

BATH AND NORTH EAST SOMERSET COUNCIL

MINUTES OF COUNCIL MEETING

Thursday, 13th November, 2014

Present:- **Councillors** Simon Allen, Patrick Anketell-Jones, Rob Appleyard, Sharon Ball, Tim Ball, Colin Barrett, 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, Terry Gazzard, Charles Gerrish, Ian Gilchrist, Francine Haerberling, Liz Hardman, Nathan Hartley, Steve Hedges, Eleanor Jackson, Dave Laming, Malcolm Lees, Marie Longstaff, Barry Macrae, David Martin, Loraine Morgan-Brinkhurst MBE, Robin Moss, Paul Myers, Douglas Nicol, June Player, Vic Pritchard, Liz Richardson, Manda Rigby, Caroline Roberts, Nigel Roberts, Dine Romero, Will Sandry, Brian Simmons, Kate Simmons, Jeremy Sparks, Ben Stevens, Roger Symonds, Martin Veal, Geoff Ward, Tim Warren and Chris Watt

Apologies for absence: **Councillors** Alan Hale, Katie Hall, Les Kew, Bryan Organ, David Veale and Brian Webber

37 EMERGENCY EVACUATION PROCEDURE

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

38 DECLARATIONS OF INTEREST

Councillor Charles Gerrish declared a disclosable pecuniary interest in item 15 'Referral from the Policy Development & Scrutiny Panel' as a shareholder in Bath & West Community Energy company.

Councillor John Bull declared a disclosable pecuniary interest in item 15 'Referral from the Policy Development & Scrutiny Panel' as a shareholder in Bath & West Community Energy company.

Councillor Roger Symonds declared a disclosable pecuniary interest in item 15 'Referral from the Policy Development & Scrutiny Panel' as a shareholder in Bath & West Community Energy company.

Councillor Rob Appleyard declared an 'other' interest in the public speaking item (item 7) as a board member of Curo, when it became clear that one of the statements referred to Curo.

39 MINUTES - 11TH SEPTEMBER 2014

On a motion from Councillor Paul Crossley, seconded by Councillor Tim Warren, it was

RESOLVED that the minutes of 11th September 2014 be approved as a correct record and signed by the Chairman.

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

The Chairman made the customary arrangements regarding mobile phones and the meeting being webcast.

He congratulated those Members sporting moustaches for Movember.

He also thanked all the officers and Members attending the many Remembrance day events that had taken place earlier that week.

41 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There were no items of urgent business.

42 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC

Statements were made by the following people;

Vicky Drew made a statement regarding the Curo pilot credit checking scheme and the effect this was having on low income tenants. In response to a question from Councillor Steve Hedges enquiring whether Ms Drew considered the word 'social' should be taken out of the Curo name, Ms Drew responded that it seemed to be the way they were going. In response to a question from Councillor Robin Moss about whether investing money in debt advice was a good model to adopt, Ms Drew responded that debt advice was beyond the remit of providers. The Chairman thanked Ms Drew for her statement and referred the issues to the Cabinet member for Homes and Planning.

Vicky Drew made a statement regarding child poverty figures in B&NES. She referred to rising rents and properties being used as HMOs meaning a limited supply. She considered that arrangements favoured landlords, not tenants and yet everyone had a basic right to shelter. The Chairman thanked Ms Drew for her statement and referred the issues to the Cabinet member for Early Years, Children and Youth.

Vicky Drew made a statement regarding the junction outside St Saviour's school and referred to a petition that is gathering signatures calling for a pedestrian crossing to guarantee safe passage for parents and children. In response to a question from Councillor Rob Appleyard about whether Ms Drew was aware of the work Councillor Bryan Chalker had been doing in addressing this, Ms Drew responded that she was aware, but that it was still subject to a safety audit and earmarked for the 2015/16 budget, which was not soon enough. In response to a further question from Councillor Bryan Chalker about whether Ms Drew was aware of the work both ward councillors had put into this, Ms Drew responded that she had seen various stories in the press and knew they were supportive; she was keen to see it move forward. Councillor Liz Hardman asked a question about whether Ms Drew considered it was worth spending the money needed for ensuring a safer environment, she responded that it definitely was and she thought the amount would be 'peanuts'. The Chairman

thanked Ms Drew for her statement and referred it the issues to the Cabinet member for Transport.

