the Crime & Disorder Reduction Strategy and the Health & Wellbeing Strategy into the Council's Policy & Budget framework, as set out in section 13 of the report;
11. Agree that the Leader of Council, in consultation with Group Leaders, will identify the roles, remits and distribution of Member Champions;
12. Agree the following recommendations from the Standards Committee;
  - a. That a Standards Committee be established with Terms of Reference as specified in pages 53 and 54 of the report to Council, subject to membership arrangements agreed by Council as set out below;
  - b. That the membership comprise:
    - i. 3 independent members (with 3 substitutes)
    - ii. 3 parish representatives (with 3 substitutes)
    - iii. 5 Bath & North East Somerset Councillors in political proportion; (1:3:0:1)
  - c. To note that the independent and parish representatives will be non-voting members; and

- d. That the Council consider at a future meeting a further report on the contents of and adoption of a Local Code of Conduct, once the necessary Regulations have been issued by Government;
13. Note the calendar of meeting dates that has been prepared up to May 2015 which is available on the Council's website, and note the full Council meeting dates until the next AGM of 18th June 2012, 19th July 2012, 13th September 2012, 8th November 2012, 17th January 2013, 19th February 2013, 28th February 2013 (Reserve Budget meeting);
14. Authorise the Monitoring Officer, in consultation with Group Leaders, to make appointments on such outside bodies as are for the Council (rather than Cabinet) such to fill;
15. 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;
16. Note the arrangements for the conduct of Cabinet business as set out in section 14 of the report; and
17. Note the agreed Terms of Reference for the Shadow Health & Wellbeing Board as determined by the Leader at Appendix 3 to the report and recommend to the Leader that observer status be granted to one representative of each Group on the Council, not currently represented on the Board.

*[Notes:*

- a. The appendix to these minutes sets out the revised table of proportionality and allocation of seats based on the decisions made in the above resolution.*
- b. In moving the above motion, Councillor Paul Crossley explained his intention to allocate one Liberal Democrat place on the Standards Committee to the Labour group so that all Groups were represented, and to continue the current arrangement of one Liberal Democrat place on the Development Control Committee being allocated to the Labour group.]*

## **11 THE COUNCIL'S VISION AND VALUES**

The Council considered a report which sought its approval to the refreshed Council Vision following its Cabinet approval in February. A series of outcomes and values have been developed to help shape the future direction of the Council and these were presented for adoption.

On a motion from Councillor Paul Crossley, seconded by Councillor Nathan Hartley, it was

**RESOLVED**

1. To agree the refresh of the Council's Vision;
2. To replace the Council's previous eight priorities with three objectives that describe what it is trying to achieve and enable it to focus resources; and
3. To update the Council's values to reflect how the Council will operate and the kind of organisation it will be.

*[The above resolution was passed with 63 councillors voting in favour, 0 against and 1 abstention.]*

**12 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC**

There were no items from the public.

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

There were no items from Councillors.

The meeting ended at 8.00 pm

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

## AMENDED POLITICAL PROPORTIONALITY TABLE – COUNCIL MAY 2012

| Compulsory cumulative proportionality                  | # on Cttee | Conservative (C)<br>27 = 41.5% | Liberal Democrats (LD)<br>29 = 44.6% | Labour (LAB)<br>5 = 7.7% | Independent (I)<br>4 = 6.15% | Chair Allocation | Vice Chair Allocation | Co-opted members       |
|--|------------|--------------------------------|--------------------------------------|--------------------------|------------------------------|------------------|-----------------------|------------------------|
| <b>Proportionality:</b>                                | <b>82</b>  | <b>34</b>                      | <b>37</b>                            | <b>6</b>                 | <b>5</b>                     |                  |                       |                        |
| Housing & Major Projects PD&S                          | 7          | 2                              | 3                                    | 1                        | 1                            | LAB              | LD                    |                        |
| Economic & Community Development PD&S                  | 7          | 3                              | 3                                    | 1                        |                              | LAB              | LD                    |                        |
| Resources PD&S   | 7          | 4                              | 2                                    | 1                        |                              | LAB              | LD                    |                        |
| Wellbeing PD&S   | 9          | 4                              | 4                                    | 1                        |                              | C                | LD                    |                        |
| Early Years, Children and Youth PD&S                   | 7          | 3                              | 3                                    | 1                        |                              | C                | LD                    | 4                      |
| Planning, Transport & Environment PD&S                 | 7          | 3                              | 4                                    |                          |                              | C                | LD                    |                        |
| Development Control                                    | 13         | 5                              | 6                                    | 1                        | 1                            | LD               |                       |                        |
| Regulatory access                                      | 5          | 2                              | 2                                    |                          | 1                            | IND              |                       |                        |
| Corporate Audit  | 7          | 3                              | 3                                    |                          | 1                            | LD               |                       | 1                      |
| Pensions   | 5          | 2                              | 3                                    |                          |                              | LD               |                       | 7 voting, 4 non voting |
| Employment Committee                                   | 3          | 2                              | 1                                    |                          |                              | C                |                       |                        |
| Standards Committee                                    | 5          | 1                              | 3                                    | 0                        | 1                            |                  |                       | 6 non voting           |
| <b>TOTALS</b>  | <b>82</b>  | <b>34</b>                      | <b>37</b>                            | <b>6</b>                 | <b>5</b>                     |                  |                       |                        |
| Compulsory individual proportionality                  |            |                                |                                      |                          |                              |                  |                       |                        |
| Gambling and Licensing Sub-Committee                   | 3          | 1                              | 2                                    |                          |                              | LD               |                       |                        |
| Taxis, Street Trading and Misc.Licensing Sub Committee | 3          | 2                              | 1                                    |                          |                              | LD               |                       |                        |
| Investment panel                                       | 3          | 2                              | 1                                    |                          |                              | C                |                       | 3                      |
| Optional proportionality                               |            |                                |                                      |                          |                              |                  |                       |                        |
| Licensing Committee                                    | 12         | 5                              | 5                                    | 1                        | 1                            | LD               |                       |                        |

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