

BATH AND NORTH EAST SOMERSET COUNCIL

MINUTES OF COUNCIL MEETING

Tuesday, 19th February, 2019

Present:- **Councillors** Cherry Beath, Patrick Anketell-Jones, Rob Appleyard, Tim Ball, Colin Barrett, Jasper Becker, Sarah Bevan, Colin Blackburn, John Bull, Neil Butters, Anthony Clarke, Sue Craig, Paul Crossley, Chris Dando, Fiona Darey, Matthew Davies, Sally Davis, Emma Dixon, Michael Evans, Charles Gerrish, Ian Gilchrist, Lizzie Gladwyn, Bob Goodman, Francine Haerberling, Alan Hale, Liz Hardman, Deirdre Horstmann, Eleanor Jackson, Steve Jeffries, Les Kew, Barry Macrae, Paul May, Shaun Stephenson-McGall, Alison Millar, Robin Moss, Paul Myers, Michael Norton, Lisa O'Brien, Michelle O'Doherty, Bryan Organ, Lin Patterson, June Player, Vic Pritchard, Joe Rayment, Liz Richardson, Dine Romero, Richard Samuel, Will Sandry, Mark Shelford, Brian Simmons, Peter Turner, David Veale, Martin Veal, Karen Walker, Geoff Ward, Tim Warren, Karen Warrington and Chris Watt

Apologies for absence: **Councillors** Matt Cochrane, Douglas Deacon, Andrew Furse, Steve Hedges and Nigel Roberts

Absent: **Councillors** Marie Longstaff and Caroline Roberts

64 EMERGENCY EVACUATION PROCEDURE

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

65 DECLARATIONS OF INTEREST

Councillor Charles Gerrish declared an 'other' interest in item 8, Budget and Council Tax, as Chairman of ADL.

Councillor Les Kew declared an 'other' interest in item 8, Budget and Council Tax, as Director of ADL.

Councillor Robin Moss declared an 'other' interest in item 8, Budget and Council Tax, as Chair of Radstock & Westfield Big Local.

The Monitoring Officer issued a general dispensation to all Councillors in respect of their payment of Council Tax.

66 MINUTES - 8TH NOVEMBER 2018

On a motion from Councillor Tim Warren, seconded by Councillor Les Kew, it was

RESOLVED that the minutes of the meeting of 8th November 2018 be confirmed as a correct record and signed by the Chair.

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

In addition to the customary announcements regarding meeting arrangements, the Chair made the following announcements;

- Congratulations to the Roman Baths & Pump Room who triumphed at the South West Tourism Excellence Awards, winning three awards: Gold for Large Attraction of the Year, Gold for International Visitor Experience, and Silver for Bath's Historic Venues in the Business Tourism and Venue category.
- Congratulations to Bath's Fashion Museum for being honoured for its work in celebrating the rich history of glove making in the UK and promoting the wearing of gloves.
- The Chair invited Councillors to attend 2 events to support the Chairman's charities;
 - Charity Music Evening in the Guildhall on Saturday 16th March at 7.30pm
 - Elegance in the Afternoon Fashion Show on Saturday 13th April in the Banqueting room at 2.30pm.
- The Chair noted that Members had received a copy of the final approved BTP accounts for information, which were not available when the Council Company Annual Accounts report was considered at the September meeting.
- The Chair reminded Councillors that all votes on the budget (item 8) were required to be a recorded vote.

68 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

Following representations by various Councillors and advice from the Chief Executive, the Chair agreed that the public gallery should be opened and the public admitted to the Council Chamber.

69 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC

The Council noted the question from Sarah Warren, and response from the Leader, which had been circulated to Councillors and is attached to the online minutes and placed on the Minute book.

Statements were made by the following members of the public;

Andrew Dickens made a statement concerning the Lower Common East Allotment Association, calling upon the Council to recognise certain rights for the Association. In response to a question from Councillor Sue Craig who asked if Mr Dickens had met with the Cabinet Member about this issue, he responded that the Leader had offered to meet following his last statement to Council but that, after seeking advice, Mr Dickens had not felt it was appropriate for him to meet the Leader on behalf of the Association and so he had set this out in a letter to Group Leaders. Councillor Dine Romero asked Mr Dickens to please re-send this to them. The Chair thanked Mr

Dickens for his statement which would be referred to the relevant Cabinet Member and placed on the Council's Minute book.

Paul Mallon made a statement regarding speeding traffic through Wellow village. Paul explained how the village was used as a rat run and outlined the community's extensive efforts to have a smiley face speed warning sign installed, which he hopes have resulted in a sign being installed soon. He thanked Councillor Neil Butters for his support. Councillor Butters asked Paul if he was aware that the Council had agreed budget funding for strips to measure traffic speed into and out of the village, to which Paul replied that he was now aware. Councillor Sarah Bevan asked if the 20mph limit had resulted in any prosecutions, to which Paul responded that in the 2015/16 speed watch exercise, more than 10% of cars were found to be speeding. The Chair thanked Paul for his statement which would be referred to the relevant Cabinet.

Lydia Halcrow made a statement calling on the Council to take immediate action regarding climate change and commit to being carbon neutral by 2030. Councillor Tim Warren asked if Lydia was aware that the Council were supportive of this and planning to bring a motion to the next Council meeting in March, to which she responded that she was. Councillor Richard Samuel asked Lydia to outline the implications of achieving this by 2050 not 2030 to which she responded by urging Councillors to read the full IPCC report, which set out very clearly why 2050 would be too late. The Chair thanked Lydia for her statement which would be referred to the relevant Cabinet Member and placed on the Council's Minute book.

