

BATH AND NORTH EAST SOMERSET COUNCIL

MINUTES OF COUNCIL MEETING

Wednesday, 29th June, 2016

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

14 EMERGENCY EVACUATION PROCEDURE

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

15 DECLARATIONS OF INTEREST

There were no declarations of interest made.

16 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.

He then made a statement on behalf of the Council in response to the alarming rise in incidences of racial abuse and hate crime that had been reported since the EU referendum result. [A copy of the Chairman's statement has been linked to the online minutes and added to the Minute Book.] His comments were endorsed by Councillor Lisa Brett who called on the Council to work with the Police and Crime Commissioner to encourage reporting. Councillor Tim Warren added his support to the comments already made.

Chairman Statement

17 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There were no items of urgent business.

18 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC

Statements were made by the following people;

David Dixon made a statement regarding the housing, employment and infrastructure opportunities that the deal presented and stressed that powers were coming down from Government as opposed to being taken away from the Council. In response to a question from Councillor Tim Warren about whether David considered that the benefits of the deal outweighed the disadvantages, he responded that he did. Councillor Tim Ball asked whether, in light of the considerable amount of money secured over the last 5 years by the 4 Unitary Authorities jointly and the money promised through the deal, David considered this a good deal, or that we were being short-changed, to which David responded that any money on top of what had already been received was good. Councillor Eleanor Jackson asked for David's view on whether the destruction to the ecology of Meadow View in Radstock from new housing was worth it, David responded that any reasonably developer should have taken this into consideration and urged Councillor Jackson to contact the enforcement team. Councillor Sarah Bevan asked David whether he considered the governance measures were robust enough; to which he replied that they weren't perfect but that the consultation would give an opportunity to test these. In response to a question from Councillor Jonathan Carr about whether David considered changes were needed to the governance arrangements to make them more accessible, David commented that there will always be a perceived disconnect with democracy for some members of the public.

Ian Bell, Executive Director of the Chamber of Commerce and Initiative for Bath & North East Somerset, highlighted the long-term and sustainable business benefits he saw arising from the devolution deal. The principal concern of the businesses he represented was infrastructure needing improvement, plus a perception of Bristol monopolising the funding and some doubts about the Metro Mayor. On balance, however, their conclusion was that the deal should be accepted. Councillor Tim Warren asked if Ian thought that employers saw this as providing more stability for the region. Mr Bell responded that they wanted to see progress and not be locked out of the deal. Councillor Dine Romero asked if caution was needed following the EU referendum vote and the likelihood of recession; Ian responded that he found that language unhelpful. There would be a number of benefits and it was important to be optimistic. Councillor Sarah Bevan asked if the Chamber of Commerce had done a poll of their members to gauge views; Ian responded that the Economic Development Committee of the Chamber met often and had given their pragmatic support and recognition that it was better to be in. In response to a question from Councillor Jonathan Carr about whether Bath & North East Somerset had partnered with the right Local Authorities for the Combined Authority, Ian responded that the West of England might be a bit small, but it would be illogical not to partner with the large economic area of Bristol.

Lynne Fernquest made a statement on behalf of the Bath Business Improvement District, a copy of which is placed on the Minute Book and attached to the online minutes. Lynne urged Councillors to vote in favour of taking this process to the next level of extensive consultation. In response to a question from Councillor Tim Warren about whether Bath Business Improvement District represented big

businesses, Lynne responded that they represented small, medium and large businesses. Councillor Tim Ball asked about the merit of proposing a Metro Mayor to residents, shortly after they had rejected the idea of an elected Mayor; Lynne responded that it wasn't perfect but it was progress and we should look at the details and push to have our voice heard. Councillor Sarah Bevan asked whether there was a specific detail of the deal which appealed to the BID and Lynne responded that it was the element of collaboration and the ability to work together on infrastructure changes. Councillor Lin Patterson raised a recent West of England survey of Parish Councillors with a large majority not being in favour, and asked how many BID members were located in parishes in Bath; Lynne responded that she didn't have those statistics but that this could be addressed during the consultation.

Robin Kerr made a statement on behalf of the Federation of Bath Residents' Association, a copy of which is placed on the Minute Book and attached to the online minutes. He passed on the views from FoBRA members, the majority of whom backed the deal, and urged Councillors to vote to put the deal out to consultation. Councillor Tim Warren asked how many residents FoBRA represented, to which Robin responded that it was approximately 4000, and the membership was reviewed annually. Councillor Dine Romero clarified that the Association covered Bath only, and Robin confirmed that there were some areas where they would like to have representation, but didn't currently, such as Newbridge and Twerton. He referred Members to the map on their website for further information. Councillor Sarah Bevan asked whether a vote had been taken in Committee and Mr Kerr explained that, as they only met once every 2 months, a vote had been taken by e-mail and a good majority had voted in favour. Councillor Jonathan Carr asked what had changed FoBRA's view regarding a Mayor, to which Robin explained that FoBRA had never expressed a view either way concerning the elected Mayor.

