

BATH AND NORTH EAST SOMERSET COUNCIL

MINUTES OF COUNCIL MEETING

Thursday, 16th May, 2013

Present:- **Councillors** Simon Allen, Patrick Anketell-Jones, Rob Appleyard, Sharon Ball, Tim Ball, Colin Barrett, Gabriel Batt, Cherry Beath, David Bellotti, Sarah Bevan, Mathew Blankley, Lisa Brett, John Bull, Neil Butters, Bryan Chalker, Anthony Clarke, Nicholas Coombes, Paul Crossley, Gerry Curran, Sally Davis, Douglas Deacon, David Dixon, Peter Edwards, Michael Evans, Paul Fox, Andrew Furse, Charles Gerrish, Ian Gilchrist, Francine Haerberling, Alan Hale, Katie Hall, Liz Hardman, Nathan Hartley, Steve Hedges, Eleanor Jackson, Les Kew, Dave Laming, Malcolm Lees, Marie Longstaff, Barry Macrae, David Martin, Loraine Morgan-Brinkhurst MBE, Robin Moss, Paul Myers, Douglas Nicol, Bryan Organ, June Player, Vic Pritchard, Liz Richardson, Manda Rigby, Caroline Roberts, Nigel Roberts, Dine Romero, Will Sandry, Brian Simmons, Kate Simmons, Jeremy Sparks, Ben Stevens, Roger Symonds, David Veale, Martin Veal, Tim Warren, Chris Watt and Brian Webber

Apologies for absence: **Councillor** Geoff Ward

1 EMERGENCY EVACUATION PROCEDURE

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

2 ELECTION OF CHAIRMAN 2013/14

It was proposed by Councillor Nicholas Coombes, seconded by Councillor Patrick Anketell-Jones and supported by Councillors John Bull and Bryan Chalker and

RESOLVED that Councillor Neil Butters be elected Chairman of the Council for the year 2013/14.

Councillor Butters made and signed his Declaration of Acceptance of Office and received the chain of office from Councillor Rob Appleyard and presented the consort's badge to his wife, Charlotte.

Councillor Butters then addressed the Council.

FROM THIS STAGE OF THE PROCEEDINGS, COUNCILLOR NEIL BUTTERS, AS CHAIRMAN, PRESIDED AT THE MEETING.

3 ELECTION OF VICE CHAIRMAN 2013/14

It was proposed by Councillor Tim Warren, seconded by Councillor Paul Crossley and supported by Councillors John Bull and Bryan Chalker and

RESOLVED that Councillor Martin Veal be elected Vice-Chairman for the Council year 2013/14.

Councillor Veal made and signed his Declaration of Acceptance of Office, received the chain of office from Councillor Butters and thanked the Council for his appointment.

4 MINUTES - 4TH MARCH 2013

On a motion from Councillor Paul Crossley, seconded by Councillor Bryan Organ, it was

RESOLVED that the minutes of 4th March 2013 be confirmed as a correct record and signed by the Chairman.

5 DECLARATIONS OF INTEREST

There were no declarations of interest made.

6 ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE

Councillor Butters presented Councillor Appleyard with his past Chairman's badge. Councillor Appleyard then presented the past Chairman's Consort's badge to his wife, Alison.

It was proposed by Councillor John Bull, seconded by Councillor Charles Gerrish and supported by Councillors Dine Romero and Bryan Chalker and

RESOLVED that the Council places on record its appreciation of the services performed by Councillor Rob Appleyard in the office of Chairman of the Council for 2012/13.

Councillor Appleyard addressed the Council and, in so doing, thanked Members and officers for their support during his year in office. Councillor Appleyard outlined some of the highlights of his year, made reference to the charities he would continue to support and paid tribute to the support which he had received from Councillor Butters in his role as Vice Chairman over the previous Council year. He wished him well for his term of office as Chairman. Councillor Appleyard also thanked his wife Alison for her support throughout his year as Chairman.

The Chairman then made the customary announcements regarding mobile phones and a comfort break should one be needed.

7 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There were no items of urgent business.

