

## BATH AND NORTH EAST SOMERSET COUNCIL

### MINUTES OF COUNCIL MEETING

Thursday, 25th March, 2021

Present:- **Councillors** Rob Appleyard, Tim Ball, Sarah Bevan, Colin Blackburn, Alison Born, Shelley Bromley, Neil Butters, Vic Clarke, Sue Craig, Paul Crossley, Gerry Curran, Chris Dando, Jess David, Tom Davies, Sally Davis, Douglas Deacon, Winston Duguid, Mark Elliott, Michael Evans, Andrew Furse, Kevin Guy, Alan Hale, Liz Hardman, Steve Hedges, Joel Hirst, Lucy Hodge, Duncan Hounsell, Shaun Hughes, Eleanor Jackson, Grant Johnson, Dr Kumar, Hal MacFie, Ruth Malloy, Paul May, Sarah Moore, Robin Moss, Paul Myers, Michelle O'Doherty, Lisa O'Brien, Bharat Pankhania, June Player, Vic Pritchard, Manda Rigby, Dine Romero, Mark Roper, Richard Samuel, Bruce Shearn, Brian Simmons, Alastair Singleton, Shaun Stephenson-McGall, Karen Walker, Sarah Warren, Karen Warrington, Andy Wait, Chris Watt, Ryan Wills, David Wood and Joanna Wright

Apologies for absence: **Councillors** Matt McCabe

#### 73 DECLARATIONS OF INTEREST

Councillors Steve Hedges and Eleanor Jackson declared an 'other' interest as holders of Blue Badges, in relation to the statement made by Councillor Sarah Moore regarding disabled access to the region. Councillor Robin Moss also declared an 'other' interest on the same item as a family member is a Blue Badge holder. *[These statements were made at the Councillor statements item.]*

#### 74 MINUTES - 23RD FEBRUARY 2021

On a motion from Councillor Eleanor Jackson, seconded by Councillor Alan Hale, it was

**RESOLVED** that the minutes of 23<sup>rd</sup> February 2021 are approved as a correct record to be signed by the Chairman in due course.

#### 75 ANNOUNCEMENTS FROM THE CHAIR OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE

The Chairman read the following statement;

"At a recent Council meeting, the word gaslighting was used by a member in the context of political debate. Gaslighting is defined as "a form of emotional manipulation that often results in the recipient doubting their perception of reality and their sanity." Whilst the member using that word continues to hold the views they were seeking to express in the overall debate, upon reflection they acknowledge the wider meaning of the term 'gaslighting' in connection with domestic abuse and would emphasise that it was not meant to trivialise the act of gaslighting and they sincerely regret any offence caused."

The Chairman then invited the Leader to give a brief update on 2 issues;

- Safety for women; – Councillor Romero spoke of the shock and upset on hearing of Sarah Everards death. She explained that the women councillors of this council had met last week and agreed that they would make a stand against this and work together with all their colleagues to make streets and public places feel safe for everyone. This includes empowering all to call out unwanted attention and aggression in speech and action. She hoped all councillors would support this position.
- The latest Covid situation for the Council; – Councillor Romero explained that case numbers were low and the vaccination programme was going well. Asymptomatic and symptomatic testing facilities were now available across Bath, Keynsham and Midsomer Norton. Pressure on the RUH was reducing and they were working with the Police to help ensure people were sticking within the rules. The Council was still distributing business grants and had processed over 9000 applications as well as over 12,000 calls at the Hub. Councillor Romero acknowledged and thanked the contribution of staff doing their day jobs and volunteering. She welcomed the light at the end of the tunnel but urged caution as regulations were gradually relaxed.

## **76 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

The Chair informed the meeting that he had agreed one item of urgent business which had arisen since the publication of the agenda and had been circulated to all Members and published online. This was taken at minute number 79.

## **77 URGENT DECISION BY CHIEF EXECUTIVE - ASYMPTOMATIC MASS TESTING**

It was noted that the Chief Executive had agreed the award of contracts to support the Council in rolling out a Lateral Flow Testing programme as part of the national response to COVID-19, at a cost of approximately £346,000 per month (subject to any changes in DHSC requirements).