Richard Young made a statement also calling for measures to address road safety issues outside St Saviour's school. He listed the problems caused and referred to an accident in 2013. He made reference to a petition of over 1000 signatures which they would shortly be submitting to Council. Whilst applauding the medium and long terms solutions that had been proposed, he called on the Council to take immediate steps by visiting St Saviours in the morning, installing a pedestrian crossing within 6 months and working with the community in 2015 to identify measures to reduce the rat run. In response to a question from Councillor Rob Appleyard enquiring if Mr Young was aware that the process for identifying a site for a safe crossing was now finished and approximately £40k had been allocated for this next year, Mr Young responded that he now knew about it. He asked that any work could be done in collaboration with the local community. In response to a question from Councillor Tim Warren about how long they had been campaigning for this, Mr Young responded that he personally had been involved for about 3 years, but the campaign itself had been going for about 11 years. In response to a question from Councillor Dave Laming asking about how much support they had received from the administration so far, Mr Young responded that Councillor Bryan Chalker had been supportive but that more action was needed. In response to a question from Councillor Liz Hardman about how much support there was locally, Mr Young responded that his assessment was that about 20 – 25% of the Lambridge electorate were in favour. The Chairman thanked Mr Young for his statement and referred the issues to the Cabinet member for Transport.

Dionne Noonan also made a statement regarding the junction outside St Saviour's school. She echoed the comments already made and made specific reference to the accident that had occurred last year when a mother taking children to school had been knocked down. She urged the Council to take steps to ensure that people could travel safely to and from school. In response to a question from Councillor Rob Appleyard about whether there was a school travel plan, Ms Noonan responded that she wasn't aware of one. She acknowledged the school was currently coping with 2 additional classes, so there were approximately 60 more children. In response to a question from Councillor Liz Hardman as to whether Ms Noonan considered that the accident and the near misses justified installing a pedestrian crossing immediately, Ms Noonan responded that it was definitely justified. The Chairman thanked Ms Noonan for her statement and referred the issues to the Cabinet member for Transport.

David Redgewell made a statement regarding bus service and integration. A copy of the statement has been linked to the online minutes and placed on the Council's Minute book. The Chairman thanked Mr Redgewell for his statement and referred it to the Cabinet member for Transport.

Peter Marsh presented a petition of 312 local traders and residents regarding the growing number of charity shops in Moorland Road and calling on the Council to take steps to stop this increase. The wording of the petition is;
"Ask Banes Council to pledge that no more charity shops will be allowed on Moorland Road. While lots of people enjoy using the charity shops on Moorland Road, there are now 6 and this is affecting the business of other traders in the area."

In response to a question from Councillor Dave Dixon about the nature of Mr Marsh's objection to charity shops, Mr Marsh responded that he had nothing against them per se but it was a question of balance with other shops and maintaining a vibrant community. In response to a question from Councillor Dave Laming about whether Mr Marsh had a list of retailers wanting to move into Moorland road, Mr Marsh responded that he didn't have a list, but was aware of shops that hadn't been able to move in, and that paying more than charity shops due to their exemption from business rates was a deterrent. In response to a question from Councillor John Bull about what else Mr Marsh considered the Council could do, he responded that the Council could make it more of a business proposition to open a business there by improving the parking, signage, having cleaner streets etc. The Chairman thanked Mr Marsh for his statement and petition and referred it to the Cabinet member for Sustainable Development.

Ollie Middleton made a statement regarding the Living wage motion later on this agenda. He referred to the number of people below the poverty line who are working and listed the organisations and local authorities who have adopted the living wage. He called on the Council to take the lead and urged them to adopt the motion. In response to a question from Councillor John Bull about whether there were advantages to employers in adopting the living wage, Mr Middleton explained that the benefits were significant and evidence pointed to lower absenteeism, increased productivity, enhanced reputation and a general boost to the economy. The Chairman thanked Mr Middleton for his statement and explained that his comments would be taken into account during consideration of the item.

