

## **BATH AND NORTH EAST SOMERSET COUNCIL**

### **MINUTES OF COUNCIL MEETING**

Thursday, 11th July, 2013

Present:- **Councillors** Simon Allen, Patrick Anketell-Jones, Sharon Ball, Tim Ball, Colin Barrett, Cherry Beath, David Bellotti, Sarah Bevan, Mathew Blankley, John Bull, Neil Butters, Bryan Chalker, Nicholas Coombes, Paul Crossley, Gerry Curran, Sally Davis, Douglas Deacon, David Dixon, Peter Edwards, Michael Evans, Paul Fox, Charles Gerrish, Ian Gilchrist, Francine Haerberling, Alan Hale, Katie Hall, Liz Hardman, Nathan Hartley, Steve Hedges, Eleanor Jackson, Les Kew, Dave Laming, Malcolm Lees, 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, Brian Simmons, Kate Simmons, Jeremy Sparks, Ben Stevens, Roger Symonds, David Veale, Geoff Ward, Tim Warren, Chris Watt and Brian Webber

Apologies for absence: **Councillors** Rob Appleyard, Gabriel Batt, Lisa Brett, Anthony Clarke, Andrew Furse, Marie Longstaff, Will Sandry and Martin Veal

#### **13 ELECTION OF VICE-CHAIR**

The Council passed its best wishes to Councillor Martin Veal for a speedy recovery. On a motion from Councillor Paul Crossley, seconded by Councillor Les Kew, it was

**RESOLVED** that Councillor Peter Edwards, as the most recent former Chairman present, be appointed as Vice Chairman for this meeting only.

#### **14 EMERGENCY EVACUATION PROCEDURE**

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

#### **15 DECLARATIONS OF INTEREST**

There were no declarations of interest made.

#### **16 MINUTES - 16TH MAY 2013**

On a motion from Councillor Paul Crossley, seconded by Councillor Tim Warren, it was

**RESOLVED** that the minutes of the 16<sup>th</sup> May 2013 Council be confirmed as a correct record and signed by the Chairman.

#### **17 ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE**

The Chairman informed the Council of the recent death of former Wansdyke and B&NES Councillor Doug Miles and asked the Council to stand in silence as a mark of respect.

The Chairman made the customary announcements regarding mobile phones and a comfort break.

## **18 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN**

There were no items of urgent business.

## **19 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC**

Statements were made by the following people;

- Lyndon Hughes, Save our Larkhall toilets. Mr Hughes presented a petition which had been handed to him by Twerton Residents regarding the closure of their toilets. Speaking in support of the Larkhall toilets, Mr Hughes ran through the potential problems that could be caused by their closure including hygiene issues, social consequences, economic impact etc. In response to a question from Councillor Geoff Ward regarding cost savings, Mr Hughes responded that there was an anomaly as some paid rates, others didn't and closure could bring about its own costs from vandalism, cleaning up etc. In response to a question from Councillor Eleanor Jackson regarding recouping costs from business sponsorship or other community measures which had been raised at the Scrutiny Panel, Mr Hughes responded that he didn't have details of this but initial indications were that local businesses were not particularly interested. The statement was referred to the Cabinet Member for Neighbourhoods.
- David Redgewell, South West Transport Network. Mr Redgewell spoke about the Greater Bristol Metro and electrification issues and the crucial role of the City Deal in this. He stressed the need for the West of England Transport Board to push ahead with getting this into Phase one. He outlined a number of other issues which are contained within the statement attached to the Minute book. In response to a question from Councillor Eleanor Jackson regarding real time bus times, Mr Redgewell responded that there were teething problems across the whole of the Bristol/Bath region and the Partnership had been asked to sort these out. In response to a question from Councillor Dave Laming regarding Network Rail's view of a station adjacent to the A4 in Saltford, Mr Redgewell responded that he believed it was not considered realistic in Phase 5. In response to a further question from Councillor Laming regarding railway tunnels, Mr Redgewell replied that he was aware that all Brunel tunnels had been listed by English Heritage last July which did not prevent development but ensured they were protected into the future. The statement was referred to the Cabinet Member for Transport.

## **20 WEST OF ENGLAND CITY REGION DEAL GROWTH INCENTIVE PROPOSALS**

The Council considered a report seeking approval to the formal adoption of the Growth Incentive proposals and the subsequent pooling of business rates across the West of England Enterprise Areas and Enterprise Zone.

On a motion from Councillor Paul Crossley, seconded by Councillor Patrick Anketell-Jones, it was

## **RESOLVED**

1. To approve the pooling of business rates across the 4 West of England Authorities for the designated fiscal boundaries of the Enterprise Areas (together with the Enterprise Zone) for 25 years, as set out in the report on the basis of the Growth Incentive proposals;
2. To approve the operation of the business rates pool and funding arrangements on the basis of the Tier 1, 2 and 3 parameters as set out in the report;
3. To delegate to the Chief Executive, in consultation with the Group Leaders, authority to finalise the detail of the proposals, following central government due-diligence; and
4. To delegate to the Divisional Director of Finance (S151), in consultation with the Monitoring Officer and Resource lead Members, authority to finalise the detailed elements and operation of the pooling arrangements and associated elements of the Growth Incentive proposal including the necessary legal documentation.