Martin Blewett, Rector of Timsbury, Camerton, Priston & Dunkerton presented a petition from villagers of Timsbury, Farmborough, High Littleton, Hallatrow and Tunley, signed by over 1,000 local people, requesting that funding be provided to reinstate the weekend First Bus 179 service to these villages, to prevent the potential withdrawal of the whole service in the summer of this year and thirdly to argue for a more fully thought-out and strategic provision of rural public transport in the region. In response to a question from Councillor Mark Shelford about the petition having now been referred to WECA as the office responsible for this service, Martin responded that he was aware that had taken place. Councillor Neil Butters asked about the impact of the loss of this service, to which Martin reiterated those points covered in his speech. Councillor Liz Hardman asked if Martin was aware that Paulton had also lost their 179 bus service and that Councillor John Bull and herself had met with Chris Hanson, FirstBus Head of Operations, about this; to which Martin replied that he hadn't been aware, but welcomed that. Councillor Sarah Bevan asked where the split of responsibility lay between the Council and FirstBus. Martin responded that he wasn't sure but stressed that rural services should be prioritised due to the lack of alternative transport options. The Chair thanked Martin for his statement and the petition which would be referred to the relevant Cabinet Member and placed on the Council's Minute book.

David Redgewell made a statement regarding public transport issues and stressing the need for a Bus strategy from WECA. Councillor Tim Warren asked if David was aware that the Bus strategy should be out for consultation in a couple of months, to which he responded that he was. In response to a question from Councillor Neil Butters about what could be done to inject some further urgency, David responded that it could be raised at the WECA Scrutiny meeting. Councillor John Bull asked if

David considered that the role of the WECA Mayor should be to look at franchising projects rather than leaving that to commercial operators, to which he responded that he was open to franchising but preferred quality bus partnerships. The Chair thanked David for his statement which would be referred to the relevant Cabinet Member and placed on the Council's Minute book.

Adam Ley-Lange made a statement calling on the Council to declare a climate emergency and suggesting some practical solutions for achieving this. Councillor Tim Warren asked if Adam was aware that there were some ambitious measures planned that had cross party support. Adam replied that he was aware and hoped that they would all be in place by 2030. Councillor Richard Samuel asked Adam if he was aware that the Liberal Democrat motion to March Council had 2030 as the target, to which Adam replied that he was and that his speech was to those who might be considering a later target. The Chair thanked Adam for his statement which would be referred to the relevant Cabinet Member and placed on the Council's Minute book.

John Chapman made a statement regarding litter enforcement contracts and problems associated with these. Councillor Tim Warren asked John if he agreed that the Council should try to stop littering, to which he replied that he did agree but challenged the route for doing so. In response to a question from Councillor Alison Millar about the typical length of time contracts are in place, John responded that many are only for 6 months, and very unpopular. Councillor Robin Moss asked John if he agreed that litter bins were the first port of call in addressing littering, to which John agreed and more effective than 'bandits in the bushes' (*litter enforcement officers*). The Chair thanked John for his statement which would be referred to the relevant Cabinet Member and placed on the Council's Minute book.

Jessica Johannesson made a statement calling upon the Council to declare a climate emergency and take steps to become carbon neutral by 2030. Councillor Shaun McGall asked if Jessica considered that Avon Pension Fund (of which he is a trustee), in addition to its recent creation of a low carbon fund and renewable energy fund, should divest its assets out of fossil fuel extraction, to which she responded that she considered the Fund should divest out of fossil fuels entirely. The Chair thanked Jessica for her statement which would be referred to the relevant Cabinet Member and placed on the Council's Minute book.

Rachel Willis made a statement outlining frustrations with issues falling between Curo and the Council, and cited various examples of being passed between the two organisations. Councillor Tim Warren asked Rachel if she was aware that Councillors shared some of these frustrations too, but were in discussions with Curo about how to address this. Rachel welcomed this. In response to a question from Councillor Tim Ball about whether Rachel thought it would be a good idea if Curo used the Fix My Street App, she replied that any mechanism for sharing data between the organisations would be good. Councillor Robin Moss asked if Rachel was aware that in 2012, the Liberal Democrat Administration gave up Curo Board representation, to which Rachel replied that she hadn't been aware and that seemed a bit short-sighted. The Chair thanked Rachel for her statement which would be referred to the relevant Cabinet Member and placed on the Council's Minute book.

Revd Philip Hawthorn made a statement calling upon the Council to become carbon neutral by 2030. In response to a question from Councillor Tim Warren whether the Church of England had an environmental strategy for this at parish level, Philip responded that they did and it was mainly about carbon neutrality and awareness and they had a good team in the Diocese working on this. Councillor Richard Samuel asked if Philip agreed that the highest priority should be tackling carbon dioxide emissions from petrol motor vehicles, to which Philip responded that it needed to be part of a portfolio of measures. The Chair thanked Philip for his statement which would be referred to the relevant Cabinet Member and placed on the Council's Minute book.

70 BUDGET & COUNCIL TAX 2019/20 AND FINANCIAL OUTLOOK

The Council considered a report presenting the Cabinet's revenue and capital budgets for the 2019/20 financial year together with proposals for Council Tax and Adult Social Care Precept for 2019/20.

In addition to the reports circulated with the agenda, all Councillors had received a summary document of Policy Development and Scrutiny Panel comments on the budget proposals. Councillors also received Annex 12 – Formal Council Tax Setting resolutions (incorporating precepts from Parishes, Fire and Police).