Todd Foreman made a statement in support of the living wage motion. He said that 1 in 5 children in Bath lived in poverty and that work should be a way of lifting people out of poverty. In response to a question from Councillor Tim Warren about whether Mr Foreman considered the lower paid were better off with the tax reductions from the coalition government than they had been when paying higher taxes under the Labour government, Mr Foreman responded that the average family was worse off under this government and his view was that most people in Bath & North East Somerset would say that they felt worse off. In response to a question from Councillor Dave Laming about whether the Labour party or supporting unions had any unpaid interns in this area, Mr Foreman responded that he was proud to say that North East Somerset Labour party was a living wage employer. Councillor John Bull asked whether it was the case that some employers were ruled out due to contracts containing relevant clauses not being in place with suppliers and contractors. Mr Foreman responded that was in fact not a reason for employers to be disqualified as this could be phased in. Guidance he had seen outlined the flexibility that existed for contracts to be phased in. The Chairman thanked Mr Foreman for his statement and explained that his comments would be taken into account during consideration of the item.

43 GETTING AROUND BATH - A NEW TRANSPORT STRATEGY FOR BATH

The Council considered the new Transport Strategy for Bath which was approved by Cabinet on 12th November. Prior to the debate, statements were made by the following people;

Patrick Rotheram made a statement on behalf of the Federation of Bath Residents' Associations highlighting the traffic problems and air pollution issues that Bath experienced and urging Councillors to adopt the strategy. A full copy of the statement is linked to the online minutes and has been placed on the Council's minute book. In response to a question from Councillor John Bull enquiring whether Mr Rotheram considered enough had been done in the last four years, particularly in view of the fact that the Park & Ride on the east of Bath had not gone ahead. Mr Rotheram responded that it had been disappointing, but he welcomed that an alternative was included in the strategy. The Chairman thanked Mr Rotheram for his statement.

Professor Donald Thomas made a statement raising the health problems associated with traffic pollution, a copy of which is linked to the online minutes and has been placed on the Council's minute book. The Chairman thanked Professor Thomas for his statement.

Ian Perkins addressed the Council on behalf of the City Centre Action group, which comprises 3 central residents' associations. They supported the principles of the strategy, particularly the reduction in cars and the eastern Park & Ride. However, they were concerned about air quality in the city centre and stressed the need for proper management of coaches and parking. The Chairman thanked Mr Perkins for his statement.

Sally Rothwell, also from the City Centre Action group addressed the Council about 2 specific issues: too few residents' parking spaces in the city centre, an issue that they had been trying to address for over a decade. She also urged the Council to adopt an all year round coach management plan to minimise the damage being done to the city centre. The Chairman thanked Ms Rothwell for her statement.

On a motion from Councillor Caroline Roberts, seconded by Councillor Lisa Brett, it was

RESOLVED to adopt the Getting Around Bath Transport Strategy, as approved at Cabinet on 12th November 2014.

[Note – The above resolution was passed with all Councillors voting in favour except for Councillor Vic Pritchard who abstained.]

44 LICENSING ACT 2003 - REVIEW OF THE COUNCIL'S STATEMENT OF LICENSING POLICY

The Council considered a report which identified the findings of the consultation exercise carried out on the proposed revision of the Council's Statement of Licensing policy and the introduction of a Code of Best Practice for Licensed Premises.

On a motion from Councillor David Dixon, seconded by Councillor Manda Rigby, it was

RESOLVED

1. To adopt the Policy and Code of Best Practice provided in Annex B to the report, having had regard to the responses received following the consultation exercise (set out in Annex A to the report); and
2. To recommend the continuation of the existing Cumulative Impact Area in Bath city centre.

[Note: The above resolution was passed with all Councillors voting in favour, except for Councillor Nicholas Coombes who voted against.]

45 LOCAL COUNCIL TAX SUPPORT SCHEME (CTS) 2015-16

The Council considered a report proposing continuation of the Local Council Tax Support scheme (LCTS) into its third year, with the policy to incorporate uprating of national personal allowances and benefits as necessary.