This was made under Part 4G, rule 5 of the Constitution which requires that, following the decision, a report be made to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

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

Statements were made by the following members of the public;

Martin Grixoni addressed Council about its engagement with the community, expressing a view that consultation was poor and citing various recent examples where he considered this to be the case. He drew attention to the Council's Community Engagement Charter listing the 5 commitments within that to provide early, timely information, take into account all responses, and provide feedback and he urged the Council to follow its own principles and do this more effectively. Councillor Joanna Wright asked if Martin was aware that she and officers had visited the school he mentioned 3 times in the last 3 months, contrary to what Martin had said in his statement. Martin responded that the information he had seen from the

school suggested otherwise. Councillor Paul Myers asked Martin if he had a record of the examples he had listed and whether he had submitted those to the Council already. Martin responded that he did and would be happy to provide any information that would be helpful.

Bob Goodman spoke to the Council about ecological issues. He welcomed the news of peregrine falcon eggs at St John's Church and spotting the first swallows of the season. He was frustrated, however, with his perception of inconsistent application of planning policy with regard to a recent city farm application being refused, when similar ecological aspects were shared with the Tufa field application which was of national ecological significance. He queried whether the latter being an Aequus development was a factor. Councillor Tim Ball asked if Bob understood the planning process and the due diligence process that Committee members were subject to. Bob responded that he did.

Ben Reed made a statement, as Chair of the Friends of Bath Approach Golf course, a copy of which is available to read in full linked to the minutes. In his statement, he explained the steps taken to keep the golf course open for everyone to enjoy. A volunteer community group – Friends of Bath Approach Golf Course – has been established with the intention of repairing and maintaining the golf greens, keeping the site clean and tidy and raising funds for future improvements. Councillor Paul Myers asked if a Community Asset Transfer was intended for this group. Ben replied that he was aware of those but that was not the intention for this group which would be a Friends group, as existed for other parks in the area. Councillor Karen Walker asked Ben if a business plan had been submitted to the Council. Ben replied that a detailed document had been submitted setting out the Group's intentions. Councillor Liz Hardman asked Ben if he agreed that keeping the site open would encourage residents from outside Bath to enjoy the site as well, to which he replied that he certainly agreed, and that the petition of over 4800 signatures confirmed that support came from across the B&NES area.

The Chairman thanked all speakers for their statements which would be referred to the relevant Cabinet Members.

## **79 REPORT TO DELEGATE POWER TO MAKE ORDERS UNDER SECTION 91 LOCAL GOVERNMENT ACT 1972**

The Council considered a report which had been brought as an urgent item arising after publication of the agenda.

On a motion from Councillor Dine Romero, seconded by Councillor Paul Myers, it was unanimously

### **RESOLVED to**

1. Delegate authority to the Monitoring Officer, in consultation with the Group Leaders, to make an Order (Appendix 1) to appoint parish councillors to ensure that an inquorate Parish Council is quorate and can continue to act;
2. Adopt the process for appointment at Appendix 2 of the report.

## **80 AMENDMENTS TO THE CONSTITUTION**

The Council considered a report concerning various amendments to the Constitution to ensure the rules remain accurate, transparent and accountable to local people.

On a motion from Councillor Tim Ball, seconded by Councillor Sally Davis, it was unanimously

**RESOLVED** to

1. Agree the amendments to the Planning Delegation scheme, as set out in the revised Appendix 1, and to agree to delegate to officers any other textual changes as may be required to ensure clarity;
2. Agree the amendments to the Planning Committee Terms of Reference contained in Appendix 2 and described in paragraph 3.3 of the report (with the proposed changes shown in tracked changes);
3. Agree the insertion of a clarifying paragraph to the general officer delegation scheme, as described in section 3.4 of the report;
4. Amend the Constitution to formalise the position that political group motions continue to be taken as the last items on the agenda, as described in paragraphs 3.6 – 3.8 of the report;
5. Agree to remove the Petition scheme from the Constitution, as described in section 3.9 – 3.14 of the report.

