

BATH AND NORTH EAST SOMERSET COUNCIL

MINUTES OF COUNCIL MEETING

Tuesday 21st February 2023

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

Apologies for absence: **Councillors** Tim Ball, Sarah Bevan, Vic Clarke, Gerry Curran, Douglas Deacon, Steve Hedges, Matt McCabe and Paul Myers.

72 EMERGENCY EVACUATION PROCEDURE

The Chair asked the Democratic Services Manager to read out the emergency evacuation procedure.

73 DECLARATIONS OF INTEREST

The Monitoring Officer issued a general dispensation for all Councillors who pay Council Tax or were School Governors and therefore had an interest in these items, to enable them to take part in the debate and vote on agenda item 8 - Budget & Council Tax 2023/24.

In addition, specific dispensations were granted for the following Councillors;

- Councillor O'Brien – a family member in receipt of adult social care services.
- Councillor Craig – a family member in receipt of a social care package from B&NES.
- Councillor Warren – a family member in receipt of an EHCP.

The following declarations of interest were also made;

- Councillor Simmons – Chairman of Keynsham & District Dial a Ride – non-pecuniary.
- Councillor Davies – spouse is Treasurer/a Trustee of Cleveland Pools Trust – non-pecuniary.

- Councillor Jackson – member of Church Council of Trinity Methodist church, Radstock & Westfield – non-pecuniary.
- Councillor Hodge – Chair of the charity The Friends of B&NES Society of Young Musicians – non-pecuniary.

74 MINUTES - 17TH NOVEMBER 2022 & 19TH JANUARY 2023

On a motion from Councillor Karen Walker, seconded by Councillor Kevin Guy, it was unanimously

RESOLVED that the minutes of 17th November 2022 and 19th January 2023 be confirmed as a correct record and signed by the Chair.

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

The Chair made various housekeeping announcements, followed by the following statement;

I am delighted to inform council that B&NES Building Control Team was announced 'team of the year' at the national local authority building control building excellence awards. The awards celebrate best practice and quality in construction and are attended by more than 850 leading construction industry figures.

The awarding panel stated that our building control customer service is exemplary with a full programme of engagement including regular email communications, technical seminars, and focused updates. The team works with over 40 partner companies, one of whom said, "B&NES Building Control are generous in providing clear, sensible and pragmatic advice and support during the design process and are keen to help find solutions when problems arise."

Many congratulations to Phil Mansfield and the team; it is fantastic to see their proactive approach to working with local businesses and the quality of their work validated by national private and public sector partners. Well done to all!

The Chair further informed Council that it had been a great honour to welcome the Queen Consort for a visit to the Royal Osteoporosis Society to launch their new buildings in Bath: a charity for which she has been a great ambassador and patron for a number of years.

76 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There were no items of urgent business.

77 QUESTIONS, STATEMENTS AND PETITIONS FROM THE PUBLIC

Statements were made by the following members of the public;

Martin Thomas made a statement about Residents' parking zones (RPZs). He commented that the views from the consultation had not been taken properly into

consideration, and partial support had been taken to mean full support. He expressed the view that the RPZs appeared to be a means of increasing revenue regardless of them being very unpopular in the community and suggested there were other ways to limit traffic that would have less of a negative effect on local families and businesses. Councillor Vic Pritchard referred to Mr Thomas having proposed 3 hour parking zones as an alternative and enquired if this had the support of other residents. Mr Thomas replied that quite a few comments he had received had expressed a wish for something along those lines.

David Redgewell made a statement about bus services, in particular those serving the rural communities, acknowledging they are the responsibility of WECA but noting that WECA do not have precepting powers. He called for longer term planning to be in place so passengers could rely upon these services and investment could be made. He concluded by saying that the transport infrastructure needed to be handed to WECA. Councillor Guy asked if Mr Redgewell was aware of WECA's proposal for the 522 service through Paulton and other villages, to which he replied that he was. Councillor Pritchard referred to the mention of the 672 service from Blagdon through Chew Valley to Bristol and that subsidy would be required from the 3 unitary authorities and asked if Mr Redgewell was aware if there had been any negotiation yet on this. He replied that he understood the Mayor had been trying to achieve this, but as Bristol City Council were cutting their bus budget, this was a serious problem. Councillor Moss asked if Mr Redgewell was aware if an equalities impact assessment had been carried out by B&NES regarding the cuts in rural buses, and Mr Redgewell replied that he was concerned as this had not taken place by any of the councils, despite him trying to push for this and it needed to be revisited. A full copy of the statement has been added to the Minute book.

