

## **BATH AND NORTH EAST SOMERSET**

### **CABINET**

These minutes are draft until confirmed as a correct record at the next meeting.

Thursday, 8th October, 2020

#### **Present:**

Councillor Dine Romero	Council Leader and Liberal Democrat Group Leader
Councillor Rob Appleyard	Cabinet Member for Adult Services
Councillor Tim Ball	Cabinet Member for Housing, Planning, and Economic Development
Councillor Neil Butters	Cabinet Member for Transport Services
Councillor Paul Crossley	Cabinet Member for Community Services
Councillor Kevin Guy	Cabinet Member for Children's Services
Councillor Richard Samuel	Deputy Council Leader and Cabinet Member for Resources
Councillor Sarah Warren	Cabinet Member for Climate Emergency and Neighbourhood Services
Councillor David Wood	Cabinet Member for Climate Emergency and Neighbourhood Services
Councillor Joanna Wright	Cabinet Member for Transport Services

#### **39 WELCOME AND INTRODUCTIONS**

The Chair welcomed everyone to the meeting by explaining that this meeting is being held under The Local Authorities and Police and Crime Panels (Coronavirus)(Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020. The Council has agreed a protocol to cover virtual meetings and this meeting would operate in line with that protocol. The meeting has the same status and validity as a meeting held in the Guildhall.

#### **40 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

#### **41 DECLARATIONS OF INTEREST**

There were none.

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

There was none.

#### **43 QUESTIONS FROM PUBLIC AND COUNCILLORS**

There were 15 questions from Councillors and no questions from members of the public.

*[Copies of the questions and responses, including supplementary questions and responses if any, have been placed on the Minute book as Appendix 1 and are available on the Council's website.]*

## **Appendix 1 - Questions and answers sheet**

### **44 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS**

There were 14 registered speakers for this meeting.

Each speaker had up to 3 minutes to address the Cabinet.

*NOTE: All statements are attached to these minutes.*

Non-agenda related –

1. David Redgewell – Transport during COVID-19
2. Simon Banks – Ecological Emergency
3. Danny Groves – Ecological Emergency
4. Frank Kenny – Ecological Emergency

Item 11 Mead Lane, Saltford - River moorings –

1. Councillor Duncan Hounsell
2. Elisabeth Evans
3. Phil Harding (Saltford Parish Council)
4. Rebecca Sarll
5. Avril Mc Govern
6. Ross Fender
7. Laura Darling
8. Dom Newton
9. Peter Denmead
10. Jassy Powles

**David Redgewell statement 8th October 2020**

**Simon Banks statement**

**Danny Groves statement**

**Frank Kenny statement**

**Cllr Hounsell statement**

**Elisabeth Evans - statement**

**Phil Harding statement**

**Rebecca Sarll statement**

**Avril Mc Govern statement**

**Ross Fender statement**

**Laura Darling statement**

**Dom Newton Statement 08-10-2020**

**Peter Denmead Statement**

**Jassy Powles statement**

**45 MINUTES OF PREVIOUS CABINET MEETING**

It was **RESOLVED** that the minutes of the meeting held on Wednesday 22<sup>nd</sup> July 2020 be confirmed as a correct record and signed by the Chair.

**46 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET**

There were none.

**47 MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES**

There were none.

**48 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING**

The Cabinet agreed to note the report.

Councillor Richard Samuel used this opportunity to highlight that Decision E3217 'Saltford Lawn Tennis Club Community Asset Transfer' had quite positive impact on the local community.

**49 MEAD LANE, SALT FORD - RIVER MOORINGS**

The Chair and Councillor Paul Crossley thanked all speakers who read out their statements on this matter.

Councillor Paul Crossley introduced the report by saying that several presentations from the public showed how complex this issue was. Before continuing with an introduction with the report, Councillor Crossley offered to meet with boating community to discuss this matter.

Following local elections in May 2019, the new administration had agreed to review moorings at Mead Lane. The Council had commissioned Atkins Global engineering consultancy to undertake a detailed visual survey of the riverbank, road, utilities and 2005 bio-engineered solutions (rock armour) on Wednesday 3 September 2019. The detailed outcome of the survey, and the main findings were included in the report. Councillor Crossley said that he was pleased with an outcome of the survey. Moorings at Mead Lane were close to a narrow road and also to residents of Mead Lane. Also, all of the issues highlighted in the report presented to the Cabinet in January 2020 have been done.

Councillor Crossley stressed that 14-Day moorings will be available from 1st March 2021 and would remain until suitable alternatives were found. Councillor Crossley also offered to meet with the boating community to inspect stretches of the river mentioned by boaters.

Councillor Paul Crossley concluded by moving the officers' recommendations with additions/changes as follows:

Bullet point 2 of the main recommendations to read – '• Agree to a long-term aspiration to relocate moorings from Mead Lane – with a target date of 31st December 2022'

Added recommendation 2.8 to read – 'Request that officers devise a charging regime for moorings at Mead Lane, to be implemented from 1st March 2021, in accordance with delegations outlined in recommendation 2.6. Requests for future capital allocation for moorings to be considered as part of the council annual budget setting process.'

Councillor Dine Romero seconded the motion, and together with Councillor Crossley proposed to meet with the boating community to discuss issues related to this matter.

Councillor Tim Ball supported the motion from Councillor Crossley and added that this Council, and the previous administrations, have failed the boating community in terms of adequate moorings. Mead Lane was not an adequate solution and the Council would need to identify other areas in the Local Plan for moorings. Councillor Ball also called on the government to be more committed in recognising the needs of the boating community.

Councillor Sarah Warren welcomed the motion and said that she had met with the boaters in Bathampton and that she has begun to understand their needs for education and access to hospitals. Councillor Warren said that she would also like to meet with the boating community to discuss the issues and needs that they may have. Councillor Warren added that the Council should continue to work with the CRT and with the families on their access to health and education.

Councillor Richard Samuel welcomed the recommendations with a caution to the budget allocation process. Councillor Samuel said that it needed to be understood

that requests for future capital allocation for moorings must be considered as part of the Council's annual budget setting and would have to go through the same process as any other allocated parts of the budget.

Councillor David Wood also supported the motion by saying that the Council should be recognised as an authority for welcoming communities with different lifestyles, and not pushing them away from the area.

**RESOLVED** (unanimously) that the Cabinet agreed to:

- Reduce the number of moorings in the short/medium term, by implementing paragraphs 2.2. & 2.3, thereby increasing the amount of open space along Mead Lane
- Agree to a long-term aspiration to relocate moorings from Mead Lane – with a target date of 31<sup>st</sup> December 2022
- Ensure that suitable alternative moorings are identified and in place prior to reducing further any moorings at Mead Lane
- To increase enforcement & engagement capacity

Specifically:

2.1 To work with Waterspace Partners to identify alternative sites for 14-day moorings along the watercourse and to request that it gives due consideration to the Opinion Research Survey assessment and findings, and

2.2 To remove the 48-hour moorings at Mead Lane from 1/11/20, on a permanent basis, this part of the riverbank to be reallocated as open space for other leisure purposes and

2.3 Agree to no 14-day moorings at Mead Lane, on a seasonal basis, during the time period 1 November until the end of February each year and

2.4 When the Waterspace Partnership programme of work and Opinion Research Survey assessment is complete (see 2.1 above), review the moorings on Mead Lane, with the aim that the total number of 14 day moorings available along the watercourse are not reduced, and

2.5 Create a joint River Warden post with the Canal and Rivers Trust (CRT)

2.6 Delegate future decisions on Mead Lane/moorings to the Cabinet Member for Community Services, in consultation with the Director of Environment and,

2.7 Request that the Cabinet Members for Transport and Director of Environment, in consultation with Avon and Somerset Police, review the parking restrictions along Mead Lane/Saltford

2.8 Request that officers devise a charging regime for moorings at Mead Lane, to be implemented from 1st March 2021, in accordance with delegations outlined in recommendation 2.6. Requests for future capital allocation for moorings to be considered as part of the council annual budget setting process.

## **50 LEISURE SERVICE REVIEW**

NOTE:

*8:12pm the meeting was adjourned for comfort break.*

*8:20pm the meeting reconvened.*

Councillor Paul Crossley introduced the report by saying that a variety of different measures had to be put in place due to unprecedented impact of Covid-19.