On a motion from Councillor Tim Warren, seconded by Councillor Dine Romero, it was **RESOLVED** that 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 Finance and Efficiency, the Liberal Democrat, Labour and Independent Group Leaders or their nominated Spokespersons, and the Chair of the Resources Policy Development and Scrutiny Panel.

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

RESOLVED

1. that Council approves;

- a) The General Fund net revenue budget for 2019/20 of £113.10m and the individual service cash limits for 2019/20 as outlined in Annex 1 of the report.
- b) The savings and income generation plans outlined in Annex 2 of the report in conjunction with the Equalities Impact Assessment Report in Annex 3 of the report and thereby agrees to implement the Council's draft Organisational Plan which has been presented to each of the relevant PDS Panels.
- c) To help protect front line services and meet additional pressures in Children's Services, the budget includes a recommendation that Council Tax is increased by 2.95% in 2019/20 (an increase of £39.76 per Band D).

- d) An increase of 1% to Council Tax for the Adult Social Care Precept is approved in recognition of the current demands and financial pressures on this service. This is equivalent to an increase of £13.47 on a Band D property.
 - e) The adequacy of Un-earmarked Reserves at £12.2m within a risk assessed range requirement of £11.9m - £13.1m.
 - f) The Efficiency Strategy attached at Annex 4 of the report.
 - g) The Capital Programme for 2019/20 of £78.591m including new and emerging capital bids outlined in Annex 5(i), planned sources of funding in 5.7.2, and notes the programme for 2020/21 to 2023/24 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) of the report 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) of the report and the addition of Alternative Education Provision to the Regulation 123 list.
 - j) The Capital & Investment Strategy at Annex 6 to the report.
 - k) The MRP Policy at Annex 7 to the report.
 - l) The Capital Prudential Indicators outlined in 5.7.8 of the report.
 - m) The Annual Pay Policy Statement at Annex 9 of the report.
 - n) The Council's Organisational Plan at Annex 10 of the report.
 - o) The Council Tax Support Scheme for 2019/20 shown in the following link:
http://www.bathnes.gov.uk/sites/default/files/sitedocuments/Council-Tax-Benefits-and-Grants/CouncilTax/draft_bath_ne_someset_s13a_201920.pdf and referred to in 5.3.4 of the report.
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 of the report.
 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 of the report.

THE COUNCIL APPROVES THE BUDGET AND COUNCIL TAX FOR 2019/20 AS INDICATED ABOVE AND ACCORDINGLY RESOLVES:

4. That the 2019/20 revenue expenditure is funded as follows:

	Total £
2019/20 Gross Expenditure	344,236,634
2019/20 Income (service income and specific grants)	190,235,019
Core Funding:	
Retained Business Rates*	61,526,536
Collection Fund Surplus	438,979
2019/20 Gross Income	252,200,534
Council Tax Requirement (excluding Parish Precepts)	92,036,100

* Before Tariff Payment of £38.980m

- a. That it be noted that on the 12th December 2018 the Director of Finance (as authorised section 151 officer) agreed 65,687.52 Band D property equivalent as the Council Tax Base for the year 2019/20 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 1 (1) of the report. *[Annex 1 (1) gives Band D Tax base by parish]*
5. That the following amounts be now calculated by the Council for the 2019/20 financial year in accordance with Sections 31 to 36 of the Local Government and Finance Act 1992, as amended:
- a. **£346,963,908** (=£344,236,634 (gross expenditure including contribution to reserves) +£2,727,274 (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. **£252,200,534** (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. **£94,763,374** being the amount by which the aggregate at 5(a) above exceeds the aggregate at 5(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. **£ 1,442.64** being the amount at 5(c) above divided by the amount at 4(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 Council tax including B&NES and parish precepts]
- e. **£ 2,727,274** 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. **£1,401.12** being the amount at 5(d) above less the result given by dividing the amount at 5(e) above by the amount at 4(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 Council tax only excluding parish precepts]
- g. The amounts given by adding to the amount at 5(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 4(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 1 (3) of the report.
[Annex 1 (3) gives the Band D Council tax for each area including the parish precepts]
- h. h) The amounts given by multiplying the amounts at 5(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 1 (4) of the report.
[Annex 1 (4) shows the B&NES and parish Council Tax for all bands.]

Precepting Authorities

- 6. That it be noted that for the year 2019/20 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:-

7. Avon and Somerset Police

Valuation Bands

A	B	C	D	E	F	G	H
£145.21	£169.41	£193.61	£217.81	£266.21	£314.61	£363.02	£435.62

8. That it be noted that for the year 2019/20 Avon Fire Authority met on 13th February 2019 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:-

9. Avon Fire Authority

Valuation Bands

A	B	C	D	E	F	G	H
£48.99	£57.15	£65.32	£73.48	£89.81	£106.14	£122.47	£146.96

10. That, having calculated the aggregate in each case of the amounts 7, 9 and 5(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 2019/20 financial year for each of the categories of dwellings shown, as listed in Annex 1 (5) of the report.

11. On average (for a Band D, 2 adult household) the Council Tax for 2019/20 will be as follows:

<i>Reference Band D 2018/19 £</i>		£ Band D 2019/20	% Increase on 2017/18
1,260.52	Bath and North East Somerset Council*	1,300.28	2.95*
87.37	- Adult Social Care (ASC)*	100.84	1.00*
1,347.89	Sub Total B&NES (Including ASC)	1,401.12	3.95
39.01	Average Parish Precept	41.52	6.43
71.35	Avon Fire Authority	73.48	2.99
193.81	Avon and Somerset Police	217.81	12.38
1,652.06	Total Tax Charged	1,733.93	4.96

[Overall annual increase in average Band D Council Tax is £81.87]

* 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 2019/20.