Rosemary Naish made a statement expressing her concern about the future of rural bus services. Councillor Guy asked Ms Naish if she agreed that the £50 million Dan Norris has to spend should be used to supply bus routes in North East Somerset, to which Ms Naish replied that she did not know about that. Councillor Pritchard asked Ms Naish to clarify her comment that all rural transport had been removed, to which she replied that it was all rural subsidised transport. Councillor Hardman asked if Ms Naish agreed that Demand Responsive Transport (DRT) was not a substitute for a regular service; to which she responded that she did agree. A full copy of the statement has been added to the Minute book.

Bob Goodman made a statement touching on a number of aspects about Bath, including remembrance events funding, gull prevention measures, the commercial estate, city centre security measures, Residents' Parking Zones and Low Traffic Neighbourhoods. Councillor Guy asked Mr Goodman if he was aware that the Royal British Legion and the military will get exactly the service they asked for with no difference in cost, to which Mr Goodman replied that it was only from Bath paying for it. Councillor Pritchard asked if Mr Goodman would agree that Bath residents feel they're living in a completely different city than they did 4 years ago, to which Mr Goodman replied that he wholeheartedly agreed. Councillor Blackburn asked if all the positive gains against the plight of the gulls will be undone by the cutting of the prevention measures, to which Mr Goodman replied that he had no doubt that was the case. Councillor Moss asked if Mr Goodman was aware that residents in North East Somerset pay for remembrance events through the additional parish precepts and would be unhappy to subsidise Bath as well as their own, Mr Goodman replied

that they were already subsidising Bath. A full copy of the statement has been added to the Minute book.

Graham Pristo made a statement stating that low traffic neighbourhoods were pitting neighbourhoods and businesses against each other at a time when the city needed a chance to recover. He also commented on the commitment from Councillor Guy to build 100 new affordable homes, in the context of 6000 households on the waiting list for such accommodation, but having looked for where these were, had not yet been able to identify this, as those he was aware of were earmarked for specific groups. Councillor Guy referred to Mr Pristo's comment that he had never seen the city so diverse and asked if he considered this a problem, to which Mr Pristo replied that was not his intention and he had probably used the wrong term. Councillor Pritchard asked, with reference to the Councillor Guy interview that Mr Pristo had mentioned, whether he now found the interview to be misleading and giving a false sense of security, to which Mr Pristo replied that he did. Councillor Blackburn asked if a BBC listener should expect to hear factual information from broadcast interviews and, if that had not taken place, whether an apology should be issued by the Leader. Mr Pristo agreed that it should.

A statement from Ann Perry who was unable to attend the meeting at short notice was read out by Graham Pristo. Ms Perry's statement set out her concerns regarding the RPZ programme. A full copy of the statement has been added to the Minute book.

Louisa McFarland addressed the Council about the former land site at Entry Hill, raising concerns about its safety. Councillor Pritchard asked what sort of assurances Ms McFarland would expect from the Council, to which she replied that she would like the Council to test the water in Lyn Brook for certain pesticides plus an assurance that all mitigating measures would be carried out before any development on the site. A full copy of the statement has been added to the Minute book.

David Pye, a business owner in Moorland road and Chair of the Moorland Road Association, explained his view that the RPZ proposal for the Oldfield Park area was a disaster for the High Street and asked for it to be reconsidered. He reported survey results that demonstrated local residents and businesses were opposed. A Monday – Friday enforcement would be better. He stressed there was still time to make changes before July and hoped that local businesses could expect the support of their local Council. Councillor Rigby asked if Mr Pye would be prepared to meet him to which he replied that he would. Councillor Pritchard referred to Mr Pye's comment in his statement that their requests to meet Councillors had not been successful and asked if he knew why that might be the case, to which Mr Pye responded that he assumed it was because decision makers did not want to discuss it. Councillor Blackburn asked Mr Pye if he agreed that the community engagement had been a waste of time if the outcomes appeared predetermined, to which he replied that he did.