The Leisure Service was a discretionary service, however it contributed to many critical Council priorities including tackling obesity, improving physical health and wellbeing; addressing mental health and reducing our impact on climate change through encouraging walking and cycling. The contract with Greenwich Leisure Limited (GLL) to manage the Council's leisure centres was key to delivering these outcomes.

When Covid-19 legislation was passed that required leisure facilities to close GLL has lost all income from all of its facilities in all of its contracts. However, ongoing costs have still remained - for example ensuring the mechanical and electrical systems, particularly linked to the swimming pools, were managed and maintained and ready to operate again once lockdown was lifted.

This left GLL and all other leisure operators with limited options to deal with the financial impacts without support from their Local Authority partners. The situation has been made worse as leisure providers were exempt from most Covid-19 emergency support funding.

A sum of £565,643 has been agreed by the Council to cover losses to the end of August 2020 with the Council working closely with GLL to control costs as far as possible during this time. These costs have also been independently benchmarked by Sport England advisors to ensure they were in line with what other Local Authorities were experiencing and that all avenues for controlling costs were being explored.

At the request of the SW Chief Executive Officers group, this group has been lobbying Ministers directly on the financial pressures faced by the sector. Funding from central government has only covered directly run LA leisure services, not those who use leisure trusts as a model of delivery as in this case.

Councillor Crossley took the meeting through the details of the phased re-opening of leisure services in BANES (as per report) and explained that in the light of the financial pressure Covid-19 has placed on the Council and GLL a review has been undertaken to seek to develop a more sustainable business model for the future.

The recommendations in this report were designed to balance the need for a sustainable financial model against the desire to provide leisure services that help to improve the health and wellbeing of the local population.

Councillor Paul Crossley moved the recommendations.

Councillor Richard Samuel seconded the motion by highlighting the government's failure to provide any money to Leisure Services such as GLL. According to the newspapers, the Treasury has allocated £500m to support Leisure Services across the country, and that money has not yet been distributed to those in need. Councillor Samuel expressed his concern that Leisure Services would suffer even more in the months to come, due to Covid-19 crisis. The government has an obligation to

support this industry and thousands of jobs across the country within it, apart from other benefits of Leisure Services that were mentioned by Councillor Crossley.

The Chair welcomed the comments from Councillors Crossley and Samuel. The Chair also said that she has had conversations with other Local Authorities who were in the same situation with Leisure Services, and whose losses in this industry were not met by the government.

Councillor Tim Ball welcomed the motion and also expressed his concern with the lack of funding for Leisure Services from the government.

**RESOLVED** (unanimously) that the Cabinet agreed to the following recommendations that have been developed in response to the Covid-19 impact upon the leisure industry, our contractual arrangements with GLL and the financial impacts this has placed upon the Council.

(1) Remove Chew Valley Leisure Centre from the GLL contract and hand back the lease to Chew Valley School at the end of this financial year (31st March 2021) and work with the Lighthouse School Partnership to provide an alternative solution to providing community use of the leisure facilities outside school hours.

(2) Re-open the dry side facilities at Culverhay Leisure Centre. The future of the swimming pool will be considered in more detail as numbers return to leisure centres and Covid 19 infection risk is reduced.

(3) Request officers explore investment opportunities at Odd Down Sports Ground to turn this facility from a deficit to a profit. A business case that demonstrates a clear return on investment well within the remaining life of the contract will be required for this to proceed.

## **51 2021/22 MEDIUM TERM FINANCIAL STRATEGY**

Councillor Richard Samuel introduced the report by saying that the financial challenge this year had been extreme with unprecedented impact on finances. The current Council has acted quickly because it was very clear, very early on in the pandemic lockdown that there was going to be a serious detrimental impact on the Council's income as it provides one of the pillars in funding the services we provide. The financial recovery progress report was approved in July, with £20m of savings to be made in year, to balance the books. Sadly, the government would not meet the full losses that the Council expected to encounter during this current financial year.

The Council's income position is likely to be under pressure for many years to come. It would underperform this year, with no expectations to return to previous levels next year. The Council's financial position and outturn was expected to improve during this year, although the budget would be in deficit year end to some degree. This report was not about the budget but more to set out the problems and the financial challenges that the Council would have to meet.

Councillor Samuel took the Cabinet thought the rest of the report highlighting the difficult position over the next 5 years. Councillor Samuel concluded that this Strategy would be a base for future discussions in terms of Council's financial position and budget.

Councillor Richard Samuel moved the recommendations.

Councillor Kevin Guy seconded the motion by thanking Councillor Samuel and the relevant officers for this report. Councillor Guy also said that the Council have received financial help from central government, but nowhere near enough to cover the losses incurred.

Councillor Tim Ball also supported the motion and suggested that other political groups in the Council, and the relevant Scrutiny Panels should have been more proactive in the debate on this strategy.

**RESOLVED** (unanimously) that the Cabinet agreed to approve the Medium Term Financial Strategy.

## **52 TREASURY MANAGEMENT MONITORING REPORT TO 30TH JUNE 2020**

Councillor Richard Samuel introduced the report by saying that this report gives details of performance against the Council's Treasury Management Strategy for 2020/21 for the first three months of 2020/21. Councillor Samuel added that there were few headlines that were already highlighted in the report. Councillor Samuel thanked the officers on the report.

Councillor Richard Samuel moved the recommendations.

Councillor Dine Romero seconded the motion, and also thanked the officers for their hard work.

**RESOLVED** (unanimously) that the Cabinet agreed to:

2.1 The Treasury Management Report to 30th June 2020, prepared in accordance with the CIPFA Treasury Code of Practice, is noted.

2.2 The Treasury Management Indicators to 30th June 2020 are noted.

The meeting ended at 8.50 pm

Chair \_\_\_\_\_

Date Confirmed and Signed \_\_\_\_\_

Prepared by Democratic Services



## CABINET MEETING 8<sup>th</sup> October 2020

### STATEMENTS FROM PUBLIC AND COUNCILLORS

1. David Redgewell – Transport during COVID-19
2. Simon Banks – Ecological Emergency
3. Danny Groves – Ecological Emergency
4. Frank Kenny – Ecological Emergency
5. Councillor Duncan Hounsell – Mead Lane Moorings
6. Elisabeth Evans – Mead Lane Moorings
7. Phil Harding (Saltford Parish Council) – Mead Lane Moorings
8. Rebecca Sarll – Mead Lane Moorings
9. Avril Mc Govern – Mead Lane Moorings
10. Ross Fender – Mead Lane Moorings
11. Laura Darling – Mead Lane Moorings
12. Dom Newton – Mead Lane Moorings
13. Peter Denmead – Mead Lane Moorings
14. Jassy Powles – Mead Lane Moorings

## QUESTIONS AND ANSWERS - COUNCILLORS

<b>M</b>	<b>01</b>	<b>Question from:</b>	Councillor Liz Hardman
<p>I want to draw attention to the report on the Children's Services Improvement Plan which was considered by the CAHW PDS Panel in July. It stated the following:</p> <p>There are still challenges in relation to the number of Care leavers who are not engaged in Education, Employment or Training (NEET) despite best efforts. The skills and engagement worker and senior PA are always proactively looking for opportunities for employment and training. However, there is a concern that post Covid-19 that nationally Care Leavers have been one of the worst hit groups in relation to work opportunities. Many that were accessible no longer exist as businesses struggle to return to operating again.</p> <p>This message of concern about the number of care leavers who are not in education, employment or training and the impact of Covid-19 on their employment opportunities, was reiterated at a recent meeting of the Corporate Parenting Group.</p> <p>I'd like B&amp;NES, as an employer, to consider what it can do to support young care leavers to access training and employment opportunities within the Council. While B&amp;NES must operate within the bounds of UK employment law which requires a fair and open recruitment process without discrimination, it can, lawfully, take positive action. For example, the Council could send details of training opportunities directly to care leavers to help increase their chances, it could direct adverts to care leavers (sending links to jobs advertised on the Council's website) and it could offer additional support through the selection process.</p> <p>So my question is, would the Cabinet members consider adopting the measures outlined above to support our care leavers in applying for employment and training opportunities that arise within the Council and will they consider amending the Local Offer to Care Leavers to reflect this new support?</p>			