12. The Council's basic amount of Council Tax for 2019/20 is not determined to be excessive in accordance with principles approved under section 52ZB Local Government Finance Act 1992.

[Notes;

1. During debate, an unsuccessful amendment was moved by Councillor Joe Rayment and seconded by Councillor Chris Dando, calling for an alternative budget to be brought to the

reserve meeting with proposals more consistent with the Corporate Strategy, and asking the Leader to demand of Government a reversal of cuts to the core grant. This was lost on a recorded vote with 24 Councillors voting in favour, 34 Councillors voting against and 0 abstentions, as set out below;

Councillor voting in favour: - Councillors Rob Appleyard, Tim Ball, Cherry Beath, Sarah Bevan, Colin Blackburn, John Bull, Neil Butters, Sue Craig, Paul Crossley, Chris Dando, Ian Gilchrist, Liz Hardman, Eleanor Jackson, Alison Millar, Robin Moss, Michelle O'Doherty, Lin Patterson, June Player, Joe Rayment, Dine Romero, Richard Samuel, Will Sandry, Shaun Stephenson Mc-Gall and Karen Walker.

Councillors voting against: - Councillors Patrick Anketell-Jones, Colin Barrett, Jasper Becker, Anthony Clarke, Fiona Darey, Matthew Davies, Sally Davis, Emma Dixon, Michael Evans, Charles Gerrish, Lizzie Gladwyn, Bob Goodman, Francine Haeberling, Alan Hale, Deirdre Horstmann, Steve Jeffries, Les Kew, Barry Macrae, Paul May, Paul Myers, Michael Norton, Lisa O'Brien, Bryan Organ, Vic Pritchard, Liz Richardson, Mark Shelford, Brian Simmons, Peter Turner, Martin Veal, David Veale, Geoff Ward, Tim Warren, Karen Warrington and Chris Watt.

2. The substantive motion was carried with 33 Councillors voting in favour, 22 Councillors voting against, and 2 objections as set out below;

Councillors voting in favour: - Councillors Patrick Anketell-Jones, Colin Barrett, Jasper Becker, Anthony Clarke, Fiona Darey, Matthew Davies, Sally Davis, Emma Dixon, Michael Evans, Charles Gerrish, Lizzie Gladwyn, Bob Goodman, Francine Haeberling, Alan Hale, Deirdre Horstmann, Les Kew, Barry Macrae, Paul May, Paul Myers, Michael Norton, Lisa O'Brien, Bryan Organ, Vic Pritchard, Liz Richardson, Mark Shelford, Brian Simmons, Peter Turner, Martin Veal, David Veale, Geoff Ward, Tim Warren, Karen Warrington and Chris Watt.

Councillors voting against: - Councillors Rob Appleyard, Tim Ball, Cherry Beath, Colin Blackburn, John Bull, Neil Butters, Sue Craig, Paul Crossley, Chris Dando, Ian Gilchrist, Liz Hardman, Eleanor Jackson, Alison Millar, Robin Moss, Michelle O'Doherty, Lin Patterson, June Player, Joe Rayment, Dine Romero, Richard Samuel, Will Sandry and Shaun Stephenson-McGall.

Councillors abstaining: - Councillors Sarah Bevan and Karen Walker.]

71 TREASURY MANAGEMENT STRATEGY STATEMENT AND INVESTMENT STRATEGY 2019/20

The Council considered a report seeking approval for the Treasury Management strategy and Investment strategy for 2019/20. On a motion from Councillor Charles Gerrish, seconded by Councillor Paul May, it was

RESOLVED (unanimously) to agree;

1. To approve the actions proposed within the Treasury Management Strategy Statement, as set out in Appendix 1 to the report; and
2. To approve the Treasury Investment Strategy as set out in Appendix 2 of the report.

72 APPOINTMENT OF STANDARDS COMMITTEE INDEPENDENT MEMBERS

The Council considered a report concerning the Independent members on the Standards Committee.

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

RESOLVED (unanimously) to

1. Note the resignation of Ms Toland and record the thanks of the Council for her contribution to maintaining high standards of behaviour during her 15 years as an independent member and Chair of the Standards Committee;
2. Confirm the appointment as independent members of the Standards Committee for a period of four years of Dr Palmer and the current independent members, Mr Cyril Davies and Ms Deborah Russell.

73 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS

There were no items from Councillors.

74 EXCLUSION OF THE PUBLIC

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

RESOLVED that, having been satisfied that the public interest would be better served by not disclosing relevant information, in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business and the reporting of the meeting be prevented under Section 100A(5A) because of the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act, as amended.

75 WAIVER OF 6 MONTH COUNCILLOR ATTENDANCE RULE

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

RESOLVED (unanimously) as set out in the report.