8 APPOINTMENT OF COMMITTEES, PANELS ETC AND OTHER ANNUAL BUSINESS

The Council considered a report inviting its approval for the non-executive and regulatory committee/Panel arrangements for the Council year May 2013 to May 2014.

In moving the motion (as circulated at the meeting), Councillor Paul Crossley thanked those Members who were not continuing in post as Cabinet Members and Group Leaders, for the dedicated service they had given to those roles. This was seconded by Councillor Dave Dixon and supported by Councillors Tim Warren, John Bull and Bryan Chalker.

It was then

RESOLVED to

1. Approve the structure for non-executive and regulatory decision making and Policy Development & Scrutiny working (set out in its current form in appendix 3) and revised political proportionality (as attached at amended Appendix 2);
2. Appoint those bodies with membership, terms of reference and delegated powers as set out in the Constitution (with an amendment to the Terms of Reference for the Wellbeing PDS Panel on page 30 of the appendix, 4th bullet point, to remove the words 'recommend to full Council whether to');
3. Approve the allocation of seats on those Committees and Panels (such seats to be filled in accordance with the nominations made by the political groups);
4. Appoint to chair each committee and panel those Councillors as may from time to time be nominated by the political group to whom the chairmanship of the body is allocated (current arrangements are as set out in appendix 1);
5. Authorise the Monitoring Officer to fill any casual vacancies in membership of all the bodies constituted and vacancy in the office of Chair of such bodies in accordance with the wishes of the political groups;
6. Note the Terms of Reference of the Health & Wellbeing Board, approved by the Board on 30th April 2013 (and attached within Appendix 3), and formally appoint the Board, as described in section 10 of this report;
7. Note the resolution of the Licensing Committee to appoint one Sub-Committee, and their views on how this would operate, as set out in paragraphs 5.3 and 5.4 and accordingly approve, with no Member voting against, a pool of six Members in such proportions as Group Leaders may determine, from whom a Sub-Committee of three Members will be constituted;
8. Agree the bodies on which co-opted members are to have seats as either voting or non-voting members and appoint such members accordingly as set out in revised Appendix 2);
9. Approve the appointment of the Independent Persons with responsibility for supporting the Standards Committee, as set out in section 8;
10. Authorise the Monitoring Officer, in consultation with the Chairs of the Policy Development & Scrutiny Panels, to constitute and support any required Panel joint working as outlined in section 7;

11. Confirm the current Member Champions in post for the roles set out in Section 9 and authorise the Chief Executive, in consultation with Group Leaders, to review the number and remits of the roles, and appoint members to fill such revised roles in accordance with the wishes of Group Leaders;
12. Authorise the Monitoring Officer, in consultation with Group Leaders, to make appointments on such outside bodies as are for the Council (rather than Cabinet) such to fill;
13. Note the arrangements for the conduct of Cabinet business and the report of a special urgency decision taken by Councillor Paul Crossley as set out in section 11;
14. Note the calendar of meeting dates that has been prepared up to May 2015 which is available on the Council's website; and
15. Authorise the Monitoring Officer to make and publicise any amendment to the Council's Constitution required, or take any other necessary action, as a result of decisions taken at this meeting on this and other reports within the agenda, or otherwise as required by law.

[Notes:

- 1. The underlined wording in resolution 2 above was proposed by Councillor Vic Pritchard and accepted by the mover and seconder of the motion.*
- 2. The resolutions above were carried with all in favour except for one abstention from Councillor Brian Webber.]*

9 DESIGNATION OF ELECTORAL REGISTRATION OFFICER, LOCAL RETURNING OFFICER AND OTHER STATUTORY ROLES

This item was withdrawn from the agenda with the consent of Council and deferred to a future meeting.