<b>Answer from:</b>		Councillor Kevin Guy
<p><i>The council already has a very strong track record in employing and supporting apprentices and we see this as a logical extension of that work. Councillor Hardman is correct – we are lawfully able to take positive action and the HR&amp;OD team will work with the CYP team to provide details of vacancies and training opportunities. We will look carefully at what further additional support could be offered, but this may be limited simply due to the resources we have available.</i></p> <p><i>We are also investigating the government's new Kickstart programme and how we could utilise that for our care leavers, both in our role as a local authority and intermediary, and also directly as an employer offering a number of paid roles to young people.</i></p> <p><i>The Local Offer for Care Leavers will be updated accordingly.</i></p>		
<b>Supplementary Question:</b>		
I very much welcome this positive response. Would the Cabinet Member agree to monitor the effect of the actions proposed so that we can see whether more Care Leavers are able to take up opportunities within the Council?		
<b>Answer from:</b>		Councillor Kevin Guy
<p><i>As the Lead Member for Children and Young People I welcome the focus on access to support for care leavers and I would be very happy to work with Council officers to progress the local authority proposals as set out in the response to question 5. I would also be very happy to meet with you and discuss these issues after the meeting.</i></p>		
<b>M</b>	<b>02</b>	<b>Question from:</b> Councillor June Player
<p>Can the leader of the Council please explain why the 5G issue was deemed not appropriate to be debated at the last Council meeting due to it being a National Issue and not a Local one when other National issues presented through motions by different political parties have been? Topics such as Electoral Reform, Fracking, Food Poverty and Unfair Evictions.</p> <p>I was extremely shocked with this decision. Whether we are for 5G or opposed is beside the point, and after all, only a short debate of</p>		

10 minutes was being requested. The petitioners undertook all the procedures set down by this Council and presented a petition signed by the relevant number of residents. All they were asking was that this Council debated the topic.

Given that OUR residents, that WE represent had asked US to debate / look at this issue and ask some questions I feel should have taken place as it is their democratic right. The speakers made some very good and pertinent points which I believe should have been debated.

**Answer from:**

Councillor Dine Romero

*Please refer to the minutes of the Council meeting of 23 July 2020 (excerpt below) and to the briefing note supplied to Councillors in advance of the Council meeting, which notes that the Council's only role in relation to 5G is in determining planning applications relating to telecoms infrastructure where this does not fall under permitted development. Just to confirm – all Group Leaders have agreed not to debate on this matter.*

*“Under procedure rule 34, the Chair asked if the Leaders of the 2 larger groups required a 10-minute debate on this issue.*

*“Councillor Dine Romero thanked the petitioners and explained that they would not be able to debate this issue as it was an issue for national government. She recommended the petitioners make contact with their local MPs. She proposed that the petition be passed to the relevant Cabinet Members to respond to the points raised in the petition. Councillor Paul Myers supported this course of action.”*

**M**

**03**

**Question from:**

Councillor Colin Blackburn

In light of the scrutiny already taken place on the controversial release of land at Bath Cricket Club, why was the decision taken to not pursue public recognition of the wrongdoing over tree damage at this site?

**Answer from:**

Councillor Tim Ball

*The Council is always guided by legal advice in these circumstances. There were two investigations. First whether or not the Council could reasonably satisfy the CPS public interest test to prosecute the offence. The legal advice was that there was insufficient evidence that the cricket club had directly ordered the work that resulted in the tree damage to warrant a criminal prosecution, nor had*

*sufficient damage been caused so as to amount to them being destroyed. As a result of this a second piece of legal advice was received about whether we could pursue a civil action against the club. The legal advice received made it clear that because no actual loss to the Council has been incurred, there is no case to pursue. This was a disappointing outcome given the damage caused, and we do of course keep this under review, given the serious issues that took place.*

<b>M</b>	<b>04</b>	<b>Question from:</b>	Councillor Vic Pritchard
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Telford recycling plant had to bring in specialist pumping equipment to deal with an extensive fire in their recycling plant. Do we have immediate access to a water source at all our recycling facilities?

<b>Answer from:</b>	Councillor David Wood
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*At Midland Rd transfer station, we have high pressure hoses on site and there is also a fire hydrant located immediately outside the main entrance.*

*At Ashmead Rd Recycling centre, there is a fire hydrant located outside the main entrance on Ashmead Rd.*

*At all our recycling centres, there are on-site high-pressure hoses. A fire hydrant is also located outside the Welton Depot entrance*

*Note: Fire extinguishers are available on all sites for dealing with minor fires. Staff are not however advised to fight major fires but instead call 999.*

<b>M</b>	<b>05</b>	<b>Question from:</b>	Councillor Vic Prichard
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Government has committed £28.7 million towards improving Special Schools in Bristol. With a duty to cooperate across the authorities that make up the West of England will this provide a positive benefit to the children in BANES?

<b>Answer from:</b>	Councillor Kevin Guy
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*This development could be a positive benefit for children in B&NES. When new special school provision is being planned, the DFE will ask how many school places a neighbouring LA would potentially commission. We would need to know the type of school being delivered/built before we decided how many spaces we would need, but potentially this is welcome news.*

**M**

**06**

**Question from:**

Councillor Vic Prichard

Bristol is now the capital of fly tipping with 3,658 recorded cases so far in 2020. Much of this is in the lanes of Nempnett Thrubwell, Chew Stoke, Chew Magna and Norton Malreward where they border the boundary of Bristol.

Are we able to seek reimbursement for the cost of removal of this fly tipping from Bristol City Council as these offences are committed by their residents?

**Answer from:**

Councillor David Wood

*Environmental Enforcement investigate and take legal action when there is evidence present, for every incident of fly tipping within our authority boundary.*

*At present, there are two courses of action we can take to recover costs, they are as follows;*

**Fixed Penalty Notices**

*This currently stands at £400 per offence. 100% of the fine is fed back into the authority budget for use in further enforcement and the costs associated with removal.*

**Prosecution in a Magistrates Court**

*This can result in an unlimited fine and/or imprisonment.*

*The authority does not receive the money from the fine but may apply to the court for incurred costs from the offender.*

*We have very good working relationships with our neighbouring authorities including Bristol, North Somerset and South Gloucestershire. Intelligence, investigations and evidence are regularly passed between us to detect and prevent crimes of this nature.*

*If an offence such as fly tipping occurs in our authority, we will investigate and take action wherever the offender originates from. The perpetrator of the crime pays rather than the landowner or public authority. We only have the ability to prosecute the offender.*

<b>M</b>	<b>07</b>	<b>Question from:</b>	Councillor Vic Pritchard
Anti-social behaviour associated with the introduction of e-scooters is recorded as being worse in England than anywhere else in Europe. What precautionary measures are being considered to ensure a successful launch of e scooters in Bath so we don't have to abandon the scheme as has happened in other British cities?			
<b>Answer from:</b>			Councillors Joanna Wright/Neil Butters
<i>An answer will be provided withing 5 clear working days.</i>			
<b>M</b>	<b>08</b>	<b>Question from:</b>	Councillor Paul May
Council Offices have been closed during the pandemic. Is the Council intending to make these closures permanent?			
<b>Answer from:</b>			Councillor Richard Samuel

*Council offices have not been closed during the pandemic. To protect public and staff we have changed operational practices during the pandemic which has resulted in fewer staff working from offices and the adoption of different service delivery models to enable more flexible outcomes. We will continue to keep all operations under review, but the priority will remain to deliver services in a way which protects the public and our staff.*

*Our office buildings are currently open to some staff and will be fully re-opened to all staff when it is safe to do so.*

<b>M</b>	<b>09</b>	<b>Question from:</b>	Councillor Paul May
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Two corporate directors and the Monitoring Officer have or are about to leave the council. This leaves the corporate capacity at senior levels of the authority at risk. What steps are being taken to mitigate this? Does the Council consider this as a significant risk within their overall risk register?

<b>Answer from:</b>	Councillor Dine Romero
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*A new senior management structure will be put in place over the next few months. Our current capacity enables the effective management of the organisation and the current situation is not viewed as a significant risk.*

<b>M</b>	<b>10</b>	<b>Question from:</b>	Councillor Paul May
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Has there been any contact with other local authorities which have over 50% of green belt, regarding housing numbers being proposed by government for their areas. Has the Council linked the objection to the housing numbers to the constraints re Green belt in B&NES?

<b>Answer from:</b>	Councillor Tim Ball
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*The Council's response to the consultation on changes to the current planning system included a reference to the District's highly*



*sensitive environment, and specifically to the Green Belt. B&NES has liaised with the other West of England Authorities in preparing its response as both North Somerset and South Gloucestershire have large Green Belt coverage. There is a further opportunity to liaise more broadly with other local Authorities in preparing the Council's response to the White Paper consultation on planning reform which closes on 29th October.*

**M 11**

**Question from:**

Councillor Paul May

ADL and ACL are council owned companies. In view of the impacts on the property/construction sector as a result of the current pandemic, are they still viable trading bodies?