The meeting ended at 9.07 pm

Chairman

Date Confirmed and Signed

Prepared by Democratic Services

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COUNCIL MEETING 19th FEBRUARY 2019

REGISTERED SPEAKERS

- Andrew Dickens
Re: Lower Common East Allotment Association
- Paul Mallon
Re: Speeding through rural villages
- Lydia Halcrow
Re: Climate Emergency
- Reverend Martin Blewett
Re: Bus service 179
- David Redgewell, South West Transport Network
Re: Public funding for bus services
- Adam Ley-Lange
Re: Climate Emergency
- John Chapman
Re: Litter enforcement
- Jessica Johannesson
Re: Climate Emergency
- Rachel Willis
Re: Relationship between Curo and the Council
- Reverend Philip Hawthorn
Re: Climate Emergency

[Statements supplied in advance are attached]

QUESTIONS AND ANSWERS - PUBLIC

P	01	Question from:	Sarah Warren
Will the Leader of the Council seek an urgent meeting with his Conservative colleague, the Leader of NE Somerset Council and urge him not to let his Council grant any fracking licences in Bleadon due to the risk of contaminating the ground water in Somerset?			
Answer from:			Councillor Tim Warren
<p><i>It is not in any Council's gift to issue fracking licences. There are currently a number of shale gas exploration licenced areas in North Somerset and the licences are issued by the Government (now the Oil & Gas Authority). This means that the companies in possession of those licences are able to submit planning applications to the local authority to commence exploratory drilling for shale gas.</i></p> <p><i>Details of the current 14th round licenced areas are here:-</i> http://www.ukoog.org.uk/onshore-extraction/where-we-operate</p> <p><i>A more detailed map is here:-</i> https://decc-edu.maps.arcgis.com/apps/webappviewer/index.html?id=29c31fa4b00248418e545d222e57ddaa</p> <p><i>The Oil and Gas Authority now regulate the exploration for and extraction of oil and gas deposits.</i> https://www.ogauthority.co.uk/onshore/overview/</p> <p><i>Their website contains detailed information around the extensive requirements for companies wishing to explore for oil and gas.</i></p> <p><i>The local authorities in this region have signed up to a Memorandum of Understanding in relation to prospective oil and gas development. This includes maintaining good contact between the signatories on such proposed developments. As of today we are not aware of any activity from the licence holders in the North Somerset area.</i></p>			

→ Cllr. Goodman.
→ Mandy Bishop.

Council Statement (third presentation)

Lower Common East Allotment Association

My name is Mr Dickens, I am a tenant on Lower Common East Allotment and a member of the Lower Common East Allotment Association, which was established in September 2017.

In April 2018 the Council was introduced to the Association and asked to make a routine confirmation that the Association would be treated no less favourably than the other two Allotment Associations already in existence.

In particular, confirmation was sought that the Lower Common East Allotment Association could make use of the Lower Common East allotment site gates and notice board to advertise and promote itself, and could attend the Council's quarterly allotment sub-forum meetings with the other two Allotment Associations where decisions are made that affect Lower Common East Allotment Association members.

The Council has accepted the establishment of the Lower Common East Allotment Association, but has refused to allow it to use the gates and notice board, or attend the sub-forum meetings.

Under current UK and European Law prior approval from a local authority to form an Allotment Association is not required, nor is a local authority able to interfere with the lawful functions and activities of an Allotment Association, nor treat one Allotment Association less favourably than another.

Whilst the Council's 2015 Allotment Management Plan recognises the possible existence of Allotment Associations it does not take proper account of their rights, and this is reflected in the Council's decision.

A reply from the Secretary of State, when taken into consideration with the Council's decision and the rights of the Lower Common East Allotment Association itself, suggests that this matter needs to be brought to the attention of a full Council meeting and this has now been done, for a third time.

The Lower Common East Allotment Association is seeking confirmation from the Council, for a third time, that it recognises and accepts the Association's right to be treated no less favourably than any other Allotment Association, for a third time that it recognises and accepts the Association's right to place notices on the site gates and notice board on Lower Common East Allotment which relate to and promote its activities, and for a third time that it recognises and accepts the Association's right to engage with the Council to represent the Association's members where appropriate.

Thank you very much.

19/02/19

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The world's leading scientists in the IPCC Report say we have only 12 years to keep global warming to a maximum of 1.5C, beyond which even half a degree will significantly worsen the risks of drought, floods, extreme heat and poverty for hundreds of millions of people. To achieve this needs radical and collective action across all walks of life – and this includes actions and decisions taken every day at local government level.

If we take no action our planet is on course for a 3-degree rise. IPCC predictions for this are catastrophic, we will be looking at large-scale coastal and river flooding, the death of almost all coral in our seas, mass extinctions, failing crops, mass migration and famines.

These repercussions will affect us all and the future of every child living across BaNES

We're not interested in woolly platitudes, we are asking for measurable, clear actions so that the target of being Carbon Neutral by 2030 is at the centre of every bit of council business, every single meeting, every single day. It becomes part of our lifeblood.

If Doctors told you that over the next 12 years you would suffer from endless terrible illnesses and then a painful death unless you changed your lifestyle radically – would you do nothing?

Or would you make fundamental and far reaching changes to the way you lived your life every day in the hope that you and your family would be spared some of the worst effects?

Surely any sensible person would opt for the latter.

Let's not be daunted by the scale of this problem, by overcoming old political boundaries, we can come together to collectively make every day changes across everything we do in BaNES

We all have a choice. We can sit here and collectively shrug our shoulders and say – it's for central government or developing countries to act, or a Clean Air Zone is enough or it'll be bad for business. The actions we take or fail to take across BaNES reach out across the world.

We have an opportunity – each of you as our elected representatives has the chance to create a positive legacy. If we vote to be Carbon Neutral by 2030 and take immediate and measurable actions, from March we can proudly say to our international visitors and students that form much of the life blood of this economy, that we have placed the issue of climate change at the centre of everything we do.

in 12 years' time, when your child or grandchild, or the kids on your street ask you 'What did you do to stop the effects of climate change – what real actions did you take?

