

Council

Date: Thursday 16th January 2020

Time: 5.30 pm

Venue: Council Chamber - Guildhall, Bath

To: All Members of the Council

Dear Member

You are invited to attend a Special meeting of the **Council** on **Thursday, 16th January, 2020** in **Council Chamber - Guildhall, Bath**.

The agenda is set out overleaf.

Yours sincerely



Jo Morrison
Democratic Services Manager
for Chief Executive

NOTES:

1. **Inspection of Papers:** Papers are available for inspection as follows:

Council's website: <https://democracy.bathnes.gov.uk/ieDocHome.aspx?bcr=1>

Paper copies are available for inspection at the Guildhall - Bath.

2. **Details of decisions taken at this meeting** can be found in the minutes which will be circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting as above.

3. **Recording at Meetings:-**

The Openness of Local Government Bodies Regulations 2014 now allows filming and recording by anyone attending a meeting. This is not within the Council's control. Some of our meetings are webcast. At the start of the meeting, the Chair will confirm if all or part of the meeting is to be filmed. If you would prefer not to be filmed for the webcast, please make yourself known to the camera operators. We request that those filming/recording meetings avoid filming public seating areas, children, vulnerable people etc; however, the Council cannot guarantee this will happen.

The Council will broadcast the images and sounds live via the internet www.bathnes.gov.uk/webcast. The Council may also use the images/sound recordings on its social media site or share with other organisations, such as broadcasters.

4. **Public Speaking at Meetings**

The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group. They may also ask a question to which a written answer will be given. **Advance notice is required not less than two full working days before the meeting. This means that for meetings held on Thursdays notice must be received in Democratic Services by 5.00pm the previous Monday.** The Council now has a maximum time limit for this, so any requests to speak cannot be guaranteed if the list is full. Further details of the scheme:

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=12942>

5. **Emergency Evacuation Procedure**

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are signposted. Arrangements are in place for the safe evacuation of disabled people.

6. **Supplementary information for meetings**

Additional information and Protocols and procedures relating to meetings
<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13505>

Council - Thursday, 16th January, 2020

at 5.30 pm in the Council Chamber - Guildhall, Bath

A G E N D A

1. EMERGENCY EVACUATION PROCEDURE

The Chairman will draw attention to the emergency evacuation procedure as set out under Note 5.

2. APOLOGIES FOR ABSENCE

3. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to complete the green interest forms circulated to groups in their pre-meetings (which will be announced at the Council Meeting) to indicate:

(a) The agenda item number in which they have an interest to declare.

(b) The nature of their interest.

(c) Whether their interest is **a disclosable pecuniary interest** *or* an **other interest**, (as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer or a member of his staff before the meeting to expedite dealing with the item during the meeting.

4. ANNOUNCEMENTS FROM THE CHAIR OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE

These are matters of information for Members of the Council. No decisions will be required arising from the announcements.

5. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

If there is any urgent business arising since the formal agenda was published, the Chair will announce this and give reasons why it has been agreed for consideration at this meeting. In making this decision, the Chair will, where practicable, have consulted with the Leaders of the Political Groups. Any documentation on urgent business will be circulated at the meeting, if not made available previously.

6. QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC

The Democratic Services Manager will announce any submissions received. The Council will be invited to decide what action it wishes to take, if any, on the matters raised in these submissions. As the questions received and the answers given will be circulated in written form there is no requirement for them to be read out at the

meeting. The questions and answers will be published with the draft minutes.

7. WEST OF ENGLAND JOINT SPATIAL PLAN (Pages 5 - 8)

8. QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS

The Democratic Services Manager will announce any submissions received. The Council will be invited to decide what action it wishes to take, if any, on the matters raised in these submissions. As the questions received and the answers given will be circulated in written form there is no requirement for them to be read out at the meeting. The questions and answers will be published with the draft minutes.

The Committee Administrator for this meeting is Jo Morrison who can be contacted on 01225 394358.