The statements were referred to the relevant Cabinet Members.

78 BUDGET AND COUNCIL TAX 2023/24 & FINANCIAL OUTLOOK

The Council considered a report which presented the revenue and capital budgets together with proposals for increases in Council Tax and the Adult Social Care Precept for 2023/24.

On a motion from Councillor Richard Samuel, seconded by Councillor Kevin Guy, it was

RESOLVED

1. To approve

- a) The General Fund net revenue budget for 2023/24 of £131.03m and the individual service cash limits for 2023/24 as outlined in Annex 1;
- b) The savings and income plans outlined in Annex 2(i), funding requirements 2(ii), in conjunction with the Equalities Impact Assessment Report in Annex 3.
- c) An increase in Council Tax of 2.99% in 2023/24 (an increase of £47.10 per Band D property or 91p per week).
- d) An increase of 2% to Council Tax for the Adult Social Care Precept in recognition of the current demands and financial pressures on this service. This is equivalent to an increase of £31.50 on a Band D property (61p per week).
- e) The movement in reserves outlined in section 5.6 and the adequacy of Un-earmarked Reserves at £12.58m within a risk assessed range requirement of £11.6m - £12.8m.
- f) To note the Children's Services management plan set out in section 5.2.7 of the report.
- g) The Efficiency Strategy attached at Annex 4.
- h) The Capital Programme for 2023/24 of £87.89m including new and emerging capital bids outlined in Annex 5(i), planned sources of funding in 5.8.2, and notes the programme for 2024/25 to 2027/28 and that any wholly funded projects coming forward during the year will be added to the Capital Programme in line with the Budget Management Scheme.
- i) The delegation of implementation, subject to consultation where appropriate, of the capital programmes set out in Annex 5(i) to Annex 5(iv) to the relevant Director in consultation with the appropriate Portfolio Holder.
- j) The Community Infrastructure Levy (CIL) allocations and amendments outlined in Annex 5(v).
- k) The Capital & Investment Strategy attached at Annex 6.
- l) The MRP Policy attached at Annex 7.

- m) The Capital Prudential Indicators outlined in 5.8.6.
 - n) The Annual Pay Policy Statement at Annex 8.
 - o) The Community Contribution Fund pilot 12-month extension outlined section 5.5.
 - p) The Council Tax Support Scheme for 2023/24 shown in the following link and referred to in 5.3.5:
<https://beta.bathnes.gov.uk/sites/default/files/2023-01/Proposed%20Council%20Tax%20reduction%20scheme%20April%201%202023%20-%20March%2031%202024.pdf>
 - q) To approve the Fees and Charges schedule for 2023/24 at Annex 11 and support its publication following approval of the budget.
2. That the Council approves the technical resolutions that are derived from the budget report, and all the figures in that report, including the precepts for towns, parishes and other precepting bodies as set out in Annex 12.
 3. That the Council note the S151 Officer's report on the robustness of the proposed budget and the adequacy of the Council's reserves outlined in 5.7.
 4. That Council note the budget consultation responses in Annex 10.

[Notes;

1. *An amendment was moved by Councillor Joanna Wright, and seconded by Councillor Robin Moss, to request a budget spend of £200,000 for a one-off school street in B&NES. This was lost on a named vote;*

Councillors in favour (10): - Councillors Colin Blackburn, Chris Dando, Liz Hardman, Shaun Hughes, Eleanor Jackson, Grant Johnson, Robin Moss, June Player, Karen Walker and Joanna Wright.

Councillors against (32) - Councillors Rob Appleyard, Alison Born, Shelley Bromley, Neil Butters, Sue Craig, Paul Crossley, Jess David, Tom Davies, Winston Duguid, Mark Elliott, Andy Furse, Kevin Guy, Joel Hirst, Lucy Hodge, Duncan Hounsell, Hal McFie, Ruth Malloy, Paul May, Sarah Moore, Michelle O'Doherty, Bharat Pankhania, Manda Rigby, Dine Romero, Mark Roper, Richard Samuel, Bruce Shearn, Alastair Singleton, Shaun Stephenson-McGall, Andy Wait, Sarah Warren, Ryan Wills and David Wood.