10 MOTION FROM COUNCILLOR PAUL CROSSLEY - COMMUNITY COVENANT PLEDGE

On a motion from Councillor Paul Crossley, seconded by Councillor Chris Watt, it was

RESOLVED to

1. Recognise the close ties between Bath and North East Somerset's communities and serving and former members of the armed forces and their families;
2. Note that the Armed Forces Community Covenant is a voluntary statement of mutual support between a civilian community and its local Armed Forces Community. It is intended to complement at local level the Armed Forces Covenant, which outlines the moral obligation between the Nation, the

Government and the Armed Forces;

3. Adopt the Community Covenant Pledge, comprising the following principles, objectives and intentions
 - a) Encouraging support for the Armed Forces Community working in, living in and visiting Bath and North East Somerset
 - b) Recognising and remembering the sacrifices made by members of this Armed Forces Community, particularly those who have given the most. This includes in-Service and ex-Service personnel, their families and widow(er)s in Bath & North East Somerset
 - c) Taking opportunities to bring Council, partner and community knowledge, experience and expertise to bear on the provision of help and advice to members of the Armed Forces Community, including building on existing good work on other initiatives such as the Welfare Pathway.
 - d) Encouraging the integration of Service life into civilian life and encouraging members of the Armed Forces community to help their local community.
 - e) Complementing the principles of the Armed Forces Covenant which defines the enduring, general principles that should govern the relationship between the Nation, the Government and the Armed Forces community
 - f) Encouraging all parties within a community to offer support to the local Armed Forces community and make it easier for Service personnel, families and veterans to access the help and support available from the MOD, from statutory providers and from the Charitable and Voluntary Sector working together in partnership at local level.
 - g) Encouraging the Armed Forces community to do as much as they can to support their community and promote activity which integrates the Service community into civilian life.
4. That Bath and North East Somerset's Community Covenant Pledge includes a commitment to working with the armed services community on specific measures which meet and deliver real benefits for former and serving armed forces members and their families, and requests officers to work with the Armed Forces Community to establish a Community Covenant Action Plan;
5. Request the Chairman of Council to sign the Pledge on behalf of the Council along with representatives of the Armed Services community and partners;
6. Invite the Public Services Board to consider how public services can work together to address issues raised through the Covenant;
7. Publicise the Community Covenant in the local community and with parish and town councils; and
8. Request that Cabinet receive reports on progress on implementing the Community Covenant.

11 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC

Questions had been submitted by George Bailey and Ian Barclay. The Chairman referred to the responses that had been circulated.

Statements were made by the following people;

- Joe Scofield. In response to a question from Councillor Gerry Curran asking if Joe Scofield was aware that he and Councillor Tim Ball had visited this area 3 years ago with a Highways Officer and it had been put on the list of works to happen over the next few years, Mr Scofield responded that he was aware. He added that it did seem a long time ago now though and residents were asking why something couldn't happen sooner. In response to a question from Councillor Bryan Chalker regarding the exposed electric cable, Joe Scofield responded that he didn't know what it was for. [Members noted the need for urgent action to establish if the cable was live.]
- Karen Abolkheir. In response to a question from Councillor Paul Crossley about whether Karen Abolkheir was aware that the Gypsy & Traveller DPD was coming back to Cabinet in June with a full set of answers to the queries she had raised, Karen Abolkheir responded that she was aware of this now. In response to a question from Councillor Tim Warren about whether Ms Abolkheir had received responses to her earlier questions yet, she responded that she had received an e-mail earlier that evening which she was yet to fully digest.
- Phil Townshend. In response to a question from Councillor Tim Ball about whether Mr Townshend was aware that all applications that are refused or withdrawn are entitled to be re-submitted, he responded that he was not.
- Kris Mountford. In response to a question from Councillor Tim Warren regarding the 37 errors referred to in the statement and whether there was particular planning expertise in the Parish Council, Kris Mountford responded that there was not.
- The Chairman referred to a submission from David Redgewell.

In each case, the Chairman referred the statements to the relevant Cabinet Member apart from the one from Kris Mountford which was also referred to the Planning Department.

Copies of all statements submitted are available on the Minute book and online.

12 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS

2 questions had been submitted by Councillors John Bull and Dave Laming. The Chairman referred to the responses which had been circulated.

Councillor Will Sandry made a statement in his role as Chairman of the Student Community Partnership. This has been placed on the Council's Minute book and online.

The meeting ended at 8.10 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services