

## **BATH AND NORTH EAST SOMERSET COUNCIL**

### **MINUTES OF COUNCIL MEETING**

Thursday, 15th September, 2016

Present:- **Councillors** Patrick Anketell-Jones, Tim Ball, Colin Barrett, Cherry Beath, Sarah Bevan, Lisa Brett, John Bull, Neil Butters, Anthony Clarke, Matt Cochrane, Paul Crossley, Chris Dando, Fiona Darey, Matthew Davies, Sally Davis, Emma Dixon, Michael Evans, Andrew Furse, Charles Gerrish, Ian Gilchrist, Bob Goodman, Francine Haerberling, Alan Hale, Liz Hardman, Deirdre Horstmann, Eleanor Jackson, Steve Jeffries, Les Kew, Marie Longstaff, Barry Macrae, Shaun Stephenson-McGall, Alison Millar, Paul Myers, Michael Norton, Lisa O'Brien, Lin Patterson, June Player, Christopher Pearce, Vic Pritchard, Joe Rayment, Liz Richardson, Caroline Roberts, Dine Romero, Will Sandry, Mark Shelford, Brian Simmons, Peter Turner, Tim Warren, Karen Warrington and Chris Watt

Apologies for absence: **Councillors** Rob Appleyard, Jasper Becker, Colin Blackburn, Jonathan Carr, Douglas Deacon, Donal Hassett, Steve Hedges, Paul May, Robin Moss, Bryan Organ, Nigel Roberts, David Veale, Martin Veal, Karen Walker and Geoff Ward

#### **33 EMERGENCY EVACUATION PROCEDURE**

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

#### **34 DECLARATIONS OF INTEREST**

Councillor Lisa Brett declared an 'other' interest as the Chair of the National FGM Centres Advisory Board. This declaration was made at the item.

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

The Chairman made the customary announcements regarding mobile phones, webcasting and Councillors accessing meeting papers on their ipads.

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

There were no items of urgent business.

#### **37 MINUTES - 21ST JULY 2016**

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

**RESOLVED** that the minutes of the meeting of 21<sup>st</sup> July 2016 be approved as a correct record and signed by the Chairman.

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

Statements were made by the following people:

Fiona Powell made a statement concerning the proposed East of Bath Park & Ride and urging Councillors not to develop the site on the Bathampton Meadows within a World Heritage site. Full details can be read in the statement which has been placed on the Council's Minute book and attached to the online minutes. In response to a reference in Fiona's statement about the need for decision makers to be educated, Councillor Eleanor Jackson asked if Fiona was aware that Development Management Committee Members had received training on world heritage site status and implications. Fiona responded that she had not been aware, and was just checking. The Chairman thanked Fiona for her statement which was referred to the Cabinet Member for Transport.

Annie Kilvington made a statement against the proposed East of Bath Park & Ride, outlining the air pollution aspects. Full details can be read in the statement which has been placed on the Council's Minute book and attached to the online minutes. Councillor Alison Millar asked Annie to expand on her point regarding bias. Annie explained the technical aspects of pollution monitoring and that this year B&NES had changed from using the local bias, which it had done for the last 10 years, to the DEFRA bias, leading to depressed figures. The Chairman thanked Annie for her statement which was referred to the Cabinet Member for Transport.

Susanne Hagen made a statement against the proposed East of Bath Park & Ride, calling for evidence to support the proposals. Full details can be read in the statement which has been placed on the Council's Minute book and attached to the online minutes. In response to a question from Councillor Tony Clarke about whether Susanne was aware that many Councillors had been invited, and taken up the offer, to visit the Batheaston Park & Ride site before, Susanne replied that she was keen to make sure everyone had seen the site. Councillor Millar asked why Susanne had described a field as a tourist attraction, to which she explained how visitors to her hotel from all over the world seemed to enjoy many aspects of the meadows as much as visiting the city. In response to a question from Councillor John Bull as to whether Susanne was aware that it would be Cabinet, not Council, making the decision, Susanne replied that she was aware. Councillor Sarah Bevan asked whether Susanne was aware of any update to the suggestion to improving signage to the Lansdown Park & Ride, she responded that she had heard on the previous Tuesday that this was one of their suggestions which would be implemented. The Chairman thanked Susanne for her statement which was referred to the Cabinet Member for Transport.