David Redgewell (South West Transport Network) made a statement in support of the devolution deal, but raising some concerns regarding transport delivery, a copy of which is placed on the Minute Book and attached to the online minutes. Councillor Anthony Clarke asked David whether he considered that disproportionate benefits would be brought from schemes outside the Authority, David confirmed that he did. In response to a question from Councillor Dine Romero about whether David considered the deal would offer enough money to deliver all the projects he had mentioned, David responded that initially there wouldn't be, but Greater Manchester were on their 4th and 5th deals and so he anticipated that further funding would be opened up. Councillor John Bull mentioned the reference in David's written statement to losing European funding and asked for further information on this. David responded that we were at risk of losing the Trans European Network funding which was part of the electrification programme which goes through Bath on to Wales and then Ireland, money which would need to be replaced. Councillor Sarah Bevan asked which projects David considered would be top of the list for public transport users, to which David responded he would like to see the bus fleet replaced in the city to provide high quality, low floor, clean emission busses to address air quality issues.

The Chairman thanked everyone for their statements.

19 COMBINED AUTHORITY AND DEVOLUTION PROPOSALS

The Council considered a report asking them to scrutinise the Cabinet decision on the governance scheme which had been made at their meeting earlier in the day.

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

RESOLVED

1. that Council, in its scrutiny role, recommend to Cabinet that the governance scheme is approved for consultation;
2. that Council expresses its view that:
 - The devolution deal must not be solely about economic growth, but rather must give substantial importance to reducing inequality and enhancing environmental sustainability. Therefore equality and environmental sustainability must be given meaningful weightings in the economic model, in both
 - a) the criteria used for selecting projects to benefit from devolved funds, and
 - b) the metrics that determine whether the projects have been successful.
 - A sufficient level of support must be given to the Scrutiny and Audit roles of the new Combined Authority to allow it to be fully effective and independent from the executive.
 - The membership of Scrutiny and Audit roles of the new combined authorities must be chosen in a way that ensures fair representation for all political groups across the region and equal representation of all authorities, should appropriately reflect the scrutiny roles that members hold on the individual authorities, and must be chosen in a clear and transparent manner.
3. To request that, in addition to the consultation response from members of the public, a response to the Secretary of State will be compiled on behalf of members of the Council, to reflect the views of;
 - a) The relevant Overview and Scrutiny Committees
 - b) The Bath City Forum and other Area Forums
 - c) Each Political Group and
 - d) Individual Councillors

With all Councillors who wish to be involved being given sight of anonymised feedback from the public consultation exercise.

[Notes:

1. *The wording in resolutions 2 and 3 above was proposed by Councillor Jonathan Carr and accepted into the substantive motion by the mover and seconder of the motion.*
2. *The substantive motion was carried with 42 Councillors voting in favour, 13 Councillors voting against and 4 Councillors abstaining.*

3. *During debate, an unsuccessful amendment was moved by Councillor Dine Romero, and seconded by Councillor Lisa Brett requesting that the consultation be delayed until the impact of the EU referendum be fully considered and included in the consultation document, and further information be sought regarding the powers of the Metro Mayor. This amendment was lost, with 14 Councillors voting in favour and 46 Councillors voting against.*
4. *A further amendment was moved by Councillor Will Sandry and seconded by Councillor Joe Rayment calling for the results of the consultation to be brought back to Council before the final Cabinet decision in the autumn. This was lost on a named vote, as set out below;*

Councillors voting in favour (24): - Councillors Rob Appleyard, Tim Ball, Cherry Beath, Sarah Bevan, Colin Blackburn, Lisa Brett, John Bull, Neil Butters, Paul Crossley, Chris Dando, Doug Deacon, Ian Gilchrist, Liz Hardman, Steve Hedges, Eleanor Jackson, Alison Millar, Lin Patterson, June Player, Joe Rayment, Nigel Roberts, Caroline Roberts, Dine Romero, Will Sandry and Shaun Stephenson McGall

Councillors voting against (32): - Councillors Patrick Anketell-Jones, Jasper Becker, Anthony Clarke, Matt Cochrane, Fiona Darey, Matthew Davies, Sally Davis, Emma Dixon, Charles Gerrish, Bob Goodman, Alan Hale, Donal Hassett, Deirdre Horstmann, Steve Jefferies, Les Kew, Paul May, Paul Myers, Michael Norton, Lisa O'Brien, Bryan Organ, Chris Pearce, Liz Richardson, Mark Shelford, Brian Simmons, Peter Turner, Martin Veal, David Veale, Karen Walker, Geoff Ward, Tim Warren, Karen Warrington, Chris Watt

Councillors abstaining (4): - Councillors Jonathan Carr, Francine Haeberling, Barry Macrae, Vic Pritchard]

20 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS

No items had been registered from Councillors, although the Leader took the opportunity to inform Council that Bristol City Council had voted in support of the deal.