**Answer from:**

Councillor Richard Samuel

*ADL and ACL are experiencing strong demand for both their rental and market sales properties at present with values exceeding business case expectations; this is helping the company profits grow, maintaining financial viability and enabling the Councils target return of £1M for 20/21 to be delivered by the companies. There are a number of factors which will impact the future of the property market and these risks are constantly reviewed by the Board and the Shareholder, however the underlying housing need is not diminishing. The structure of ADL and ACL means it has the ability to deliver to the rental and sales markets, flexing as appropriate to meet market demand.*

**M 12**

**Question from:**

Councillor Karen Warrington

This Council declared an Ecological Emergency recently.

Can Cabinet confirm that our Local Plan and licencing policies will take this into account and have 'teeth'. This is especially pertinent in a) developments with the Tufa Field in Odd Down with its alleged destruction of slow worms, b) high light and noise pollution in rural areas with some businesses and residents using inappropriate lighting in bat habitats and, c) pop-up events that have an impact on our SSSIs, SNClIs and other really important habitats?

<b>Answer from:</b>		Councillor Tim Ball
<p><i>The B&amp;NES Local Plan already sets out robust policies to protect and increase the District's biodiversity where this falls within the control of the planning system. This includes protection of habitats and species. These policies will be further strengthened in the Partial Update which is currently underway which also provides the opportunity to take into account the requirements of the Environmental Bill once enacted, such as the specific requirements on biodiversity net gain. Whilst conscious of the ecological emergency which has been declared, the Licensing Act 2003 is very clear that statements of licensing policy must specifically support the licensing objectives of prevention of crime and disorder, protection of children from harm, prevention of public nuisance and promotion of public safety. The forthcoming Environment Bill is proposing a streamlined reporting duty, which requires local authorities and designated large landowning public authorities to produce a Biodiversity Report every five years and if introduced, this could provide a mechanism for issues relating to licensing of events to be considered.</i></p>		
<b>M</b>	<b>13</b>	<b>Question from:</b> Councillor Karen Warrington
<p>Can Cabinet explain why the decision was taken, against officer advice, to not pursue compensation of £200,000 which is the damage to the trees on the new access to the 'Cricket Club development'. As the Council declared a Climate &amp; Ecological emergency this lack of action with regard to the damage of trees is certainly not in the public's interests.</p>		
<b>Answer from:</b>		Councillor Tim Ball
<p><i>The Council is always guided by legal advice in these circumstances. There were two investigations. First whether or not the Council could reasonably satisfy the CPS public interest test to prosecute the offence. The legal advice was that there was insufficient evidence that the cricket club had directly ordered the work that resulted in the tree damage to warrant a criminal prosecution, nor had sufficient damage been caused so as to amount to them being destroyed. As a result of this a second piece of legal advice was received about whether we could pursue a civil action against the club. The legal advice received made it clear that because no actual loss to the Council has been incurred, there is no case to pursue. This was a disappointing outcome given the damage caused, and we do of course keep this under review, given the serious issues that took place.</i></p>		

<b>M</b>	<b>14</b>	<b>Question from:</b>	Councillor Karen Warrington
Can Cabinet agree that there will be a representative at the Bristol Airport expansion Appeal Enquiry and that they will vigorously object on the grounds of Climate & Ecological emergency, lack of infrastructure and the fact that due to Covid-19 impact on the travel industry this expansion is misguided.			
<b>Answer from:</b>			Councillor Dine Romero
<i>Councillor Warren will attend the appeal to object on the grounds of Climate &amp; Ecological emergency and associated issues. In addition, Bath and North East Somerset Council is entitled to submit its written evidence to the Inquiry, in line with the planning application consultation response to North Somerset Council, and officers will undertake this once we have received notification from North Somerset Council that the appeal is started.</i>			
<b>M</b>	<b>15</b>	<b>Question from:</b>	Councillor June Player
<p>With regard to the current plan to build 37 homes on a field in Englishcombe Lane that has significant ecological importance, while attempting to move the rare Tufa flushes and protected invertebrates including slow worms, do you think that proceeding with this action is Ecologically and Politically sensible given that we have declared an Ecological emergency and the science behind moving the flora &amp; fauna is at best, unproven, which even our own ecologist has not supported?</p> <p>It is clear that the decision by this council to develop the field has attracted significant objections, and perhaps as a minimum, should not the council consider delay until the success of the test at Pennyquick can be proven before we take an irreversible action to destroy the existing habitat?</p> <p>B&amp;NES Council have created headline climate and ecological emergencies and it is right that we are held to account by the public to reflect these in our policies and actions.</p>			

<b>Answer from:</b>	Councillor Tim Ball
<p><i>The balance between development and ecology is a fine one. The planning permission was granted with a significant number of requirements on the ecology which the developer must meet including off-setting the impact by creating new habitats at a larger site in Pennyquick Lane which we will, rightly, be held to account for delivering. This site will see 37 family homes built including 14 much-needed affordable homes of which eight will be social rent meeting much needed local demand. All the homes, including the affordable housing, will be built to very high environmental standards. Indeed, they are designed to meet the AECB energy efficiency standard and will include very high levels of insulation, PV solar panels and air-sourced heat pumps. This will reduce CO2 emissions by up to 70%, compared to a standard home. However, just as importantly they will reduce energy bills by around 50%, thus making the affordable homes even more affordable to live in.</i></p> <p><i>We take allegations about harm to wildlife very seriously. Although there is no indication of any deliberate act in this case, the council is investigating.</i></p>	

David Redgewell statement 8<sup>th</sup> October 2020 – Cabinet

The transport issue being the need to look at social t Bath spa bus station and Railway stations.

The need for more journeys makers and Great investment in the cleaning around Bath spa bus coach and rail interchange. the travel centre facilities reopened jointly with a new home for the tourist information centres similar to Penzance within the bus station.

The need to enforcement of face covering unless exempt to be Better enforcement by the Avon and Somerset police and the British transport police

And to look at the issue of the police and crime commissioner sue montsteven pcc and John Williams.

Looking at the scheme in Newquay and Truro of providing marshalling.

It is also very important to have a clean programme of cleaning of bus stop and shelter across Banes and weca mayoral transport authority

We would like to see progress on North Somerset council joining weca mayoral transport authority and for the Banes mendip district council action to look at a merger of council s in Bath Bath travel to work area.

Rather then mendip district council being merged with south Somerset district council. This one proposal of Somerset county reorganisation.

On Bus service we would stil like to see improvements to Bus service 37 Bath spa bus station to Weston RuH Kelson Bitton longwell green Hanham st George Lawrence hill station and Bristol Bus station. Evening journeys Bathspa bus station to cribbs causeway bus station via Weston, kelston Bitton,kingswood uwe Bus station and Bristol parkway station

173 174 Bath spa bus station to peasdown st john Radstock Midsomer Norton shepton mallet and wells bus station. 173 via chicompton. Evening service.

A school bus network for the Banes area to reduce car dependency.

The need to transfer all public transport and bus shelters and stops and railway staff to weca mayoral transport authority.

Please bring this statement to the cabinet meetings.

David Redgewell south west transport network and Railfuture Severnside

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**Statement for the BathNES Cabinet Meeting, 08/10/2020**

The Authority's declaration of an ecological emergency is a welcome and much-needed response to the rapidly deteriorating state of our environment at both local and national level. It is exactly in step with the mood of the nation and especially our young people.

Emergencies require urgent and decisive action, and that is now the task before us.

Our response to this emergency will define us in the eyes of our children and our children's children. Why did they wait? What were they thinking? How could they let this happen? These are the questions we don't want to be asked in the future.

And yet we know there are many immediate challenges to our needed actions. How do we create healthy affordable housing, how do we care for the least fortunate, how do we rebuff outside pressures from vested interests and political centralisation?

And of course, how do we react to the prospect of the successive and enduring pandemics and climate change events that we will be facing for the foreseeable future.

The plans of even one year ago now seem to be a distant wishlist. We have yet to see the full economic impact, all we know is that it will be a burden for generations and will provide even greater challenges than we have faced so far.