How you will answer?

Honestly, how will you answer?

Are we doing enough?

Are you sure?

How sure?

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Statement from Revd Martin Blewett, Rector of Timsbury, Camerton, Priston & Dunkerton

Introduction to the Presentation of a Petition from villagers of Timsbury, Farmborough, High Littleton, Hallatrow and Tunley concerning the withdrawal of bus services on the 179 First Bus route.

Good evening, thank you for this opportunity to present this petition signed by over 1,000 local people in Timsbury, Hallatrow, High Littleton, Farmborough, Camerton and Tunley. It is a petition that requests that funding be provided to re-instate the weekend First Bus 179 service to these villages, several of which I am Vicar, and to prevent the potential withdrawal of the whole service in the summer of this year and thirdly to argue for a more fully thought-out and strategic provision of rural public transport in our region.

For many in our rural communities, bus services are a necessity and not a luxury. If you do not own a car or are unable to drive, you find yourself without access to essential services. I have met people since the withdrawal of an hourly service who are unable to get to work, people have lost their jobs, older people are unable to attend hospital appointments and people are unable to get to the city for essential shopping and can no longer access entertainment events or sporting fixtures. There are young people who are now isolated from their friends. For many of those responding to the petition, inability to get to their place of work was a major concern, and this will consequently have a significant economic impact on our villages and the City. I am aware of people who are considering moving away from the area due to lack of public transport.

This is already the case: can you imagine the impact on disadvantaged and vulnerable people in these villages if the entire 179 service is withdrawn as proposed later this year?

I ask you on behalf of these signatories and the people of the rural villages of BANES whom you represent and serve, to use the powers at your disposal to protect the public transport which is vital to rural communities. Considerable development is planned for these villages over the next year, increasing the population. With already over-full roads public transport is essential for sustainable and environmentally sensible development.

In addition to the humanitarian and economic concerns that I have mentioned, if the City is to seriously address and implement a Clean Air Policy then adequate provision of public transport must play a part in the reduction of emissions and in our environmental strategy.

Whilst I recognise that funding for subsidies is a finite resource and that to my knowledge you do not yet have a magic-money tree, the provision of subsidies to ensure the continuation of rural bus services must be prioritised over subsidy to urban services where alternative transport is available. It is unthinkable that such a large population of people should be entirely without access to public transport.

I have confidence in the commitment, capability and compassion of the Council to rise to the challenge that the provision of fair, accessible, affordable and dependable rural public transport presents. I would respectfully ask you to hold in mind that for many in our villages, bus transport is not a luxury: it is a lifeline. Without that lifeline, opportunity is being denied to many young people and lives and villages blighted.

I hope we can count on your help.

Revd Martin Blewett.

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Statement from David Redgewell -Bus Users South West & SW Transport Network

Public Funding for Bus Services

We are very concerned over the lack of agreed funding and commissioning of bus services that required by the local communities that are not commercially viable. These lack of services are now severe hardship and isolation. WECA have a duty to provide a bus strategy and then to commission such services. This is a particular issue in rural communities such as the 179 which runs from Bath to Midsummer Norton which have no evening, Saturday or Sunday services. In Bristol the 36 and 96 have no evening or Sunday services. Also there are still gaps in provision that need addressing.

Since the creation of the Combined Authority the powers and duties have transferred so we need to see adequate provision of services by the Combined Authority and the budget spent. There are also duties to work closely on cross boundary services especially with North Somerset. We also wish to see a prompt resolution to the MetroBus provision on the South Bristol loop. We welcome the T3 service at Bristol Parkway but the MetroBus infrastructure needs to be built rapidly as the service has started running.

We wish to see budget include the provision for officers to carry out bus and rail services and infrastructure and want to see revenue support for MetroWest rail services.

We welcome the service between Severn Beach and Westbury and the light rail study between Bristol and Bath together with Bristol to Whitchurch (light rail/Metrobus).

We welcome the review of the services 11, 11a and 508 with a view to extending them to Parkway, we need to know which route will be taken either via Patchway Station, UWE or Sainsbury's Filton.

We also wish to see provision from Parkway to UWE – Fishponds and Kingswood and also Parkway – to Lyde Green via Stapleton and Downend.

We strongly support MetroBus Park and Ride at Parkway and would also support a new Park and Ride from Harry Stoke.

We are very concerned at the errors in the printed publicity material and this needs correcting quickly.

RTI is crucial and must be maintained and work well. We note that the system is still failing when it snows.

We support maintaining the service 19 Bath to Parkway and Cribbs Causeway.

We feel the 178 needs improving in the evenings and Sundays with subsidy and provision needs to be made around the estates in Keynsham in the mornings evenings and Sundays.

BANES also need to work with First to improve the bus station owned by Aviva and British Land to deal with doors and signage.

There is a need to promote public transport in the Visit Somerset guide.

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BANES council to declare a climate emergency

My name is Adam Ley-Lange. I'm a resident of Widcombe. I'm here tonight to urge BANES council to declare a climate emergency. This means committing to carbon neutrality by 2030 at the latest. 2025 would be better. 2050 is absolutely out of the question.

I'm sure many councillors are aware of the seriousness of the crisis we face. I would like to use my time now to suggest some practical solutions.

1. In the area of transport and congestion.

Transport in Bath is responsible for approximately 40% of Co2 emissions. Bath is one of the most congested cities in the UK.