Tim Williams made a statement against the proposed East of Bath Park & Ride, outlining the air pollution aspects. Full details can be read in the statement which has been placed on the Council's Minute book and attached to the online minutes. In response to a question from Councillor Alison Millar about the school run, Tim replied that evidence suggested that the school run represented 40% of the traffic in Batheaston and Bathampton, although B&NES had done no formal study of this. Councillor Eleanor Jackson asked Tim if he felt that, if signage was improved from Midford to the Odd Down Park & Ride, there would still be a need for one at Batheaston; to which he replied that improved signage to Odd Down, and Lansdown Park & Ride sites, would definitely remove the need for an East of Bath Park & Ride,

for which he didn't see a need in any case. The Chairman thanked Tim for his statement which was referred to the Cabinet Member for Transport.

Sian James made a statement against the proposed East of Bath Park & Ride, outlining the air pollution aspects. Full details can be read in the statement which has been placed on the Council's Minute book and attached to the online minutes. Councillor Alison Millar asked Sian if she considered that siting a Park & Ride at Bathampton would draw people from other Park & Ride sites, to which Sian replied that she had seen evidence to that effect, resulting in even less take up in other sites. Councillor Jonathan Bull asked Sian if she was aware of the report from the Communities, Transport & Environment Panel in May suggesting that better signage to the Lansdown site could result in a smaller site being proposed for the east of Bath. Sian replied that she was aware, and that improved signage and access would benefit Bath. The Chairman thanked Sian for her statement which was referred to the Cabinet Member for Transport.

Christine Boyd made a statement against the proposed East of Bath Park & Ride, and highlighted new emerging evidence for Councillors' attention. Full details can be read in the statement which has been placed on the Council's Minute book and attached to the online minutes. Councillor Alison Millar asked Christine to explain why they could be confident that the figures regarding vacancies at other sites were accurate, to which Christine responded that these were figures drawn up by Andrew Lee, which had now been shown to be spot on. The Chairman thanked Christine for her statement which was referred to the Cabinet Member for Transport.

Andrew Mercer made a statement against the proposed East of Bath Park & Ride, pointing out that there was still no reliable demand forecast nor business case, and that a decision on the east of Bath Park & Ride should definitely not be made before the Planning Inspector had reported back. Full details can be read in the statement which has been placed on the Council's Minute book and attached to the online minutes. Councillor Lin Patterson mentioned the reference to a smaller Park & Ride site and asked whether the campaign was trying to shift focus to the Lambridge site. Andrew responded that that was not the case, there were simply trying to protect Bathampton Meadows. The Chairman thanked Andrew for his statement which was referred to the Cabinet Member for Transport.

Judy Bailey made a statement against the Bathampton Park & Ride and stressing the importance of the world heritage status. Full details can be read in the statement which has been placed on the Council's Minute book and attached to the online minutes. In response to a question from Councillor Alison Millar about whether Judy had met anyone who supported the proposal for a Park & Ride on the Bathampton Meadows, Judy replied that she had not, and in fact huge concern about it had been expressed. The Chairman thanked Judy for her statement which was referred to the Cabinet Member for Transport.

Sam Worrall - Gypsy, Traveller and Boater Outreach & Engagement Officer - made a statement on behalf of the boat community of the river and the Kennet & Avon Canal. She raised difficulties that had arisen from the new Canal & River Trust guidelines and the need to move every 14 days, and the effect of this on the boating community who were registered with schools, libraries, GP surgeries etc. She offered to meet Councillors to discuss further how this diverse community could be

supported. Councillor Tim Warren expressed an interest in taking up Sam's offer. Councillor Will Sandry asked specifically about the effect on children's education and Sam explained that the need to move up to 20 miles made school attendance particularly difficult. Councillor Eleanor Jackson referred to the task & finish review done by the Housing & Major Projects Scrutiny Panel on Boat Dwellers and River Travellers in July 2013 and asked Sam if she'd like to bring an update back to Scrutiny, which Sam was happy to do. In response to a question from Councillor Sarah Bevan about whether they had made contact with the Council's Strategic River Group, Sam explained they had, B&NES had been very supportive and they were working together on improving services along the riverbank. The Chairman thanked Sam for her statement which was referred to the Cabinet Member for Community Services.