**81 INTERIM MONITORING OFFICER**

The Council considered a report seeking an extension to the interim appointment of the Monitoring Officer.

On a motion from Councillor Dine Romero, seconded by Councillor Paul Myers, it was unanimously

**RESOLVED** to agree the extension of the appointment of Interim Head of Legal and Democratic Services and Monitoring Officer of Michael Hewitt, on a salary of £80,108 pro rata per annum for a further period from 1 April 2021 to 31 July 2021.

**82 CONFIRMATION OF CHAIR DESIGNATE 2021/22**

This report invites Councillors to indicate which Councillor will be formally nominated as Chairman at the Council's AGM.

On a motion from Councillor Paul Myers, seconded by Councillor Dine Romero, and supported by Councillor Robin Moss and current Chairman Councillor Andy Furse, it was unanimously

**RESOLVED** that, for forward planning purposes, Councillor Lisa O'Brien is named as Chair(man) of the Council (Designate) for the 2021/22 Council Year.

**83 MOTION FROM LIBERAL DEMOCRAT GROUP - VIRTUAL MEETINGS**

On a motion from Councillor Jess David, seconded by Councillor Paul Myers, it was

**RESOLVED** that

Council notes that:

1. B&NES Council meetings have been held virtually since Spring 2020 as permitted by the Coronavirus Regulations 2020, under which virtual meetings have the same status and validity as in-person meetings.
2. These regulations will expire on 7 May 2021.
3. The LGA and B&NES Group Leaders, as well as many Councils across the UK, and national professional bodies, have called for virtual meetings to be made a permanent option for Councils.

Council believes that:

4. There are many benefits to virtual and hybrid meetings for participants, observers and the general public, including: improved access and safety, reduced emissions from transport, savings on time and expenses, and better engagement with residents.
5. Councillors, officers and the public have made great progress in developing the technological skills to participate in virtual meetings on various platforms.
6. Longer term, the option of holding virtual and hybrid meetings could attract a more diverse range of Councillors and officers.
7. Councils should be able to choose between a virtual, hybrid or in-person format for Council meetings, depending on factors such as participants or weather conditions.

Council therefore:

8. Calls on the Government to bring forward legislation enabling virtual and hybrid meetings to be a permanent option for Councils, alongside in-person meetings.
9. Requests that the Leader write to relevant Ministers and local MPs on this matter.
10. Calls on all Councillors to raise this issue with colleagues such as Parish Councillors.

[Notes;

1. *The above successful resolution was carried with 1 Councillor voting against and the remaining Councillors voting in favour.]*

**84 MOTION FROM CONSERVATIVE GROUP - INITIATIVES TO IMPROVE CHILDREN'S WELLBEING**

This item was not moved, and therefore no debate took place.

**85 MOTION FROM LABOUR GROUP - COMMUNITY WEALTH BUILDING**

This item was not moved, and therefore no debate took place.

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

Councillor Sarah Moore made a statement about disability access in B&NES, a full copy of which is available linked to the online minutes. She made several suggestions regarding parking bays and parking provisions and urged Councillors to look more closely at the small steps that could be taken in their wards to improve independence for all residents. Councillor Dine Romero asked Councillor Moore if she was making this statement in her newly appointed role as Member Advocate for Access, to which Councillor Moore confirmed that she was. Councillor Robin Moss asked Councillor Moore if she considered the Council was doing enough for Blue Badge holders at the moment to which she replied that there was more work that could be done, and she hoped that they could push forward on this as lockdown eased.

Councillor Jess David made a statement about the impact of Covid-19 on women, a full copy of which is available linked to the online minutes. Councillor David addressed the work, caring and wellbeing impact on women and called for a scrutiny review picking up all these issues. Councillor Dine Romero asked if Councillor David's intention was that this referral should be considered by the Scrutiny Chairs and Vice-Chairs initially, to which Councillor David confirmed that she agreed, and did indeed consider this a cross cutting issue.