So our response must be rounded. We must find ways of monetising our assets in a sustainable way, leveraging our universities to create local new employment, create the conditions to house all our citizens according to their means, imagine and deliver new transportation systems and above all make the City a healthy and enjoyable place to live.

In summary, we need a new vision. The kind that drove our reconstruction after the second world-war, for, in its own way we are at war now.

It will not be easy. It will need brave decisions from you, pain for some, patience with the frustrated and robust defence against the naysayers.

I have suggested to the Leader that now would be the right time to pause, call a moratorium on urban Green Space development, and use that time to formulate a new vision drawing on local expertise and engagement.

You have talented and imaginative people in your officers and advisers. Challenge them to come up with new ideas and free them to take the actions we need to deliver your vision.

Get it right and we can lead the way for everyone, get it wrong and our children will be asking, "How could they let this happen?"

Simon Banks

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I would like to start by asking a couple of questions.

The first of which is when you need expert advice on matters concerning your health, do you consult a doctor or a planning officer? Equally, when you need expert advice on matters of ecology - Do you consult your own ecology expert or a planning officer? The reason I ask is that the development on the field at the rear of English Combe lane has been passed despite the council's own ecology experts objecting to the development. The field contains rare, or repeat rare calcium deposits into for flushes and associated fauna and flora, which cannot be replaced or replicated elsewhere. This is one of the reasons the council cleverly declared this land as a site of nature conservation interest. Your captions to this development from your own ecology experts are very clear, and I quote, The proposal remains likely to result in substantial harm to site the scientific nature conservation interest, and will include permanent loss of habitats. Residents nearly 80 of whom and just over the last 24 hours have signed an open letter to the council leader are extremely confused and angered by the way the council has overruled his expert advice, planning permission was granted with a significant number of offsetting requirements around creating new habitats at a larger site, but your own expert ecologists latest objection is damning, and clear as regards this offsetting. There is no guarantee that these plans on paper will have any chance of working in reality. Therefore, she states, I would not support this site, being a trial case for such measures. I'm not quite sure what parts of this objection. We're not really understanding or getting through. So I repeat my earlier question. If you want to get expert advice on the damage and development or cause to ecology on the site, do ask your expert ecologist or your planning officer? The timeline on this episode is that council buys land with ecologically important rare features on it. Council declares the area, as of scientific importance council then brilliantly unanimously declares an ecological emergency for farms in the summer. Unfortunately, council planning then decides to override its own expert and destroy the ecology on this site. Only eight units of which have a social housing. This is not a good look. And the council's credibility reference ecology is crumbling. What residents want is for a council leader to call a halt to proceedings, and the council to reflect and consult on this bizarre situation. be a standout force for good here. Don't commit an ecological crime destruction of ecology, important features and areas is just destroy ourselves. If a satisfactory outcome through dialogue with residence is not achieved and residents will be employed to examine other options. please please pause, think about this review.

Thank you very much for your time.

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## Ecological and Climate Emergency

by: Frank Kenny  
to be made at: the BANES Cabinet meeting  
on: 8.10.2020 at 18.30pm

Hello, my name is Frank Kenny a resident of Englishcombe Lane, Bath

I have asked to talk on the ecological and climate emergencies.

We are in ecological and climate crises now and they are on our doorsteps.

The catalogue of declining populations of species is well known and accelerating at a frightening pace.

We are under threat of losing our wildlife in the UK. It's that serious.

Thankfully, BANES council has made a commitment towards reversing these crises.

Not to make them worse.

That means leaving green spaces alone, in order to provide refuge for extremely beleaguered wildlife and ecology that is being decimated in our country.

That is why when you go to these green spaces often there is a very large variety of wildlife. It is because they have nowhere else to go.

We must not rush decisions through that produce grave errors of misjudgement and bad mistakes

I refer to the planning application for the project to build 37 residencies on the field behind 89 to 123 Englishcombe Lane.

This field is just what I have described, a green space, an oasis and refuge for many species for wildlife, ordinary and the not so ordinary.

The rush and push to get on with it has caused the developers, Aequus, a council owned company, to potentially break the law and caused the field to become a crime scene.

This proposal should never have been made in the first place.

Historically other proposals have been made and withdrawn for many of the very same reasons that we the residents have been objecting about.

Objections about almost everything in this proposal to build quite frankly lack lustre and underwhelming properties on the Field behind Englishcombe Lane

The objections made have been about:

- i) the traffic issues on and off Englishcombe Lane,
- ii) the single and woefully inadequate entrance to the site,
- iii) the drainage,
- iv) the very significant water and flooding issues,
- v) the unstable ground,
- vi) the visual impact on not only the Bath Skyline but its impact on the city's World Heritage site status,
- vii) materials of construction and the list goes on.

are recorded elsewhere and includes objections about the destruction of the ecology on the field and the adverse effect on the surrounding environment.

Building on the field will result in the loss of the Tufa flush, the destruction of a natural oasis for a wide variety of species and a place with exceptional qualities will be lost forever and add to the crises.

The poor quality of the proposed development and the destruction of the ecology is a reflection on:

- i) who owns the land,
- ii) who has applied for planning permission,
- iii) who has accepted to allow it to gain planning permission, and also
- iv) who has been the developer throughout this process.

The effect on the ecology of this proposal makes this proposal totally unacceptable.

The residents have been despairing, dismayed and are now angry with BANES council. The BANES council's own ecology adviser objected to and condemned this proposal not once but twice.

Still the council with its developer company decided to push the proposal through the planning application process even with the condemnation of its own ecological reports and commitments to reverse both the climate and ecological emergencies.

I started by saying that thankfully, BANES has made a commitment towards making a difference to the climate and ecological emergencies.

This should focus your minds and make you think twice about making ill thought out decisions as this one on the field behind Englishcombe Lane.

The decision made to grant planning permission for the building of houses on the Englishcombe Lane Field has left us dumfounded, saddened and angry.

The residents take your commitment on our behalf very seriously and will not let derogation of your duty in relation to especially the ecology and climate pass unchallenged.

I would like to cite an example where I believe planning permission had been granted for a Park and Ride scheme at The Meadows and shortly afterwards the then leader of the council changed that decision and so stopped the Park and Ride scheme from going forward. I am sure that took courage cutting across all the previous arguments and decisions to originally grant planning permission.

I implore you now to reconsider the current intended direction of the proposal to build on the Englishcombe Lane Field.

Look at your commitment to making a difference in reversing the ecological and climate crises.

Think again.

Take courage and stop this sorry mess in its tracks and reverse the decision to grant planning permission for the building of 37 house in the field behind 89 to 123 Englishcombe Lane.

I am Cllr Duncan Hounsell, Saltford ward councillor, and I am also speaking on behalf of my ward colleague Cllr Alastair Singleton. Mead Lane, Saltford, is a beautiful and iconic location. The river has been used for transport and recreation for many years. The river-bank is a public space and in the interest of equality needs to be available to all sections of the public and not any one interest group.

Following concern that the 2005 stabilisation works never envisaged moorings, the decision in January to have a temporary ban on moorings until the stability of the bank could be assessed was the right one for public safety. We would like to thank all the boaters who adhered to the restriction during this period.

The Atkins report is clear that the river-bank is apparently stable but recommends periodic reviews. Decisions can be made now about the future use of this short stretch.

We have seen a wide range of uses of the river-bank this summer by members of the public - paddle-boarding, fishing, wild swimming, and picnicking. We have also seen a revival in the wild-life, flora, and fauna. The plants on the river- bank and adjacent shallow water supports a whole set of special invertebrates which suffer from unrestrained mooring.

The package of recommendations before you strikes a fair balance between the wishes of the boating community and other groups and individuals. The river-bank to all the residents of Saltford is like its village green. The reallocation of the 48 hour mooring section as open space for other leisure purposes is welcomed and may be the first step to establishing a nature-reserve on the river-bank. Moorings can be prevented in this open section with simple buoyage, a floating line, and clear signage. A ban on all moorings for four months over the winter period is sensible in the interests of safety.

A criticism of the previous Conservative administration was that a mooring trial was introduced with no funding allocated for monitoring and control. The creation of a joint River Warden post with the Canal and River Trust is excellent news. This will help boaters to fulfil their CRT continuous cruising licensing conditions, ensure action is taken in relation to overstays, and be a point of engagement for all parties. A MiPermit type charging regime could also help with boat identification and deter overstays.