David Dixon made a statement in support of the Vegmead initiative, outlining the considerable volunteer hours that had been put in to this over the last 5 years. Councillor Tim Warren asked whether Dave was aware that the decision to continue with Vegmead had been taken some time ago, to which Dave responded that that hadn't been clear from a conversation with Councillor Martin Veal earlier in the week. Councillor Lisa Brett asked whether Dave knew if the community group considered that the communication between them and the Council had been adequate, to which Dave responded that in his view it had been appalling and the group were still unclear of the latest position. Councillor Eleanor Jackson asked whether the group were working with, or would consider working with Bath in Bloom. Dave responded that on a business level he had been working with Bath in Bloom for many years. Councillor Sarah Bevan asked whether there had been any comment from Transition Bath and Dave responded that there had been little communication with Transition Bath over what's happening with Vegmead. Councillor Lin Patterson asked whether it was now clear that Vegmead could stay in Hedgemoor Park to which Dave replied that the Council's position still wasn't clear. The Chairman thanked David for his statement which was referred to the Cabinet Member for Community Services.

Rosemary Naish, Chairman of the B&NES group within ALCA, prefaced her statement with a declaration of interest as an applicant in a Judicial Review against the Council regarding neighbourhood planning. She made a statement about the need for the Council to be mindful of neighbourhood plans when making planning decisions. Full details can be read in the statement which has been placed on the Council's Minute book and attached to the online minutes. Councillor Liz Richardson thanked Rosemary for her role as national Champion for neighbourhood planning, and asked Rosemary if she thought it would be beneficial to put in place an officer briefing every time there was a new neighbourhood plan; Rosemary responded that she thought it would be very useful. Councillor Liz Hardman asked for an explanation of the 50% dissatisfaction statistic from Rosemary's statement, to which Rosemary responded that that was based on the parishes being 52% of the electorate and, at their AGM meeting the previous evening, they had all commented that the process wasn't working for them. Councillor Sarah Bevan asked whether parish councils found the neighbourhood planning process off-putting; Rosemary responded that they did not, as evidenced by nearly half of them having done it. The Chairman thanked Rosemary for her statement which was referred to the Cabinet Member for Homes and Planning.

Susan Charles, Chair of the Warm Water & Inclusive Swimming Exercise Network, updated Councillors on the provision of warm water swimming. She explained that Greenwich Leisure had indicated they would be incorporating provision for warm water swimming, and that the WWISE Network were very grateful for the overwhelming support they had received from the recent round of Council meetings. Councillor Sarah Bevan asked about the timescale for this to which Susan replied that she hadn't had an answer for this yet. Councillor Lin Patterson asked what had been the biggest obstacles in achieving an outcome, to which Susan replied that communication had broken down in 2015 when the Administration changed and that was why the Network had brought the issue back to the Council's attention. The Chairman thanked Susan for her statement which was referred to the Cabinet Member for Community Services.

Tracey Harding made a statement on behalf of David Redgewell from the South West Transport Network. She made a case for B&NES to maintain the subsidy to the 267 bus service, and mentioned there had been no consultation about withdrawing this. In response to a question from Councillor Tim Warren about whether the consultation should be done by the Bus Company, Tracey responded that she understood B&NES were cutting the subsidy so B&NES should consult on that. Councillor Neil Butters asked if Tracey considered that the B&NES economy profited from those people coming into the area on the 267, to which she responded that the amount of night-time spend per person, compared to the approximate £1.89 per head of subsidy definitely suggested that the city profited from this. Councillor Liz Hardman asked if Tracey was aware there was no bus service from Paulton to Bristol on a Sunday; Tracey responded that it would be David Redgewell who would be better placed to respond on that point. Councillor Lin Patterson asked for Tracey's view on how their campaign work was progressing and whether Councillors were receptive, to which she responded that she hoped so, and they were looking at the possibility of some match funding for evening services. The Chairman thanked Tracey for her statement which was referred to the Cabinet Member for Transport.

John James made a statement about the recent changes to the 6 and 7 bus services, the detrimental effect this had had on the community of Fairfield Park, and calling for this service to be reinstated. He mentioned a petition of over 1000 signatures which had been collected over 3 weeks asking for this. Councillor Dine Romero asked what had been the response from the Cabinet Member, to which John replied nothing as yet, although he understood that he would be coming to talk to their Planning group. Councillor Joe Rayment asked if John was aware that the Labour Group had tried unsuccessfully to call for an emergency debate on bus services at this Council, to which John replied that he wasn't aware. Councillor Lin Patterson asked about any personal knowledge of people suffering as a direct result of this change, to which John responded that he wasn't the best person to ask about that. The Chairman thanked John for his statement which was referred to the Cabinet Member for Transport.