Councillor Chris Watt made a statement about the Bath Half Marathon 20/21. He applauded this event which was beneficial on many fronts, not least for the valuable fundraising opportunities it provides for many charities. He acknowledged that every effort needed to be made to ensure the event is staged safely but welcomed the work being done by Council officers committed to finding a date and venue for this to take place.

The Chairman thanked the above Councillors for their statements which would be referred to the relevant Cabinet Members.

The meeting ended at 8.05 pm

Chairman .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

## COUNCIL 25<sup>th</sup> MARCH 2021

### PUBLIC STATEMENTS

#### To be taken at item 7

- Martin Grixoni  
*(attached)* - Bases of Council decision making
- Bob Goodman - Environmental issues
- Ben Reed  
*(attached)* - High Common/Approach Golf Course

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## Consultation – PP poor showing. Statement to BANES Council 25<sup>th</sup> March 2021

I want to speak tonight on something that I really sense the Council need to be held to account over – which is by my estimation the poor level of consultation that we are experiencing in the City.

I was minded to do this after an ever-increasing series of examples became apparent to me, and the online clamour was breaking the noise levels, and so I genuinely felt something should be said at Council.

It has not been the easiest of years for any local authority, and I am certain that our Council has done some good work in keeping services going and progressing their own manifesto.

The difficulty I have, however, is that too big a proportion of the things being put through are not clear in the manifesto and appear to be more of a hidden 'Agenda', do not have sufficient or sometimes any consultation, and all too often even when there is some, the timeframe is too short, or the questions are too skewed. I am suggesting that Bath really should have better!

Let me give you some examples:

1. North Road Busgate - – 'no meaningful consultation-gate' might be a more appropriate phrase! Neither the public nor the stakeholders on the hill such as KES have been consulted correctly – just Quoting from a letter to all parents from the School:

a. The current proposal does not seem to be supported by data

b. The School is also disappointed that key Council Officers and Councillors in the Cabinet had not taken the opportunity to visit the School prior to the final scheme being published

I genuinely wonder how the 'Experimental Traffic Regulation Order' was chosen, as there are so many comments locally as to its 'madness' and lack of foresight. Fine to use in areas where there is unlikely to be so much opposition – poor conclusion – inept!

I also note that a former LD candidate Adam Reynolds appears to be very supportive of it, indeed appears to have a lot of 'inside'

information on it – I have often wondered if he was in some way employed by the Administration ....although perhaps not, as he appears to have rather spectacularly fallen out online with the Mayor on this subject – Will he stand again I wonder; I rather hope so...

Anyway, I'm assuming it wasn't him (or indeed the Mayor and Cllr for North Road) that chose the scheme – so who did, and why didn't they consult? In any case, it doesn't take a huge intellect to conclude that a bike 'route' that is not as direct and has over a 500-foot climb is likely to be massively more used than it presently is.

2. Entry Hill – Not properly consulted on and have completely failed to properly model on dispersed Traffic pollution. Specifically, and pretty worryingly, I have been informed the New Residents Association on Entry Hill excluded any non-LD from attending or speaking in order to give false evidence to the Council that the Community wanted it.
3. High Common Approach Golf cse – No consultation at all – in this instance as it was claimed that a Frisbee course was the same as a Golf one. Thousands disagreed, which resulted in a climb down by the Council.
4. Low Traffic Neighbourhood questionnaires, done by a no doubt expensive London agency and in my view very poor value for money. There is massively insufficient "internal reliability" and therefore psychometrically flawed. The report notes that the level of bias introduced is 'unknown', but wrongly concludes that this was not a serious issue. It is.

Overall, this scale would be laughed out of town if submitted to a peer reviewed academic journal and a well-trained undergraduate student could have done a much better job.

There was no question on political views, household income or education levels.

What was apparent on the Entry Hill skewed consultation was that cyclists from as far away as the North of Scotland were expressing their view – hardly local or representative consultation!

There are SO many other examples to quote from such as the excessive 'Ring of steel' and no mobility impaired access never mind looking appalling.