We welcome the recommendation in the Atkins report that the temporary parking restriction is made permanent. Mead Lane has no pavements and a parking ban allows for pedestrian safety, social-distancing, and removes congestion. The Wessex Water Scientific Centre at the end of Mead Lane is open seven days a week for delivery of drinking water samples and wastewater/effluent samples from a variety of sources including reservoirs. The Centre also requires the delivery of essential supplies. It is vital for public health that access/egress is not impeded by parked vehicles.

The long -term aspiration is to re-allocate moorings away from Mead Lane. Key to that is the on-going work identifying alternative sites, positive engagement with the boating community, and full public consultation.

Some have described the complex issues around Mead Lane in terms of a clash between cultures. This is and always has been nonsense. Saltford is a kind, welcoming, and liberal-minded community.

The recommendations before you represent the hall-marks of a Liberal Democrat council administration: evidence-based and transparent decision-making, fairness, concern about equality and fulfilling the public sector equality duty, ecology and the environment, and improving people's lives.

END

## Elisabeth Evans NHW Coordinator for Avon Lane and Mead Lane

On behalf of Mead Residents and the wider community I would like to thank the Council for their endeavours and for the opportunity to speak this evening.

The river is about everything that takes place on it and in it and despite upsetting comments made to us by a few, all we have ever tried to do is protect this area for the greater community to enjoy and keep safe the access to homes and businesses, all this is of paramount importance and to that end we see the termination of moorings here as imperative.

Coronavirus and the mooring suspension saw nature take back control, reeds that had previously been trodden or beaten down flourished, a reed warbler, a family of otters, swans and ducks returning, all good environmental signs.

Many boats generate electricity by running their engines, here they're moored just below our homes sending carcinogenic fumes into them from their diesel engines, often exacerbated when they double, triple or even quadruple moor. I understand that unlike road vehicles there are no checks on emissions from boat engines or generators, these are sometimes placed on the riverbank, all of this, just 8 meters from our homes.

The Atkins report:

- The structural survey of the riverbank did not, as we were led to expect, fully examine the rock armour under the waterline; only looking from the edge of murky waters. I can only reiterate the 2005 riverbank reinforcement was not constructed for the mooring of boats.
- The highway inspections report - Quite comprehensive, however it does not cover the numerous repairs made by utility companies, in recent years alone there have been at least 2 gas main repairs. No survey has been carried out on the whole carriageway; what issues could lie there.

The Cabinet recommendations:

- **"The long-term aspiration to relocate moorings from Mead Lane"**. We would not like this to run on indefinitely and would appreciate a swift conclusion.
- **"Ensure that suitable alternative moorings are identified and in place prior to reducing further any moorings at Mead Lane"**.  
What progress has been made it's been 9 months since this was agreed.
- **"To remove the 48-hour moorings at Mead Lane from 1 November 2020, on a permanent basis etc."** The otter haul out should also be included, despite the no mooring signage boats frequently moor across it.
- A positive step removing moorings from **November to February**, it is foolhardy to moor here with the river in flood, as is the case this week, the summer brought lower water levels stranding boats on the rock armour, symptoms of global warming and proving this area is not safe or suitable.

The previous administration was negligent when setting up the mooring trial, they neither consulted nor followed their own guidelines and used financial restraints for the lack of controls

We tried for 4 years to obtain controls, endeavouring to, despite what others say, protect the wildlife and enable greater public access. We would not be where we are today if they had done this. A minority of boaters, and I stress it's a minority, have abused mooring timescales, used the riverbank as a dumping ground and in some cases threatened local people and with their nose to tail mooring preventing access to others

Whatever the outcome of tonight's meeting we cannot go back to that uncontrolled position.

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## **B&NES Cabinet 8.10.2020 – Deputation concerning Mead Lane Moorings (agenda item 11)**

*Cllr Phil Harding – Vice Chair of Saltford Parish Council and Chair of Planning*

Saltford Parish Council recognises the work undertaken by B&NES Council to take forward the commissioning of the structural survey during the many challenges posed by COVID-19.

The survey has made some inaccurate observations but more importantly we are concerned that it lacks a full condition survey of the rock armour below the water level. The mooring of boats including narrow boats will damage and reduce the lifespan of a rock armour stabilisation scheme designed and installed at a 45-degree angle. The report states that rock armour was not visible along several stretches of the riverbank yet describes it as “being intact”. Without a full inspection down to, and including, the toe of the scheme that is not a safe assumption.

However we are largely supportive of the recommendations by officers and hope the Cabinet will agree and take them forward promptly but with just a few important changes to ensure successful implementation.

Firstly, a “**longer-term aspiration to remove moorings**” in Mead Lane is too vague, open-ended and is unacceptable to our local community. Allowing this contentious issue to drag on any longer than necessary without an end date would cause further stress to residents, to boaters and risk critical damage to the rock armour risking the infrastructure it protects.

We note the aim to find suitable alternative moorings before removing the Mead Lane 14-day moorings but remind the Cabinet that before 2015 only rarely did boats moor in Mead Lane. Those were short-term visitor moorings. Also now, as then, live-aboard boats moor elsewhere in winter.

We therefore ask that Cabinet agrees today to **end the 14-day moorings in Mead Lane by no later than 31 October 2021, sooner if moorings elsewhere come forward**. If finding alternative 14-day moorings along the River Avon proves unsuccessful by next October, despite the considerable length of riverbank owned by B&NES, then a mix of other solutions may be appropriate. For example: lengthen to 14-days some of the shorter mooring limits elsewhere, and/or B&NES could rent mooring spaces where fees are charged and make those moorings available at a subsidised rate for lower-income boaters until new suitable moorings become available or are created.

We strongly welcome the creation of a joint **River Warden** post with CRT. We ask that this post is filled soon, preferably starting this autumn to help implement the changes in Mead Lane.

The lack of management and enforcement has been a major problem during and since the mooring trial when 14-day moorings commenced. **The 14-day moorings should therefore only be re-started for March to October next year if the proposed River Warden is in post.**

We look forward to working constructively with the new River Warden and with the B&NES officer responsible for protecting the Mead Lane riverbank.

**CLLR. PHIL HARDING, 8.10.2020**

(Recommendation by Officers to B&NES Cabinet listed overleaf for reference)

## NOTE

### RECOMMENDATION BY OFFICERS TO B&NES CABINET MEETING 8.10.2020

The Cabinet is asked to agree to:

- Reduce the number of moorings in the short/medium term, by implementing paragraphs 2.2. & 2.3, thereby increasing the amount of open space along Mead Lane
- Agree to a long-term aspiration to relocate moorings from Mead Lane
- Ensure that suitable alternative moorings are identified and in place prior to reducing further any moorings at Mead Lane
- To increase enforcement & engagement capacity

Specifically:

2.1 To work with Waterspace Partners to identify alternative sites for 14-day moorings along the watercourse and to request that it gives due consideration to the Opinion Research Survey assessment and findings, and

2.2 To remove the 48-hour moorings at Mead Lane from 1/11/20, on a permanent basis, this part of the riverbank to be reallocated as open space for other leisure purposes and

2.3 Agree to no 14-day moorings at Mead Lane, on a seasonal basis, during the time period 1 November until the end of February each year and

2.4 When the Waterspace Partnership programme of work and Opinion Research Survey assessment is complete (see 2.1 above), review the moorings on Mead Lane, with the aim that the total number of 14 day moorings available along the watercourse are not reduced, and

2.5 Create a joint River Warden post with the Canal and Rivers Trust (CRT)

2.6 Delegate future decisions on Mead Lane/moorings to the Cabinet Member for Community Services, in consultation with the Director of Environment and,

2.7 Request that the Cabinet Members for Transport and Director of Environment, in consultation with Avon and Somerset Police, review the parking restrictions along Mead Lane/Saltford

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I'm Rebecca and I've been a continuous cruiser for 9 years.

In 2016 B&NES', WaterSpace Study highlighted a lack of river moorings and facilities for the boater community, especially along the River Avon and suggested more moorings were provided

The mooring trial in 2017 found an 85% compliance of boaters to the 2 week rule

In 2019 the residents called for a community trigger, the police officer present at the meeting I attended, advised the council to instruct the residents to modify their behaviour and that they should not be continually approaching boaters and documenting their behaviour. These actions constitute as harassment and violate data protection laws

In the autumn of 2019 the council spent thousands of pounds on an independent consultant, Lemon Gazelle, and ran an in-depth consultation with all the stakeholders. The consultation found that overall there was support to retain mooring at Mead Lane, and that this was an inappropriate location for a nature reserve.