Nora Gee made a statement also concerning the 6 and 7 buses and the difficulty this had caused to her ability to get about. She expressed concern about how people would manage the steep hill during winter. Councillor Anthony Clarke responded to Nora that he had asked for a meeting with First Bus to see what could be done. Councillor Liz Hardman asked about how much consultation had taken place with residents, to which Nora responded that Councillor Lin Patterson had conducted

several meetings about the issue. Councillor Lin Patterson enquired whether the Dial-a-Ride service would be any help and Nora explained that she had looked at that but that with the existing demand for the service (which was only provided between 10am and 12 noon), and the need to book a week in advance, that wouldn't help a great deal. The Chairman thanked Nora for her statement which was referred to the Cabinet Member for Transport.

### **39 KELSTON PARISH MEETING: CONFERRING OF PARISH COUNCIL POWERS TO BORROW MONEY**

The Council considered a report requesting parish council powers to be conferred on the Kelston Parish Meeting at their request. In the light of extra information received after the publication of the agenda, an update report and revised recommendations had been circulated. The update information is set out below;

The Council was informed on 14<sup>th</sup> September 2016 that the 69 "Target properties" in Kelston and 39 "Target properties" in North Stoke have been identified for the Connecting Devon and Somerset (CDS) programme. These are all of the properties in the two Parishes areas and include some businesses. These must be included in the Phase 2 Programme tender for Connecting Devon and Somerset, which is due to start in January 2017 and be completed by the end of 2017. Kelston is in the North Somerset and B&NES part of the tender.

The programme ensures that the installation of the broadband is free. While the Parish Meeting can still request the conferring of powers to borrow money for their own broadband solution, this is another option available for delivering high speed broadband to Kelston. CDS have made it clear that applicants who receive the £500 grant for the Broadband Voucher Scheme for those below 2Mbps will still be able to benefit from the Phase 2 works as and when it is rolled-out.

In addition, Kelston Parish Meeting have requested that the Council confer full parish council powers to them, not just for borrowing.

On a motion from Councillor Paul Myers, seconded by Councillor Alison Millar, it was

**RESOLVED** unanimously

1. to make an order under Section 109 (1) of The Local Government Act 1972 Act (1972 Act) to confer on the Kelston Parish Meeting the powers of a parish council which are required to deliver the Kelston broadband project as set out in the report; and
2. to delegate to the Monitoring Officer the finalising of the Order in consultation with the Leader of the Council and the Chair of the Kelston Parish Meeting.

### **40 WORLD HERITAGE SITE MANAGEMENT PLAN**

The Council considered a report seeking endorsement of the draft replacement City of Bath World Heritage Site Management plan and a recommendation to the Cabinet Member for Economic Development that it is approved for submission to UNESCO.

On a motion from Councillor Patrick Anketell-Jones, seconded by Councillor Dine Romero, it was

**RESOLVED** unanimously

1. To endorse the draft replacement City of Bath World Heritage Site Management Plan and recommend to the Cabinet Member for Economic Development that it is approved for submission to UNESCO.
2. To note that further minor editorial changes may be made to the document, as agreed with the Cabinet Member for Economic Development, prior to submission.

#### **41 CORPORATE AUDIT COMMITTEE ANNUAL REPORT**

The Council considered the annual report of the Corporate Audit Committee which details its work over the last year.

On a motion from Councillor Brian Simmons, seconded by Councillor Andy Furse, it was unanimously

**RESOLVED** to note the Annual Report of the Corporate Audit Committee.

#### **42 AGENDA MOTION FROM THE CONSERVATIVE GROUP - PROTECTING WOMEN AND GIRLS IN BATH AND NORTH EAST SOMERSET FROM FEMALE GENITAL MUTILATION (FGM)**

The Council considered a motion from the Conservative group which was moved by Councillor Anthony Clarke, seconded by Councillor Lisa Brett and

**RESOLVED** that

**Council notes:**

- That performing FGM in the UK and taking a child abroad to undergo FGM are both illegal: Female Genital Mutilation Act 2003 and The Serious Crime Act 2015 (which has significant provisions to tackle FGM).
- The World Health Organisation has condemned FGM for many years. In 2016 the United Nations defined FGM as child abuse.
- It is estimated that 103,000 women aged 15-49 with FGM, born in countries in which it is practised, were living in England and Wales in 2011. In addition there were an estimated 24,000 women aged 50 and over with FGM born in FGM practising countries and nearly 10,000 girls aged 0-14 born in FGM practising countries who have undergone or are likely to undergo FGM.
- Experts, including professionals and the third sector, believe that FGM will only be eradicated in the longer term by changing practice and custom in

communities where it happens. This requires working with and empowering members of these communities to change their views towards FGM.