We could:

- 1) Electrify the bus service, improve the frequency of the service, and provide school busses.
- 2) Designate the city centre as a car-free zone. Take measures to reduce car use at the edge of the city. Encourage rail and bus travel, cycling and walking.

2. In the area of Housing

The most effective way to reduce carbon emissions in housing is through investing in energy efficiency.

We could:

- 1) Retrofit existing social housing and housing association homes with proper insulation and methods of generating clean energy, such as solar panels. Build new homes that are energy efficient and both run on and generate clean energy.
- 2) Provide support and incentives for private sector landlords to improve their properties in line with the measures already mentioned. Apply penalties and sanctions for non-compliance.
- 3) Demand that developers ensure all building projects are carbon neutral and car free.

3. In the area of renewable energy

The council already supports and encourages energy generation projects such as Bath and West community energy. We could extend this support.

We could use any of a number of renewal energy options in the South West: solar, wind, geothermal and ground source heat pumps.

There's an amazing programme at Bath Abbey called Footprint where they're using Bath's thermal waters to heat the building, as well as installing energy efficient lighting.

In conclusion, these are just a few suggestions. There are many other ideas. We have a wealth of knowledge, creativity, and expertise in this city, and we need to enlist all of it. The solutions to the climate crisis we face exist. What we are lacking is political will.

There's an old political adage that goes like this: "If a person is not a liberal when he is twenty, he has no heart; if he is not a conservative when he is forty, he has no head." I don't believe that. What I do believe is that we don't have the luxury of making climate change a political issue. It can't be about points-scoring or having your eye on the next election. It can't be about voting down a motion because a rival party put it forward, or diluting it to the point of meaninglessness. We all have heads and we all have hearts. We need to use them both and work together, or they'll be no future for us to disagree in.

Statement from John Chapman

Since I last spoke to you about litter enforcement, the fines for profit route has taken a few further knocks with Kingdom removed from Liverpool, Plymouth and Darlington. 3GS, removed from the green capital of the UK, Brighton, and I believe Leeds. They have terminated contracts in Bradford and Boston due to unprofitability, so beware, if they succeed, they will go! Utterly ludicrous offering a contract where the contractor gets paid less if they are successful!

3GS - I have researched their efforts in Leeds and Manchester amongst others, and it just seems to be the usual MO, over-zealous, tickets like confetti, issuing a proportionate fine for pork pie crumbs. Not noticed the words ethical or proportionate outside their own PR blurb. The staff may not get bonuses, but all employee reviews mention a strong target culture, with disciplinary action for not issuing sufficient fines. Those alarm bells are ringing very loudly.....

The contract may be nil cost to Council, but 3GS keep ALL of the revenue from fines, with a cap to how much they can earn. Their revenue protected, risk to Council! My guess is that this will be around £500K to £750K, maybe less, maybe more. Feel free to share the amount of cash that they will drain out of the local economy. That means around 5,000 – 7,000 fines per year. So at the coming elections, please remember, certain members of this Council wish to fine over 5,000 of you for minor offences, draining over £500K from the local economy, and in return for what? A few less cig butts on the floor. Negative publicity for Bath. And that's about it really. Basically, it's a lot of money draining from Bath, direct to a private company, in return for them paying people to collect this cash. At a time when retailers are struggling. Brilliant!

The big question is 'what is the actual goal of this?' FOI requests to other Councils regarding KPI's suggest that they don't really have a clue. And at the scrutiny meeting, I got the distinct impression that nobody here really had a clue, other than to issue lots of fines, overlooking the very obvious points that –
If littering reduces, the enforcers will leave, so back to Square One
Keep fining people for trivial/ non offences with no tangible benefits, and the public will not accept this. As evidenced elsewhere in the UK. Why not learn lessons rather than sheepishly follow, in the vain hope that, this time, it will be different.

You are not touching night-time litter, cannot fine seagulls. And summer park picnic litter? Large temporary bins might be a better solution than money-grabbers prowling in the bushes! So it won't solve your alleged Littergeddon.

Appeals, correspondence and complaints? I take it that you will be abdicating all responsibility, and letting them mark their own homework? No doubt the usual line of appealing to a magistrates court will be trotted out! So for the benefit of the Bath electorate, if you are fined for accidental littering, or have not littered, any appeal will be handled by the very Company that issued the fine. The standard official line is that you can appeal in the magistrates court. So your only recourse is the stress of a court appearance, with the risk of a much larger fine if you lose. And I can assure people that "Nothing to fear if you don't drop litter" does not apply. We all have butter-fingers. We all accidentally drop things from a bag or pocket. Just remember, the single most important thing for 3GS staff will be meeting targets for fines and revenue.

Last words come from Martin Jerrold, Managing Director of 3GS, to the Brighton Argus in November 2018

"We believe it is not possible to supply a compassionate and proportionate enforcement service and provide and income to the customer."

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My name is Jessica Johannesson and I'm a resident of Widcombe. I'm here to urge BANES council to declare a climate emergency, and to make reduction of carbon emissions the top priority of any budget negotiations, with the aim to reduce emissions to net zero by 2030. This ambition needs to underline any local policy, and it is our duty as residents, and yours as councillors, to understand why this is so.

Why 2030 – and not 2050? Along with many others, I woke up to the urgency of the current climate crisis in light of the Intergovernmental Panel on Climate Change report of October 2018. Prepared by 91 authors from 40 countries, this report does not use emotive language, it does not make apocalyptic predictions, but it presents scientific data, giving specific summaries for policy makers. That is you, and I urge you to read it, as a matter of civic duty.