The complaints then changed late last year to be concerns about the stability of the bank. The cabinet who didn't appear to have an understanding of the history of the situation, said they had all visited Mead Lane and spoken to the resident's, yet not a single councillor spoke to a single boater. This cabinet decided to take all of the claims at face value, with zero data to back them up and decided to suspend mooring at Mead lane.

My solicitor challenged this decision and the process of coming to it and was told by your legal department "No action should be taken at present to remove the 14-day moorings..." and "That an engineer's assessment ....should now be obtained"

Then it said, "Once B&NES has received the engineer's report there will be further consultation with interested parties before the matter is brought back to the Cabinet for a decision."

And here we find ourselves, at said cabinet meeting and you still have not consulted us.

Then the engineers report said there was no indication that boats were adversely affecting the bank.

The council have spent 10s of thousands of pounds on reports and surveys and reviews that all say that the moorings should be remain.

It is only the resident's view that is affected by these decisions, for hundreds of boaters it is the safety and security of our homes

I have not chosen this fight, I am just consistently forced to defend my lifestyle. The waterways act and my licence make this a perfectly legitimate lifestyle. I do not want to have defend my right to exist, every time a new cabinet member is elected. Unlike other travellers, boaters are not yet a protected characteristic, but we experience the same disadvantages as other travellers such as a more limited access to health care and education, and we are much more likely to be victims of crime and prejudice. The council doesn't have one single piece of evidence for claims made against boaters, and reams of studies and data to say the moorings should be retained.

The cabinet must listen only to the firm evidence they have before them, and seek to understand the lives of those that their decision will affect, as removing the moorings will lead to further legal action

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Panic, shock, worry about my financial future, fear of losing my first home, these were some of the things going through my mind when I found my boat grounded during the Twerton disaster, but this changed to anger, frustration and disbelief in the days and now weeks that followed when a Multi-Agency response to this disaster has failed to meet the welfare and safety needs of a vulnerable community with any sense of urgency.

Cllrs, I am unapologetic in my tone considering the recent events! I vacated Mead Lane on the 2<sup>nd</sup> September in order to make way for the structural survey and Twerton was the next available 'so-called' safe place to moor.

The lack of accountability when it came to this multi-agency approach was self-evident, such that a formal review will now take place. The Twerton incident highlights the impact on my community when that lack of authority is felt.

The parallel that can be drawn to Mead Lane: it is a long, drawn out, lackluster response involving a great many agencies, with conflicting communications being circulated. This is escalating tensions between communities and having a devastating impact on boater's lives. You need to take a lead.

Let's look at an example; during the recent COVID-19 lockdown, it was stated that Bath Council was doing everything in its power to protect housing provision for the boating community at Mead Lane. But despite my pleas to B&NES officers for information to be more straightforward for boaters, it said on the B&NES website "The council has not reopened Mead Lane moorings and boats are requested not to moor there until further notice". This same site encouraged locals to officially report people overstaying at that time. I was shouted at by a local resident insisting, incorrectly, that I was breaking the law during the pandemic, further to that, I have a police email dated July 21<sup>st</sup> 2020 stating that after taking advice from Duncan Hounsell the police were informing boaters that mooring at Mead Lane was banned, and suggested that this information superseded any guidance to the contrary, despite the legislation still being in force. This sort of miscommunication is indicative of the poor treatment of a marginalized community who historically struggle to engage with systems and processes. Yet when we have the impetus to do so we are not listened to.

Further examples include the underreporting of harassment at Mead Lane to the police as I can qualify that we have been declined the right to make police reports despite that being the correct and advised action, and now, what appears to be very little correlation between the recommendations in front of you and the recommendations in the commissioned report.

Cabinet members I only have three minutes, this is only the tip of the iceberg.

I am aware that in the two weeks prior to the January meeting, Cabinet members went to visit all of the residents of Mead Lane in order to hear their views. But at no point has anyone offered us that opportunity or engaged with the boating community in order to get a richer understanding of our lives. To date the only consultation we have had was through the Lemon Gazelle report and the Community Trigger which was weighted equally with local residents. I do not get the luxury of speaking to a local ward or parish councilor because I am a traveling boater. We have so much to do to educate you about our way of life, and the impact that your decision can have on our future.

Unfortunately, it takes an incident like Twerton to bring this to the fore.

Councilors don't let there be another disaster, vote today to retain Mead Lane moorings and draw a line under this.

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My name is Ross Fender, I am a home owning, Tax paying, Boat owning Mechanical Engineer and CEO.

I would like to thank the council for undertaking the production of the Aitkins report , as Councillor Crossley put it' I am particularly pleased with the comprehensive structural report, which is very clear In its findings as are the recommendations before us'

On Jan 16<sup>th</sup> 2020 the council met, minuted, and stated in point 2.2 'Officers are to report back to cabinet once the results of the structural survey are known, to enable cabinet to make an informed decision on the long term use of this land'

**You agreed in January that the Decisions you make must be based on Factual Information from this report.**

Let us look at the factual information you have paid for.

It really cannot be clearer,

In the short term, do nothing,

In the medium term , enforce laws regarding engine/generator usage, Restrict draught, and improve mooring provision.

As I understand the first 2 recommendations in the medium term are obvious. So what does improving mooring provision mean ?; I could talk over the report, and pick it apart, but the key, and only important word here is IMPROVE.

**A recommendation to improve does not mean remove .**

If someone parks inconsiderately in your road the solution is not to remove all the parking.

We know a colossal amount of money was set aside for the Mead Lane report and In the report it indicates 8 possible future mooring locations. The structural bank surveys and reports alone for these locations would be costing huge sums of money based on the current run rate of spend and previous comprehensive reports. It would be crazy to spend such vast sums of money investigating when the homework has already been done and a safe mooring location is available. You cannot expect for people to moor a boat on land that hasn't been scrutinised for safety and bank integrity to the extent Mead lane has.

As a tax payer I will be incredibly disappointed if more money is wasted on needless surveys and reports, and as a boat owner and live a board I will be even more disappointed if science and facts are ignored. That leaves only one real option. Listen to science; reason with fact, which is the obvious option. Duncan Hounsell was quoted saying "im pleased that the lib dem administration is listening to local people and will initiate a structural survey, its vital decisions are based on the proper evidence.

**Follow the recommendations.**

**Mead lane is safe, it has been tested, and proven**

I would like to close with a thought for you. I own a rather nice beach hut in Lyme regis, I don't own the right to the sand, and I don't own the sea. I cant stop family's from picnicking in front of it. But I do know, it would be dangerous for them and WRONG, if they were told for no reason other than my view of the sea has been impaired, that they now had to play in the carpark.

No more reports, no more surveys. No more wasted money. Einstein defines insanity as 'doing the same thing over and over and expecting different results'

**You have an elected responsibility to base your decision on the report you have paid to be professionally compiled, comprehensively detailed and exhaustive in content.**

**Act on fact.**

**Thankyou.**



10 months ago, I addressed Cabinet and shared my experience and fears over the loss of Mead Lane moorings and the impact it would have on my family's way of life.

I heard Cabinet members express a genuine concern regarding the structure of the river bank which was of course deeply troubling as I am a keen environmentalist.

I've taken part in many boater-led environmental initiatives; I am a member of the River Avon Users Group, I supported the tidy up at Warleigh Weir following issues with members of the public leaving litter and regularly help out at with a boater kids forest school.

I was therefore understandably relieved to read that Atkin's concluded that no detrimental environmental or structural impact was as a result of boats mooring at Mead Lane.

However, I am now concerned that 10 months on, and despite no evidence of damage to the stability of the bank or the environment, Cabinet are still being asked to consider moving moorings from Mead Lane.

I am growing increasingly weary of having to share my story. I have attended countless meetings, consultations and surveys over the years. I've heard many empty promises, seen many compassionate nods when I explain the importance of Mead Lane to boat families. Access to the basics is hard enough.

But to continuously drag us and our stability through what feels like a never-ending process.

I've patiently waited for the Atkins report. It finds no reason or evidence to relocate the Mead Lane moorings. So I cannot understand why I am here again - with the same story. The same issues. The same instability. I am appealing to fellow parents in the room to do the reasonable thing.