The meeting ended at 8.55 pm

Chairman

Date Confirmed and Signed

Prepared by Democratic Services

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Special Council, 29 June 2016- Statement from Chairman of Council on the increased reports of racist and xenophobic incidents across the country

As Chairman of Council I know I speak for all elected members - and for our local residents - that we are proud to live in a diverse, vibrant and tolerant community here in Bath and North East Somerset. Racism, xenophobia, hate crime and hate incidents have no place in our country and in our area. I know that we stand together as a Council and as local people to condemn racism, xenophobia and hate incidents clearly and unequivocally. We will not allow hate in any form to become acceptable in our locality.

Bath and North East Somerset Council is therefore committed to working even more closely with local partners to ensure there is the support and resource needed to tackle and prevent racism and xenophobia.

We are in close discussion with the Police, who I know are fully committed to stamping out all incidents and crimes motivated by prejudice and hate. They have confirmed that incident monitoring is reviewed at Police daily tasking with Area Commanders and Chief Officers. We will also work with Council services to monitor the situation and ensure that our staff and customers are fully protected. We receive regular monitoring reports on hate crime incidents and will work with the Police to further publicise how to report, including to "third party" organisations. We have recently received an update on the support available to victims of hate crime, particularly from the Avon and Somerset Police "Lighthouse" service. This service can also refer on to specialist help as needed. We will also work with the Police to identify "hot spots" and provide targeted intervention.

Hate crime is discussed regularly at the Independent Equalities Advisory Group, which comprises the Council, Police and other local partners who come together to discuss key equalities issues for our area and acts as a consultative forum. I have been informed that Hate Crime will be on the agenda for the next meeting on 13th July and this will provide an opportunity to receive monitoring information and take further action on this as required.

I would like to end on a positive note which I think reflects the strength of our local communities. Our "E-teams" in primary and secondary schools, led by young people, promote equality and tackle all forms of discrimination. Members, I am sure, will be interested to know that the secondary school "E-Teams" are being brought together on 15th July at Chew Valley School to share their positive experiences, highlight the success of their local campaigns, and plan next steps. There will also be an opportunity for schools who don't yet have an E-team to get help in setting one up

Through these measures, and through our own actions both as elected members and as active members of our own communities, we stand together to reassure all residents that they are valued members of our Bath and North East Somerset family.

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COUNCIL 29th JUNE 2016

PUBLIC STATEMENTS

List of registered public speakers

1. David Dixon - Devolution
2. Ian Bell - Devolution
3. Lynne Fernquest - Devolution (statement included)
4. Robin Kerr - Devolution (statement included)
5. David Redgewell - Devolution (statement included)

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The Bath Business Improvement District will be offering its full support for the devolution deal that has been offered to the region.

Bath BID represents more than 650 businesses in the city and recognises that this is an exciting opportunity for the region to work collaboratively to ensure that we deliver sustainable economic growth.

The proposed regional fund of £30m per year would allow us to amplify our regional strengths and enable us to invest in a strategic programme of housing, skills and education.

This funding is also just the tip of the iceberg – an additional transport budget would also be handed down to our local area, and it would also put us at the forefront of accessing further Government investment.

The BID believes that devolution would give the area the ability to make more decisions at the local level, rather than by officials in Whitehall.

The BID believes that devolution will build on the work already carried out by the West of England Local Enterprise Partnership and its partners and speed up the decision making process. Devolution would mean that LEP and Strategic Leaders Board decisions would not have to go back to the four local authorities for approval.

As a collaborative organisation the BID believes we are stronger working together and feel this opportunity to shape the destiny of businesses in Bath is one we cannot afford to miss and in fact failure to secure the deal will mean a real risk of losing significant future sources of funding and government attention.

Other city regions have already set out ambitious plans for future economic growth and as the fastest growing region outside London, the West of England is perfectly placed to prosper in this new environment.

So far, Sheffield, Manchester, Birmingham, Liverpool, Newcastle and Cardiff have signed deals whilst negotiations are continuing in Nottingham and Leeds.

So if B&NES was not part of this process we may lose out in comparison to other key cities in England and Wales.

We would lose the extra funding on offer and suffer a further loss of credibility with government.

The content of the deal covers transport, housing, planning, skills and business support, key issues that the BID believes a more strategic approach, across the region. It brings in extra resources and extra powers to decide things locally.

The question of structure seems to be the one everyone is focused on. Is a metro-mayor right for the West of England when B&NES recently rejected the idea of an elected mayor?