On a motion from Councillor David Bellotti, seconded by Councillor Rob Appleyard, it was

RESOLVED to approve delegated authority for the lead Cabinet member for Resources and the Section 151 Officer of Bath & North East Somerset Council to agree that there are no changes to the existing Council Tax Support scheme for 2015-16, other than the application of national uprating adjustments and technical changes to ensure legal compliance as soon as practical.

[Note: The above resolution was passed with all Councillors voting in favour, except for the following Councillors who voted against; John Bull, Nicholas Coombes, Doug Deacon, Liz Hardman, Nathan Hartley, Eleanor Jackson, Robin Moss, June Player.]

46 TREASURY MANAGEMENT MONITORING REPORT TO 30TH SEPTEMBER 2014

The Council considered a report giving details of performance against the Council's Treasury Management Strategy and Annual Investment Plan 2014/15 for the first six months of 2014/15.

On a motion from Councillor David Bellotti, seconded by Councillor Andy Furse, it was

RESOLVED

1. To note the Treasury Management report to 30th September 2014, prepared in accordance with the CIPFA Treasury Code of Practice;
2. To note the Treasury Management indicators to 30th September 2014; and
3. To approve the proposed amendments to the 2014/15 Treasury Management Strategy set out in paragraphs 5.19-23 and Appendix 8 of the report.

[Note: The above resolution was passed unanimously.]

47 MOTION FROM THE INDEPENDENT GROUP - HOUSES IN MULTIPLE OCCUPATION

On a motion from Councillor June Player, seconded by Councillor Patrick Anketell-Jones, it was

RESOLVED that

Council notes:

- That landlords of rental properties currently pay income tax on the rental income and Capital Gains Tax on profit made at point of sale, but that this goes direct to central Government and is not passed on to Council.
- That it is a genuine concern that the proliferation of student accommodation and student properties in parts of the authority mean that there are a large number of properties where no contribution is made by either the landlord or tenant to the Council services all residents receive.
- That, if Business Rates were to be applied to student properties, the majority of small investors would pay little or nothing in Business Rates due to the fact that Small Business Rate Relief would apply.

Council resolves:

- To refer the matter to the relevant PD&S panel for their study and consideration, together with any relevant officer reports, with the subject to be considered by PD&S as a matter of priority.
- That the PD&S Panel, as part of their deliberations, is specifically asked to consider:
 - Ask that our two MP's lobby the Government to fully compensate the Council for the Council Tax lost from student properties, recognising the tax the Government already receives from landlords of rental properties.
 - The possibility of asking Government to allow the owners/landlords of student accommodation to be charged Business Rates, including any advantages and disadvantages of such a move.

[Note; The above resolution was passed with 27 Councillors voting in favour, 25 against and 4 abstentions from Councillors Matthew Blankley, Marie Brewer, Francine Haeberling and Lorraine Morgan-Brinkhurst MBE.]

48 MOTION FROM THE LABOUR GROUP - LIVING WAGE

During the debate on this item, Councillor Paul Crossley moved, seconded by Councillor Tim Warren, that the meeting continue until 10.30pm in accordance with Council rule 48. This was accepted by the meeting.

On a motion from Councillor David Bellotti, seconded by Councillor Simon Allen, it was

RESOLVED that

1. Council notes that, when it last considered this matter on 14 November 2013, it was agreed “to keep low pay under annual review during each future budget round”;
2. Council notes that last year we deleted a lower pay band and the administration’s proposals for 2015-16 indicate further pay band deletions.
3. Council notes national pay negotiations are ongoing and that Employers have offered a £1,065 pay increase on SCP5, a £1,000 pay increase on SCP6, an £800 increase on SCP7 and further tapered increases above up to SCP 11, all from 1st January 2015.
4. Council notes that National Employers are also proposing to delete SCP5 from 1st October 2015.
5. Council notes that the Low Pay Commission, which is an independent body, advises Government and that recently the Chancellor has increased the national minimum wage to £6.50 per hour, which equates to £12,540 per annum.
6. Council notes that, since the last general election, the take home pay at the national minimum wage rate has increased by £800 due to the raising of the income tax threshold. Lower tax thresholds will continue to rise under the Coalition Government and political parties are considering their stance towards the CBI call for the minimum threshold for National Insurance to be raised to £10,500.
7. Council notes that very few Councils have signed up for accreditation as a Living Wage employer because it would require the Council, within 2 years, to only award contracts to those businesses paying the Living Wage. Our Council policy of ‘Think Local’ for procurement is designed to encourage those very small businesses in our area, that could then well be excluded from applying for contracts.