, but sadly no time left, so I will just leave you with a summary from the Councils own

'Community Engagement Charter' when it states what it will do:

- \* discuss a proposal when it is at a formative stage. North Road / Approach Golf Cse
- \* provide sufficient information to allow intelligent consideration. Skewed questionnaires not fit for purpose.
- \* ensure there is adequate time for a considered response. – too often only 2 weeks!
- \* conscientiously take responses into account. – not fully published for the public to see and scrutinise.
- \* provide feedback on our decisions. – Not seen anything meaningful yet, apart from U-turns.

Please can I request that you follow your own Charter and just - 'do better by Bath'.

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Good evening. My name is Ben Reed and I am pleased to speak to you this evening as Chair of the Friends of Bath Approach Golf Course. I want to bring your attention to the ongoing closure of the course - Bath's only remaining public golf facility.

As many of you will know, the closure of the golf course during the first COVID-19 lockdown in March last year was only ever intended as a temporary measure. Since then a procurement process, conducted mid-pandemic in far from ideal circumstances, has unfortunately failed to find an appropriate commercial operator.

I wanted to speak to the Council this evening to report that we have thus far seen worryingly little progress in determining the future of this beautiful and popular green space, which adjoins Royal Victoria Park to the North of the city centre. This is despite a Council commitment last summer for golf to remain on the 18-hole side of the site, known as High Common, and despite a petition which now has close to 5,000 signatures from people across the city, indicating their support for the golf course to stay open.

In view of the difficulties in finding a commercial operator, I and a group of fellow Bathonians and residents have formed a volunteer community group – Friends of Bath Approach Golf Course – which would like to repair and maintain the golf greens, keep the site clean and tidy and raise funds for future improvements. Importantly, we want to do away with the use of chemical pesticides, take some of the maintenance burden off the Council, and work towards reopening the golf course as soon as possible so that everyone can enjoy High Common exactly as they have done since the middle of the last century.

And I do mean EVERYONE. Perhaps the overriding feature that gives the Approach Course its special character and its place in the affections of so many people is the fact that it's a shared space, doubling as a park for those who want to walk, jog, sit down and enjoy the views and all manner of other exercise and recreation. There is ample space for everyone, and no-one should be excluded. It would be a sad and deeply unpopular unintended consequence of last year's closure if the one group of users permanently excluded turned out to be regular and occasional golfers - the one group who have contributed most to the upkeep of the site over so many years, by paying to play golf.

It's important that we act very soon. Spring growth is already beginning and another season without dedicated attention to the golf greens will be the death knell for public golf in Bath, meaning the loss of one of the very few affordable, outdoor, family-friendly sports facilities in the city, ironically just as golf experiences a huge increase in popularity.

I believe that our proposal to the Council offers a low-risk, low-cost way to work towards the resumption of golf on the site. Coupled with a new tender process for a café operator, who would take care of the collection of golf fees and hire of golf clubs, the maintenance of the golf course would remain split between the Council and volunteers. We are proposing that the former 12-hole side of the site will be golf-free, with opportunity for increased wilding and biodiversity benefits. Overall, this has good potential to make the Approach Course self-funding once again, to revitalise this lovely green space, bring back all those who used to enjoy it, and attract a good many more people in the years to come.

Thank you.

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**COUNCIL 25th MARCH 2021**

**COUNCILLOR STATEMENTS**

To be taken at item 14

- Sarah Moore  
*(attached)* - Disabled access to Bath city centre & other B&NES areas
- Jess David  
*(attached)* - Impact of Covid-19 on women
- Chris Watt - Bath Half Marathon 20/21

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Thank you for allowing me to make this statement today.

I am taking a special interest in access for all our disabled residents across our BANES. We have almost 7,000 blue badge holders across the authority area and these badges are provided for several different reasons, but primarily they are for people that are unable to walk even short distances. A large proportion of these people have little option than to use a private car to do the simplest of things, such as shopping, hearing, and eye tests, collecting their prescriptions or meeting friends for a coffee, when lockdown is lifted obviously. This is often their only means of having any independence.

Which councillors here today know how many blue badge holders they even have in their own ward?