- That FGM can cause a range of serious health problems including severe pain and emotional /psychological trauma, in some cases, death.

**This Council resolves to:**

- Commit to raising general awareness of FGM throughout the B&NES area;
- Encourage all schools in the area to teach sex and relationship education and raise awareness of violence against women and girls, including FGM;
- Encourage health establishments, youth groups and the wider community to raise awareness of FGM;
- Ensure the multi-agency approach to this serious issue, along with the comprehensive integrated violence against women and girls strategy, is supported and prioritised within existing resources;
- Ensure mandatory reporting by professionals, if FGM is suspected or disclosed;
- Acknowledge the thousands of years of cultural and traditional beliefs which lie behind FGM and pledge support for individuals seeking to reform their own community practices;
- Welcome the report of the Home Affairs Select Committee, on 15th September which;
  - Recommends mandatory PHSE
  - Recommends introducing stronger sanctions for failure to meet mandatory reporting responsibility
  - Recommends that the FGM unit is given the remit, powers and budget to become the sole source of government policy for safeguarding at risk girls and eradicating FGM
- Call on our local Members of Parliament to also welcome this report and to pressure Ministers to implement the recommendations.

*[Notes;*

- 1. The underlined wording in the resolution was proposed by Councillor Joe Rayment and accepted into the substantive motion by the mover and seconder of the motion.*
- 2. The above resolution was passed with one Councillor abstaining, and the remaining Councillors voting in favour.]*

**43 AGENDA MOTION FROM THE CONSERVATIVE GROUP - MODERN SLAVERY**



The Council considered a motion from the Conservative group which was moved by Councillor Tim Warren, seconded by Councillor Lisa Brett and

**RESOLVED** unanimously that

**This council notes:**

- That Prime Minister Theresa May has committed the UK Government to leading international efforts to defeat modern slavery, and last year as Home Secretary introduced the Modern Slavery Act 2015.
- That Slavery and Human Trafficking are crimes in the UK and considered illegal (Modern Slavery Act 2015).
- That worldwide it is predicted by the Global Slavery Index that there are 45.8 million people in some form of slavery (study in 167 countries, 2016).
- That slavery takes many different forms (forced labour, human trafficking, servitude, slavery) and may be present in a range of sectors (sex industry, service and hospitality industry, farming etc)
- That The UK Government estimates there are some 13,000 victims of trafficking in the UK:
  - In 2015 3,266 victims were identified and assisted (a 40% increase from 2014).
  - In 2015 289 offences linked to slavery and trafficking were prosecuted.
  - Over the last 5 years local Anti-Slavery organisation Unseen (based in the South West) has worked with over 200 victims of trafficking and slavery.
  - Slavery and trafficking are likely to be occurring in our locality and we have a duty to work in partnership with other agencies to raise awareness of this issue, identify and protect those vulnerable persons involved as well as tackle those perpetrating and facilitating this crime.
  - Under the Modern Slavery Act (2015) businesses are required to look at their own supply chains and submit an annual statement.

**Council resolves to:**

- Commit to working towards the eradication of human trafficking and slavery in BANES. We strive for a community where awareness of all forms of human trafficking and modern slavery is commonplace and that across all sectors people work collectively and steadfastly to eradicate its existence in our community, identify and prosecute the perpetrators of this crime and identify and support victims.
- Raise awareness of Modern Slavery amongst all employees and partners how it presents and what they need to do should they come across it.

- Ensure a multi-agency approach to this issue and to engage with and support the work of The Anti-Slavery Partnership locally and regionally.
- Implement the Transparency in Supply Chain provisions of the Modern Slavery Act to prevent Modern Slavery from occurring in its own supply chain, noting that the Council's Contract Standing Orders already recognise the importance of preventing Modern Slavery.
- Call on local Members of Parliament to press the Government to ensure our police force, border staff and Local Authorities receive adequate resources to stamp out modern slavery.

*[Note: The underlined wording in the resolution above was proposed by Councillor Liz Hardman and accepted into the substantive motion by the mover and seconder.]*

#### **44 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS**

Councillor Alison Millar made a statement (taken earlier in the meeting with the agreement of the Chairman) concerning the proposed Park & Ride site on Bathampton Meadows. She commented that no solid business case had been made to convince people of the need for this, and that anticipating future need did not constitute special enough circumstances to justify building a Park & Ride on green belt land. She suggested the funding could be used for other projects that would benefit the whole of the city.

The Council noted the question from Councillor Will Sandry and response, which had been circulated to the meeting.

The meeting ended at 9.20 pm

Chairman .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**