Council resolves

8. To continue to work towards the Living Wage as and when the Council can afford it.
9. To consider low pay and the removal of lower pay bands at its budget meeting on 17th February 2015.

[Notes;

1 – Opening the debate, a motion had been moved by Councillor John Bull asking Council to adopt the Living Wage for all Council staff by April 2015, to sign up for

accreditation as a Living Wage employer and to influence local employers to pay the Living wage. This motion was replaced with the successful amendment

2 - The successful resolution above was carried as an amendment with 41 Councillors voting in favour, 9 against and 4 abstentions.

3 – The successful resolution above was carried as the substantive motion with 48 Councillors voting in favour, 0 against and 6 abstentions.]

49 MOTION FROM THE LABOUR GROUP - FINANCIAL TRANSACTION TAX

On a motion from Councillor Robin Moss, seconded by Councillor Liz Hardman, it was

RESOLVED as set out below;

Council notes that:

1. local government will see real term cuts in central grant of 43% over the 2010 Comprehensive Spending Review period, meaning a cut of £20bn in annual grant by 2016;
2. extending the current Financial Transaction Tax on shares to other asset classes such as bonds and derivatives could raise £20bn of additional revenue in the UK a year; and
3. at least 11 European nations including France, Germany, Italy and Spain are moving ahead with FTTs on shares, bonds and derivatives estimated to raise £30bn a year.

Council believes that:

4. revenues from the FTT could help repair the damage caused by cuts in public services since 2010;
5. local government deserves to receive a significant proportion of FTT revenues, making an important contribution to both capital and revenue expenditure such as reversing cuts to council tax benefits; and that
6. whilst an FTT might have a negligible effect on jobs in the City of London, investing FTT revenues in a smart and progressive way would see a significant increase in employment levels in other sectors.

Council resolves that:

7. the UK government be urged to argue through international bodies for a global Financial Transaction tax;
8. a letter should be written on behalf of this Council by all four Group Leaders to the Prime Minister, Deputy Prime Minister, Leader of the Opposition, Chancellor and Shadow Chancellor of the Exchequer, and Secretary of State

for Communities and Local Government stating this council's support for extending FTTs; and

9. a further letter should be written to the local MPs outlining this Council's position.

[Notes;

1 – The underlined wording in resolution 7 above was proposed by Councillor Paul Crossley and accepted by the mover and seconder of the motion;

2 – The resolutions above were carried with 29 Councillors voting in favour, 19 against and 1 abstention from Councillor Ian Gilchrist.]

50 REFERRAL FROM RESOURCES POLICY DEVELOPMENT & SCRUTINY PANEL

The Council noted a referral from the Resources Policy Development & Scrutiny Panel following their consideration of the call-in of the decision to grant a policy loan of £500k to Wilmington Farm solar array. Councillor Robin Moss referred Members to the information report that had been provided.

51 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS

Councillor Steve Hedges presented a petition of 121 signatures with the following wording;

“Following a number of accidents and due to the speed of traffic along Upper Bloomfield Road, we request Bath & North East Somerset Council to come up with a solution to improve local resident’s safety. Making Upper Bloomfield road a 20 mph area will help, but not everyone obeys the speed limit.”

He called for a solution to be found, bearing in the mind the number of accidents that have taken place. The Chairman thanked Councillor Hedges for the petition and referred it to the Cabinet member for Transport.

The meeting ended at 10.20 pm

Chairman

Date Confirmed and Signed

Prepared by Democratic Services