George Osborne has made it very clear from the start of this process that devolution deals for cities would have to agree to this structure, it's an issue that doesn't appear to be up for debate. So if we want the deal we have to accept the structure.

Looking at the issues that really matter in the West of England and those that need a level of strategic thinking to provide workable solutions, then the BID believes devolution covers the most important areas.

The proposals in the devolution deal are based around a fund to support infrastructure, stronger strategic planning powers and development corporations to overcome barriers to development.

Devolution is not suggesting a county structure with politicians and officers in a massive bureaucracy. What is proposed is one additional politician – the metro-mayor, and some form of supporting infrastructure around a combined authority.

The BID like all supporters of devolution would expect to see robust and accountable governance arrangements to retain the confidence of central government, businesses, potential investors and the public.

Bath Business Improvement District believes that it is essential that B&NES Council agrees tonight to take the West of England Devolution proposal to the next level. If B&NES votes yes tonight then the next level will be a six week consultation process starting on July 4th. Bath BID would urge the full council to support this consultation for the benefit of all businesses and residents in Bath.

West of England Devolution Deal - speaking notes - Council meeting 29 Jun 16

I briefed FoBRA members about the Government's proposed West of England Devolution deal some weeks ago and we have discussed it in committee. It is clearly immensely important for this region, and could provide £30M per year of infrastructure funding, in new money, for many years. Moreover, it appears that, of the eight regional groupings chosen for this treatment, ours is by far the most generous proposal, both in total and per head of population, thanks partly to the skill of the team which negotiated it, but also because our region has a reputation for growth and productivity.

Some of our FoBRA members opposed this deal, mostly because it comes with a Regional Mayor, in order to give it democratic accountability. Those who dislike it point out that we have only recently rejected a Mayor for B&NES by a significant majority, and that excessive uncontrolled power would be in the hands of one person. They believe that it would reduce the power of B&NES Council, and that it would be "just like Avon all over again". Some point out that no Parliament can commit a future one and hence a 30-year promise is meaningless, and fear that Bristol could, through it, foist unwanted housing on us. They advise that further negotiation is needed.

In return, I have emphasised that the Government will apparently agree to the deal only as part of a package with the Regional Mayor, but that the Regional Mayor will have powers only over those areas devolved, such as a consolidated local transport budget, franchise bus services, key route networks, strategic planning, adult education budget, and a National Work & Health Programme – many of them of immense importance to Bath. I have added that this is devolution **from** central Government, and **not** from the existing powers of B&NES. It seems to me that B&NES would be unlikely to get the same funding or access by rejecting the deal and applying direct to Whitehall, and, who knows, the Regional Mayor with his or her small staff could even be based in Bath!

The Federation's conclusion, by a good majority and proportion of the membership, is to back this deal, especially as it seems likely to provide funding to help in solving FoBRA members' highest priority - Transport (in all its manifestations): for example

- an A36/46 link,
- another Park and Ride site and
- better public transport (for which a franchise bus service via the proposed devolved transport authority is the most obvious way forward).

I therefore urge Councillors, on behalf of FoBRA members, to vote to accept the deal.

Robin Kerr, Chairman, draft 1, 28th June 16

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Whilst we welcome the Devolution deal the issues about transport powers are a concern on how it will be possible to operate and franchise a bus network that does not cover the four unitary authorities in terms of a franchise or a quality partnership where buses operate between UWE - Portishead and Clevedon would be outside the agreement. Similarly bus services through Hotwells, Clevedon and Weston would have to operate under the permit system under the Buses Bill or would require a separate quality partnership covering North Somerset by the new combined authority to cover North Somerset either as an advanced quality partnership or an enhanced quality partnership. It would also require a different agreement for a multi-journey, multi-operator and multi-modal ticketing scheme and North Somerset would still require referral to the Traffic Commissioner for services whereas the Metro-Mayor would have full control over the bus services through contracts or partnerships. Of course this would also apply to a Planning or Transport Commissioner.

On rail it would be very difficult to arrange improvements to services without the full Portishead line being in the deal and the line from Gloucester to Weston-Super-Mare. This would make station improvements very difficult or to seek rail powers for MetroWest with the franchise and Network Rail.

Of course the Bristol Port and airport remain outside of the combined authority.

With regards to bus powers under the Buses Bill whilst the First depots in Lawrence Hill, Hengrove, Muller Road, Bath Weston Island and the Wessex depots at Avonmouth and Keynsham and HCT's depot at Parson Street would be in the combined authority area, Weston and Wells depots would remain outside the area in North Somerset and Mendip making bus operations very difficult without North Somerset being in the transport authority area.

Arrangements would have to be made with Wiltshire, Gloucestershire and Somerset to procure bus services which needs further consultation with those councils.

With the EU proposed exit we are concerned with the infrastructure money for MetroWest and the electrification money which is EU funded under the TENS programme.

David Redgewell SWTN/TSSA

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