

BATH AND NORTH EAST SOMERSET COUNCIL

MINUTES OF COUNCIL MEETING

Thursday, 19th January, 2023

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

Apologies for absence: **Councillors** Vic Clarke, Paul Crossley, Douglas Deacon, Grant Johnson, Bruce Shearn, Chris Watt and David Wood

63 EMERGENCY EVACUATION PROCEDURE

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

64 APOLOGIES FOR ABSENCE

Apologies were announced as detailed above.

65 DECLARATIONS OF INTEREST

The Democratic Services Manager announced that the Monitoring Officer had issued a general dispensation for all Councillors for agenda item 8 "Report of the Independent Remuneration Panel – Members' Allowances Uplift" to enable Members with potential disclosable pecuniary interests in relation to remuneration for their roles as Councillors, to take part in the debate and vote. Failure to do so would impede the transaction of the business of the meeting.

The Democratic Services Manager also referred to the dispensation still in place for certain Councillors with regard to covid and long-term health conditions.

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

There were none.

67 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There were no items of urgent business.

68 QUESTIONS, STATEMENTS AND PETITIONS FROM THE PUBLIC

Statements were made by the following members of the public;

Bob Goodman made a statement concerning a number of Council services. With regard to recycling rates, he stated that when he had introduced fortnightly collections as the responsible Cabinet Member at the time, rates had risen (despite many doubts being expressed that it would be successful). However, rates had fallen since then, and he wondered what the Administration were doing to address this. He also raised the situation regarding the recent problems at Charlton House and noted that there had been no resignations despite the suffering of residents. He queried the Council's social housing approach and lamented the state of the bus services in the area.

Mark Stricklin made a statement regarding mobile phone networks in Bath. He read out a number of individual posts from people describing the problems they experienced with connectivity which were affecting their home and work life, and asked why the area did not yet have 5G. He commented that network coverage seemed to be deteriorating and called for the situation to be sorted out. Councillor Kevin Guy asked Mr Stricklin if he was aware that the Liberal Democrats had fully supported the erection of a 5G mast in Newbridge in 2022, to which he replied that he was not aware.

Simon Banks made a statement which had been circulated in advance to Members regarding urban green spaces and in particular development plans on the Tufa field. He called for full ecological, economic and environmental impacts of the development of sites to be carried out. Councillor Tom Davies mentioned that he had met residents twice to discuss proposals and asked if Mr Banks would be interested to join the next such meeting, to which he replied that he would. Councillor Vic Pritchard asked Mr Banks if he was aware that the policy provided that if a development was permitted, the ecological impact must be assessed, identified and protected and if they show that development is not appropriate, this is a material consideration meaning future applications should be refused. Mr Banks replied that he was aware of this.

David Ferris made a statement about residents' parking zones which he considered were not effective or wanted by local communities. He commented that they simply displaced traffic to other areas and wondered if they were genuinely to benefit residents or just a method to increase revenue. He stated that a Park & Ride site was definitely needed on the east of Bath and suggested that part of the Bath Rugby ground at Lambridge would be an ideal site for a mini Park & Ride and outlined his reasons for suggesting this. Councillor Vic Pritchard asked Mr Ferris how he would negate the need for the proposed Park & Ride sites at Snowhill and Camden, to which Mr Ferris referred to his earlier suggestion regarding the section of the site at Lambridge which he considered was ideal for infrastructure and connectivity reasons. Councillor Robin Moss asked Mr Ferris if he would like to see a full strategy for RPZs to which Mr Ferris replied that he considered them a waste of time.

A copy of the statement submitted is attached as an Appendix to these minutes.

**69 BATH & NORTH EAST SOMERSET LOCAL PLAN PARTIAL UPDATE
INSPECTOR'S REPORT AND ADOPTION**

The Council considered a report following the submission of the draft LPPU in December 2021 to the Secretary of State for examination by an independent Planning Inspector. The Inspector had concluded that the submitted LPPU is legally compliant and could be made sound, subject to a schedule of 'main modifications' (Appendix 1). The Council was asked to accept the Inspector's recommendation thereby enabling it to formally adopt the LPPU.

On a motion from Councillor Tim Ball, seconded by Councillor Vic Pritchard, it was

RESOLVED to

1. Accept the Main Modifications listed in Appendix 1, which the Inspector considered are needed to make the Plan sound in accordance with section 20(5) of the Planning and Compulsory Act 2004 (as amended);
2. Agree the additional minor modifications listed in Appendix 2 to the B&NES Local Plan Partial Update, which are needed to ensure clarity, consistency and factual accuracy in the Plan;
3. Adopt the B&NES Local Plan Partial Update as modified in 1 and 2 above, as set out in Appendix 3, and as amended in the supplementary paper, including for the purposes of section 38(6) of the Planning & Compulsory Purchase Act;
4. Agree the B&NES Policies Map is amended in line with 3 above; and
5. Delegate responsibility to the Head of Planning Services, in consultation with the Cabinet Member for Planning and Licencing, to make minor textual amendments to the Local Plan Partial Update prior to publication.