Councillors abstaining (9) – Councillors Sally Davis, Michael Evans, Alan Hale, Yukteshwar Kumar, Lisa O'Brien, Vic Pritchard, Brian Simmons, Karen Warrington and Chris Watt.

2. *The above successful resolution was carried on a named vote;*

Councillors in favour (32): - Councillors Rob Appleyard, Alison Born, Shelley Bromley, Neil Butters, Sue Craig, Paul Crossley, Jess David, Tom Davies, Winston Duguid, Mark Elliott, Andy Furse, Kevin Guy, Joel Hirst, Lucy Hodge, Duncan Hounsell, Hal McFie, Ruth Malloy, Paul May, Sarah Moore, Michelle O'Doherty, Bharat Pankhania, Manda Rigby, Dine Romero, Mark Roper, Richard Samuel, Bruce Shearn, Alastair Singleton, Shaun Stephenson-McGall, Andy Wait, Sarah Warren, Ryan Wills and David Wood.

Councillors against (19); - Councillors Colin Blackburn, Chris Dando, Sally Davis, Michael Evans, Alan Hale, Liz Hardman, Shaun Hughes, Eleanor Jackson, Grant Johnson, Yukteshwar Kumar, Robin Moss, Lisa O'Brien, June Player, Vic Pritchard, Brian Simmons, Karen Walker, Karen Warrington, Chris Watt and Joanna Wright.]

79 TREASURY MANAGEMENT STRATEGY STATEMENT 2023/24

The Council considered a report which fulfilled the Authority's legal obligation under the Local Government Act 2003 to have regard to the CIPFA Code to approve a treasury management strategy before the start of each financial year. This report was scrutinised by the Corporate Audit Committee at the 7th February 2023 meeting, and reported to Cabinet on 9th February 2023.

On a motion from Councillor Richard Samuel, seconded by Councillor Mark Elliott, it was unanimously

RESOLVED to agree to;

1. Approve the actions proposed within the Treasury Management Strategy Statement (Appendix 1);
2. Note the Treasury Management Indicators detailed in Appendix 1, and
3. Approve the adoption of the Treasury Management Clauses (Appendix 3).

80 AGREEMENT OF COUNCIL AGM DATE

The Council was asked to formally confirm it's annual meeting date.

On a motion from Councillor Kevin Guy, seconded by Councillor Karen Walker, it was unanimously

RESOLVED to agree that the Council's Annual General meeting take place on 25th May 2023.

81 QUESTIONS, STATEMENTS AND PETITIONS FROM COUNCILLORS

Councillor Kumar made a statement entitled 'Honesty is the best policy', in which he picked up on various aspects of the Administration's policies and highlighted his concerns about these.

Councillor Guy took this opportunity to apologise for an earlier remark made by him following the statements from the public, and also stated that he would apologise personally to the individual concerned.

82 EXCLUSION OF THE PUBLIC

On a motion from Councillor Karen Walker, seconded by Councillor Grant Johnson, it was

RESOLVED

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

83 WAIVER OF 6 MONTH COUNCILLOR ATTENDANCE RULE

Section 85 (1) of the Local Government Act 1972 requires a member of a Local Authority to attend at least one meeting of that Authority within a period of six consecutive months, in order to avoid being disqualified as a Councillor. This requirement can be waived and the time limit extended, if any failure to attend was due to a reason approved by the Authority, in advance of the six month period expiring. The Council considered such a request.

On a motion from Councillor Karen Walker, seconded by Councillor Alan Hale, it was unanimously

RESOLVED

1. To note and approve the reason for the failure of Councillor Doug Deacon to attend meetings of the Council since 4th May 2021;
2. To approve a further period from this meeting until Monday 8th May (being the fourth day after the day of election on 4th May 2023, when a Councillor not elected ceases to be a Councillor), for the non-attendance at meetings of Council and its Committees by Councillor Doug Deacon, due to ill-health.

The meeting ended at 9.23 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services