Bath & North East Somerset Council	
MEETING	Council
MEETING DATE:	16th January 2020
TITLE:	West of England Joint Spatial Plan
WARD:	All
AN OPEN PUBLIC ITEM	
List of attachments to this report:	
None	

1 THE ISSUE

- 1.1 The report seeks authorisation to withdraw the West of England Joint Spatial Plan (JSP) from examination. The Planning and Compulsory Purchase Act 2004 states that a local planning authority may withdraw a local development document at any time before it is adopted.

2 RECOMMENDATION

- 2.1 That Full Council agrees that;

The West of England Joint Spatial Plan (JSP) as submitted to the Secretary of State for examination in April 2018 should be withdrawn under regulation 27 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and in accordance with section 22(1) of the Planning and Compulsory Purchase Act 2004.

3 THE REPORT

- 3.1 The JSP is a joint statutory Development Plan Document covering the four authorities of Bristol, Bath and North East Somerset, North Somerset and South Gloucestershire. It sets out key strategic planning policies for the West of England area and was submitted for examination in April 2018. The purpose of examination is to test the soundness of the plan as required by the Planning and Compulsory Purchase Act 2004.

- 3.2 Following the first round of hearings in July 2019, the Inspectors appointed by the Secretary of State wrote to the four Councils in August and September. These letters have been published on the examination website. The Inspectors conclude that they do not consider that the JSP is sound for reasons set out in their letters, that these matters are difficult to address in a modification of the plan and that withdrawal of the JSP is the most appropriate option.
- 3.3 In the light of the issues raised by the Inspectors it is considered that the advice should be accepted and the JSP should be withdrawn. The four authorities and WECA remain committed to working together on the best way forward on strategic planning policies for the sub-region to positively address its strategic planning needs including the Climate Emergency. The next steps will be set out in due course following the formal decisions to withdraw by all four Full Councils.
- 3.4 As this is a joint Plan with Bristol City Council, North Somerset Council, South Gloucestershire Council and Bath & North East Somerset Council, all four Unitary Authorities will need to withdraw the Plan.

4 STATUTORY CONSIDERATIONS

- 4.1 The preparation, adoption or withdrawal of Local Plans must comply with statutes and regulations, in this case principally the Planning and Compulsory Purchase Act 2004 (as amended), and the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 4.2 The 2004 Act makes provision for withdrawal of a Local Plan in Section 22(1) where it states a local planning authority may at any time before a local development document is adopted under section 23 withdraw the document.
- 4.3 As this is a joint Plan with Bristol City Council, North Somerset Council, South Gloucestershire Council and Bath & North East Somerset Council, all four Unitary Authorities will need to withdraw the Plan.
- 4.4 Regulation 27 of the 2012 Regulations states the local planning authority must as soon as reasonably practicable after withdrawing it;
- (a) make available a statement of that fact;
 - (b) notify relevant bodies and/or persons that the local plan has been withdrawn; and
 - (c) cease to make any documents relating to the withdrawn local plan.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 5.1 There are no direct resource implications for the withdrawal of the Joint Spatial Plan although the resources implications of the alternative arrangements will need to be considered in due course.
- 5.2 It is considered that withdrawal of the JSP would comply with the Council's legal duties with respect to human rights and the public sector equality duty.

6 RISK MANAGEMENT

6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

7 CLIMATE CHANGE

7.1 The four authorities and WECA remain committed to working together on the best way forward on strategic planning policies for the sub-region to positively address the Climate Emergency.

8 OTHER OPTIONS CONSIDERED

8.1 The option to pursue the JSP has been discounted in light of the significance and nature of the Inspectors' conclusions arising from the July hearings.

9 CONSULTATION

9.1 Statutory and community stakeholders and organisations have been consulted in the preparation of the Joint Spatial Plan. The 2012 Regulations set out the requirements for publicity on the withdrawal of the JSP and all those who have participated in the process will be notified of the withdrawal.

Contact person	<i>Lisa Bartlett (Director Development and Public Protection)</i> 01225 477550
Background papers	The Planning and Compulsory Purchase Act 2004 (as amended) Town and Country Planning (Local Planning) (England) Regulations 2012 National Planning Policy Framework Joint Spatial Plan Examination Inspectors' letters to the four West of England Authorities dated 11 th September 2019 and 1 st August 2019 The West of England Joint Spatial Plan (Submission Version 2018)
Please contact the report author if you need to access this report in an alternative format	

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