[Notes;

1. *The above successful resolution was carried with 48 Councillors voting in favour and 3 Councillors abstaining.]*

70 MEMBERS' ALLOWANCES ANNUAL UPLIFT - RECOMMENDATION OF THE INDEPENDENT REMUNERATION PANEL

The Member Allowances Scheme was agreed and adopted by Council on 4th May 2021 following recommendations from the Independent Remuneration Panel. The Panel were further consulted in December 2022 regarding an appropriate annual percentage uplift amount (set at the same rate as officers' salaries are adjusted, in line with the National Joint Committee agreement) as the officer increase this year was not a percentage but a fixed amount.

On a motion from Councillor Richard Samuel, seconded by Councillor Karen Walker, it was

RESOLVED to

1. Agree that the basic allowances and special responsibility allowances paid to Members be increased by 4.04%, backdated to 1 April 2022; and

2. Thank the Panel for their work.

[Notes;

1. *The above resolution was carried with 49 Councillors voting in favour, 1 voting against and 1 abstention.]*

71 QUESTIONS, STATEMENTS AND PETITIONS FROM COUNCILLORS

Councillor Dr Kumar made a statement about the recent situation at Charlton House. He queried why the situation had not improved following the inspection in May but had in fact worsened by the further inspection in October. He stated that an issue such as this was too important for political games and called on the Administration to take responsibility, listen and learn.

The meeting ended at 7.30 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

BATH & NORTH EAST SOMERSET COUNCIL

MEMBERS' CODE OF CONDUCT

Grant of a Dispensation

Name of Members	All Councillors
Meeting and item of business for which the dispensation has been sought	Council– 19 th January 2023 (Agenda item 8 Members Allowances Uplift).
Reason for dispensation	The Monitoring Officer issued a general dispensation for all Councillors who attended the council meeting and therefore had an interest in this item, to enable them to take part in the debate and vote.

Having received a request at the meeting from the councillors requesting this dispensation, it was granted.

Signed**Michael Hewitt**.....

M Hewitt
Monitoring Officer – Bath & North East Somerset Council

Dated 19th January 2023

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New Development Plan process

I'd like to raise the question of urban green spaces and start by illustrating my point using the example of the current planning application in the space we know as the Tufa Field, otherwise land to the Rear of Englishcombe Lane.

The use of green spaces for development always engenders debate and often extreme reactions. The tufa field has been the subject of attempted development for 40 years, usually failing when the practical difficulty of site development is realised.

Nevertheless, the site is constantly in successive development plans, usually as housing, either commercial or special needs accommodation. In 2007, planners agreed that the site should be removed from the forthcoming plan. At the time, there was pressure on the authority to meet a notional housing build target and the inspector decided that she did not believe the council's planning projections for site availability and that this site should be reinstated with its target of 43 homes. Subsequent events showed that the council officers were correct in their assessment, and that more than sufficient housing sites became available for the duration of that plan.

Nevertheless the Tufa Field site remained in the plan and has been rolled over into subsequent plans without further investigation.

The reason given is that site-specific concerns will be addressed during planning permission deliberations. However, when the planning committee met to discuss this particular development, the reason given for granting permission was 'it's in the development plan'. This seems to me to be a circular argument. The plan relies on the planning permission process to determine viability, but the planning permission process relies on the development plan.

Much has changed since this site was first mooted, then abandoned for development.

There is much more awareness of the vital role urban green spaces play in the health and well-being of the city and its population. Green spaces are now universally recognised as being not only ecologically important, both in terms of biodiversity and mitigating climate change, but also a significant asset for people's mental health and connection to the natural world that sustains us.

I would like to see the council adopt the notion of a community asset value to be placed on urban green spaces, with the presumption of no development. The asset value should be at least equal to the notional monetary value of the space if developed plus a premium that recognises additional value such as unique or special ecology, or placement within densely populated areas. The era of cheap building on green field sites must stop.

So too must cease the practice of rolling over sites from one development plan to the next. Each site must be assessed against current (and forthcoming) criteria at the start of a new plan. And if it is to be the case that the practice of planning permission deliberations assuming that 'if its in the development plan then it must be ok', then much more comprehensive investigation and reporting must be done before any site is included in the development plan.

This should involve full ecological, economic and environmental impacts of the development of each site. Alternatively, it must be made clear to planning permission deliberations, that the presence of sites within the development plan does not signify that sites are de facto suitable for development.

The ongoing saga of the Tufa Field illustrates that historical development plan processes were flawed to the point of being unfit for purpose. We must ensure that any new plan truly reflects considered judgments, properly argued and presented such that all residents can buy into it, in the knowledge that future generations will not look back saying 'what on earth were they thinking?'

Simon Banks

93 Englishcombe Lane

Bath

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