I am currently working with officers to look at the issues faced by not only our blue badge holders but also those residents that do not have a blue badge but still struggle to get out and about, whether it is through a visible or hidden disability. They are entitled to enjoy our wonderful parks, towns and villages the same as everyone else.

Whilst I understand the requirement for the social distancing measures that were put in place, these have often restricted the places our blue badge holders could easily access and although new disabled bays were created in the city centre, and efforts were made to ensure blue badge holders still had parking, many disabled people felt this did not go far enough, which has resulted in many of them being unable to go out. Asking them to do things on-line is sometimes not an option for them and just makes them feel like prisoners in their own homes. I would ask that as we hopefully come out of lockdown and these measures are removed, these residents' needs are prioritised.

I am aware that there is a pan disability study currently being developed in light of the city centre security project, and significant engagement has taken place already, however, there are a lot of ways we can help, for example, I have recently requested that dedicated disabled bays are put outside 2 of my local chemists to enable these individuals to do the small job of collecting their own medication once again. I have also made several suggestions about our parking provision in the centre of Bath, installing more on-street disabled bays around the edge of the centre as well as suggesting that at least half of the bays in the Guildhall car park are made available to blue badge holders and also requested a review of the locations of the disabled bays in all council owned car parks.

I would like to challenge every councillor to look more closely at their own wards to see what simple things could easily be put in place to ensure every resident has their independence and maybe use your ward empowerment funds for the coming year on putting in place something that would help these residents. Furthermore, I would request that all decisions and policies proposed by or adopted by the council are assessed on an equalities impact assessment relating to all forms of disability whether they are physical, sensory, mental impairments or mental health.

This should also relate to third parties seeking financial support or contracts with the council.

Thank you once again.

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Thank you Chair. We are now a year into the Covid-19 pandemic. I would like to make a statement about the impact of this year on women; and to ask for your support for a piece of scrutiny work to assess and act on these impacts in Bath and North East Somerset.

The pandemic has impacted all parts of our community, men and women, young and old, rich and poor. However, I am struck by evidence that there has been a disproportionate impact on women of all ages, and I feel this must be considered as we look towards rebuilding our economy. There are three areas that I want to focus on this evening.

**Firstly, work** - Nearly two-thirds of the UK's 9.8 million key workers are women. And many of these women earn less than £10 an hour.

The pandemic has highlighted the low pay and occupational segregation faced by many women workers, particularly those in front-line jobs in sectors including social care and retail.

The furlough scheme will end in Sept and significant sectors of the economy – particularly those that employ large numbers of women – will see job losses. Number of people on Universal Credit have nearly doubled since beginning of coronavirus pandemic. Support measures, including the extra payment, that many families are relying on will end in September, leaving many more women and families in crisis.

*I spoke to one of the founders of The Women's Work Lab which is starting work in May to offer coaching and work placements to women currently out of work and on universal credit. This new service has been massively oversubscribed – and I was told includes many that have lost jobs in hospitality and retail during this pandemic. It also includes many that have suffered domestic abuse. There are many stories to tell and we need to learn from these in our service planning.*

**Secondly, caring** - Women have faced a disproportionate burden of unpaid care during the last year. Necessary measures, such as the closure of schools and childcare, has meant working parents also became full-time carers.

When social care services were closed, and millions were asked to shield at home,

many women were left to fill the unpaid care gap. For too many women the impacts have been paid job loss and pay cuts.

Meanwhile, the child care sector is in crisis. 58% of local authorities have warned of nursery closures in their area – reducing availability of child care and providing a further barrier to women returning to work.

**Thirdly wellbeing** - Analysis of data from across the Office for National Statistics highlights the different effects on men and women throughout the first year of the pandemic.

Put bluntly, while more men died from COVID-19, women's well-being was more negatively affected than men's during the first year of the pandemic.

The ONS found that women reported significantly higher anxiety than men at almost every point between March 2020 and February 2021. Women were also more likely to report loneliness than men during this period.

As so my request today is that we establish a scrutiny process that will bring together an evidence base for Bath and NE Somerset on these issues and provide an opportunity for us to make recommendations for action – both in our economic renewal work and wider service provision.