I'll repeat my points from January's Cabinet meeting once more:

Why is the 20 miles cruising distance so important to us? If my family does not meet these ever-changing guidelines we are placed under enforcement, putting us at risk of losing our homes. That is a real threat - many families have struggled under the pressure and some have faced legal action for not keeping up with the challenge of range.

So why is Mead Lane mooring so important to families? Mead Lane is the only 14 day mooring provision on the River Avon for continuous cruisers. It is the furthest westerly mooring spot and the only mooring provision which enables my family to remain within a reasonable commute to school. It was also where my son was born 5 years ago. After falling pregnant I was evicted from a marina (like many) who do not permit children. Moorings are very rare and waiting lists are long. I had no choice but to start to continuously cruise with a baby.

Removing the Mead Lane moorings or relocating them to an alternative site would be detrimental to my children's access to education and family life. Mead Lane moorings means I can satisfy my licence conditions moving every 2 weeks between Saltford and Trowbridge. All of

the stopping places in between have good access to public transport, have regular facilities like shops, water and rubbish points.

Removing Mead Lane moorings would displace the furthest westerly mooring option by over 5 miles. The consequence would mean I would instead be forced to travel between Bath and the other side of Devizes.

Beyond Devizes and its 29 locks are rural villages with limited facilities and public transport and a long commute to school. As a mother, the long-term aspiration to relocate Mead Lane moorings fills me with dread. Keeping a boat warm, filled with water and fuel with the logistics of a new school or work journey every fortnight is not easy. I'm lucky my son is now able to walk, but managing a pushchair piled up with shopping and laundry down a muddy towpath is not for the faint hearted!

This is in no way a sympathy vote. I am a proud and resilient mother to a fantastic boater child who has the most incredible childhood - surrounded by nature and a community who are amongst the most generous and supportive I've known. This is the only way of life my child has ever known.

Mead lane is a key site for boaters with safe access to boats. It has access to doctors and local shops. It is on a bus route and also has parking. There are no other spots on the river with access to these essential services.

You have heard the evidence from the Atkin's report. You have repeatedly heard my story. I am asking you once more, to please do the right thing this evening.

Cabinet. I thank you for this opportunity to speak.

I am, as of last Saturday a B&NES resident. I am also leader of Bradford on Avon Town Council.

I have worked extensively over the last three years with the Boater community, and can speak with some authority on the challenges they face, but also on the challenges that can come about due to a perception of conflict – a potential clash of cultures - between the settled communities on the river and canal banks, and the liveaboard community that is asked to cruise continuously over its existence. I feel for Members tonight as they seek to balance what can, at a glance, appear to be differing interests.

A great deal of the conflict is born of pre-conception and, honestly, the need for the two communities to get to know each other a bit more, overcoming some of those barriers, and understanding viewpoints. As a Councillor I have actively played a role in that in the Bradford on Avon area, and have seen the positive outcomes for all.

Bradford on Avon is at the centre of a hub, which starts at Saltford and ends at Devizes – and many of the boaters that moor at Mead Lane spend a significant proportion of their time in Bradford on Avon and the community area that surrounds it. I'm proud to say that they are part of our community – our schools, our arts, our culture, and our businesses.

You have heard/or will hear from others of the impacts on their access to education, to healthcare and to be able to get to work. These are real impacts that will affect lives of families who live on the canal, and the removal of the Mead Lane moorings, would make what can be a tough existence even harder.

Fellow Councillors, given what is, in my experience, a hugely positive addition to the community I serve, I have to ask on what lawful and legitimate basis it is proposed tonight to deny them mooring rights at Mead Lane?

We know, now, that there is no scientific basis for the removal of the moorings – there is no impact on the stability of the riverbank, according to the Atkins report.

In terms of impact on biodiversity or ecology, the river and the Kennet and Avon Canal passes through the Bradford on Avon SSSI, and, as a regular user of the towpath and walker through the habitats alongside the canal, which is usually busy with moorings, there appear to be little or no impact; Boaters are, on my experience among the most respectful of the natural environment.

Please - act on the science in front of you, which tells you that there is no reasonable basis on which to relocate these moorings; and on the basis of building relationships between the settled and liveaboard communities which I have seen to benefit both, social, culturally and economically.

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The initial findings of the riverbank survey found no immediate danger of failure, but it states it was never designed for boat moorings, and needs further investigation as it was only a visual inspection.

The Cabinet paper has produced some interesting data which perhaps needs putting into context in places:

For example “some 40% of boats between Bath and Foxhanger Devizes have continuous cruising licenses”. The national CRT average is 16%. The difference may be explained by some being second holiday homes, Air Bnb and house owners opting to rent their houses and live a subsidised lifestyle and will find no mooring fees very attractive. This will distort any liveaboard count statistic involving social housing provision.

#### Item 3.2

The distance between Bath and Foxhanger is 20 linear canal miles, 15 of which is not in BANES and coincidentally 20 miles is the total range CRT cruising license requires Boats to move yearly. Therefore, if local access is required this can be accommodated within this area, boats need not travel further unless they wish to.

The high numbers of boats - 985, produces in this stretch alone nearly £1 million in license monies for the CRT. BANES has no such funds to offset its' moorings provision.

#### Item 3.9

'Charging for entering network' implies charging on entry, infact it is just added to the berthing charge. Quotation from Bristol harbour office – 40 foot visiting boat £12 a day total payable. Bristol is 7 miles from Hanham, has waiting pontoons on the way, is good value, with plenty of availability.

As well as Bristol, BANES has 2 1/2 miles of alongside berthing six marinas, one it owns - an existing functioning facility which can be modified or enlarged, 6000+ metres of riverbank, access to 87 miles of Kennet and Avon Canal mooring much of it free

A huge capacity.

The relocation of a small number of moorings from Mead Lane should present a few difficulties and I'm sure 200,000 BANES taxpayers will only welcome the availability of the natural river bank for recreation.

Duncan and Alistair are the best ward councillors Saltford have seen and we would not wish to lose them. The amount of time given to this problem and the risk of placing them at odds with the local community is completely unnecessary.

Thank you.

Peter Denmead

I have lived on a boat for 13 years and have raising 2 children aged 6 and 11 aboard. During my time on the waterways I have seen a significant decline in moorings. Since 2007 there have been fifteen mooring sites removed, when there are more boats and we desperately need more provision.

We are used to driving rubbish and waste tanks to waterside facilities; the challenge of lack of facilities at Mead Lane is not justified. In fact there is a toilet disposal point just below the Jolly Sailor pub, so Mead Lane is in fact one of the more convenient moorings for boaters.

Travelling between towns and districts makes access to healthcare, employment and education challenging to a lot of boaters. As a marginalised group, there is little research regarding boaters, making us a somewhat hidden, or less-visible community. Professor Margaret Greenfields 2013 study (the first in the UK and in fact commissioned by BANES Council), shows health outcomes for boaters to be much poorer than those of people who live in houses. There are many factors as to why, but her study clearly cites stability of housing underpins health and wellbeing outcomes. Today's Cabinet vote is therefore crucial in terms of creating or depriving a community of housing stability.

Over the years I have been subjected to discrimination by the settled community. I've been called dirty and unsightly, accused of leaving litter behind. These assumptions are not based on fact, but prejudice. Article 8 of the human rights act 'Respect for your private and family life' includes the right to respect for your home. It states 'It is a right to enjoy your existing home peacefully.' We are entitled to that right.

Inequalities have always existed for boaters, but are now more challenging due to Covid-19. As a local authority you committed not to move people from Mead Lane during the pandemic. This demonstrates that you are able to take decisions or create regulations if the risk or impact (in this case a global pandemic) is understood and visible.

Reflecting on the Equality Impact Assessment it is clear that the 'not applicable' rating given, highlights that the impact on boaters is not fully understood. To illustrate this point I ask: how many Cabinet members had to make additional plans in order to practically participate at tonight's online meeting? Did you have to consider whether there was enough solar power in your batteries to power your laptop? Or if your internet signal was consistent enough to last the meeting? If these points weren't an immediate consideration like they are for us, then I would suggest that insight into the day to day challenges or impacts of our way of life are not widely understood and visible. Therefore, how is it reasonable to make an informed decision which has huge consequences for so many of us?

Inequalities for boaters will not disappear overnight. You have heard the issues and have the power to use your vote to protect the hundreds of boaters in your constituency. We have seen how a local authority can respond when it fully appreciates the impact of a visible issue.

Tonight, I therefore respectfully ask Cabinet to vote no to points 1, 2, 3 and 4.

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