It outlines the risks of going beyond 1.5C warming compared to pre-industrial levels. There is no need for emotive language, with facts such as the following: *With 1.5°C of global warming, one sea ice-free Arctic summer is projected per century. This likelihood is increased to at least one per decade with 2°C global warming.* For details on why this is terrifying, I refer you to the science of feedback loops. Dark water absorbs more heat. The report concludes that at the current rate – not taking feedback loops into account- we are likely to reach 1.5C between the years 2030 and 2052.

For the purpose of your present work, one fact is essential: postponing net zero to the seemingly more feasible 2050, is in terms of ours and your responsibility, the same as business as usual, which in reality means decanting your duty onto the young people who went on strike this Friday past. It is not only morally abhorrent but also unnecessary, because 2030 is not unrealistic or unfeasible, and there are many of use who are more than happy to hand over suggestions on how to make this happen.

In the months to come, you will hear about the concerns of young people as well as their parents, who have a personal stake in a world beyond a few decades. According to the science, my husband and I, who do not have children, could well live out our natural lives without suffering too much from the results of climate change. We don't know, and it is of no consequence. I'm not urging you to do better because you have personal stakes in the future, but because it is your duty as civil servants to do the right thing, especially when the facts are telling you that it is possible.

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Thank you for giving me the opportunity to speak to you today.

I live in Twerton and I want to raise with you an issue I have come across time and again.

As you will be aware, large areas of housing in Twerton are owned by Curo. The issue is that when problems with the surrounding area (eg faulty lights, broken pavements) are reported to B&NES, the response is, first of all, for the Council to spend some time considering the issue. Then, all too often, having thought about it, the Council comes back and says, sorry this not our responsibility. You need to take the issue up with Curo.

So residents report the same problem to Curo. And guess what? Having thought about it, Curo's response is that this is not a matter for us. This is a Council responsibility. Too many issues end up getting lost in the gap between the two organisations.

There is reported to be a map showing what is Curo land and what is Council land but if this map does exist, it isn't readily available to the public.

Ultimately, what ordinary resident has time for all this? People just give up and the issues don't get resolved.

The current process is failing residents yet it needn't be difficult to fix. Where the Council and Curo believe the responsibility for an issue lies under the remit of the other organisation, there needs to be a mechanism for them to pass issues to each other and engage in a dialogue with each other to ensure someone is taking responsibility. The map should be published in a public and readily searchable way. And where things are a Council responsibility even on Curo land, this should be spelt out.

Without action, Twerton residents will continue to feel let down. To take a couple of examples, we have a road that desperately needs resurfacing but where neither the Council nor Curo will agree who owns it. We have a set of steps where the Council will pick up the litter but won't provide a handrail because it says the steps belong to Curo. And we have whole areas of Twerton that don't bother report anything anymore to either the Council or Curo because residents simply get told to go away by both organisations.

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It's a privilege to be the Mayor's chaplain this year, and his theme 'The Environment' makes it even better. I have long been interested in climate change, but in the last couple of years that has turned into a passion.

A couple of weeks ago I facilitated the Mayor's Multi-Faith event. It was wonderful to hear eight faith traditions tell that our earth is a gift to be thankful for, and our gratitude inspires our stewardship of it. But also how worried they are that things are spiraling downwards. I think I speak for all of them today. I am also a governor of St Stephen's Church School, in which there is a group, FACE - Families Against Climate Emergency. I add my voice to theirs, and many other children of Bath and NE Somerset.

BaNES and particularly Bath, is known for its unique heritage. Councils through the centuries have taken responsibility for that heritage seriously. But even the best Roman remains, and the most evocative Jane Austen interior is nothing compared to the heritage that is our living planet.

In the multi-faith day I loved the Jewish presentation, the story of an old man who daily walked a road which had no shade. He decided to plant an avenue of carob trees to provide shelter for travellers. A stranger asked what he was doing, and being told scoffed, 'Carob trees take years to grow, do you think you'll still be around to see them?' To which the old man replied, 'No, but my children and grandchildren will'.

We hear that our care of the earth is for our children's sake. Sadly, this is no longer sufficient. Reports about the destruction of habitats and climate are worsening, a recent one tells how climate change means insects are being made extinct eight-times faster than other animals - and could be wiped out in 100 years - another warns that coral reefs are being destroyed. Losing these ecosystems will have catastrophic effects. The smallest and most vulnerable animals suffer first, and it's the same with humanity.

I read recently that we are the first generation affected by climate change, and we are the last who can do something about it.

And yet there can be hope. Many people seek to decrease their carbon footprint in the choices they make about transport, diet, and plastic use. In churches, schools and many other institutions there is also growing concern. But the common belief is that this is not going to be enough. The future health of our earth needs brave and visionary nations, governments, industry, business corporations ... and councils.

My friends - I urge you to make BaNES known for a big and brave decision: to make us Carbon Neutral by 2030. In all the votes of all the councils in all the years in this chamber, it would be just one. Yet its impact would be huge - an inspiring example to our children, communities and beyond. I know it will be the harder road, but it would show that you recognize the vital importance of reversing climate change, and are prepared to do something about it. Imagine the BaNES logo on website, letter heads, publications, recycling lorries, vans proudly stating, 'Carbon Neutral by 2030'. It shows our commitment to the most important heritage of all – the life of our Earth.

Philip Hawthorn