*[Note; The above resolution was carried with all Councillors voting in favour except for one abstention.]*

## **21 YOUTH JUSTICE PLAN 2013-14**

The Council considered a report introducing the Youth Justice Plan 2013-14 which the Local Authority has a statutory responsibility to produce annually. The Plan sets out work to be undertaken to prevent youth offending and re-offending across Bath & North East Somerset.

On a motion from Councillor Dine Romero, seconded by Councillor Michael Evans, it was

## **RESOLVED**

1. To agree that the Youth Justice Plan can be accommodated within the Council budget approved in February 2013 and can be approved as part of the Council's Policy & Budget framework; and
2. To agree that the Youth Justice Plan can be approved as fulfilling the requirements of the Crime and Disorder Act 1998 and can be submitted to the Youth Justice Board.

## **22 ANNUAL REPORT OF THE AVON PENSION FUND**

The Council considered the Avon Pension Fund annual report which describes the work the Committee has undertaken in the previous twelve months and makes reference to the future work programme.

On a motion from Councillor Paul Fox, seconded by Councillor Charles Gerrish, it was

**RESOLVED** to note the report.

## **23 TREASURY MANAGEMENT OUTTURN 2012-13**

The Council considered a report giving details of performance against the Council's Treasury Management Strategy and Annual Investment Plan for 2012/13.

On a motion from Councillor David Bellotti, seconded by Councillor Paul Crossley, it was

**RESOLVED**

1. To note the 2012/13 Treasury Management Annual Report to 31<sup>st</sup> March 2013, prepared in accordance with the CIPFA Treasury Code of Practice;
2. To note the 2012/13 actual Treasury Management Indicators; and
3. To note the Debt rescheduling actions highlighted at paragraphs 5.13 – 5.15 of the report.

*[Note: The above resolution was carried with all Councillors voting in favour except for one abstention.]*

## **24 AGENDA MOTION FROM THE CONSERVATIVE GROUP - FRACKING**

The Council considered an updated motion which had been circulated.

On a motion from Councillor Tim Warren, seconded by Councillor David Martin, it was

**RESOLVED**

1. To note the work already undertaken by the Council in relation to Fracking within Bath and North East Somerset and neighbouring areas, including the Council's response to Somerset's Minerals Preferred Planning Options, agreed by Cabinet in April 2013, and the Council commissioned report by the British Geological Survey;
2. That this Council understands that the use of shale gas and coal bed methane has the potential to make a significant contribution to the UK's energy needs in the coming decades during the period of transition from use of fossil fuels to

renewable energy sources, and could enable Britain to become more energy independent.

3. That this Council recognises the responsibility that the Council has to protect the unique hot springs and the World Heritage Site for future generations, as set out in the County of Avon Act 1982 and the Royal Charter of 1591;
4. That this Council welcomes the additional safeguards as set out by the Secretary of State in December 2012.  
(Ref: <https://www.gov.uk/government/speeches/written-ministerial-statement-by-edward-davey-exploration-for-shale-gas> )
5. That this Council, therefore, has serious concerns about the potential impact of unconventional gas exploration and extraction, as well as geothermal exploitation, within Bath and North East Somerset, in particular relating to:
  - a. the vulnerability of the hot springs which supply Bath's spa water and the potential risk to the supply of hot spring water;
  - b. its potential impact in an area significantly covered by Green Belt, Areas of Outstanding Natural Beauty and a World Heritage Site;
  - c. the importance of protecting the reservoir water supply in the Chew Valley.
6. To note the dangers such as those outlined in the British Geological Survey report, including the serious risk that deep well Shale Gas exploration and inappropriate geothermal energy exploitation poses to the hot springs;
7. That this Council believes that it should seek to adopt whatever measures available to control, and if appropriate prevent, the use of potentially damaging unconventional gas exploration and extraction, as well as inappropriate geothermal energy exploitation, within Bath and North East Somerset.
8. To request that the Leader of Council and Chief Executive formally register the concerns of Council with the Department for Energy & Climate Change relating to unconventional gas exploration and extraction and geothermal exploitation within Bath and North East Somerset and neighbouring areas regarding their impacts on the Bath Hot Springs, the environment, the reservoirs of North East Somerset and other water supplies throughout the wider area;
9. To request that Cabinet ask Officers to continue to work on this issue within the Placemaking plan and to produce a report, in advance of the completion of the Placemaking plan, on the study/ies that informed the development of the planning policy framework for dealing with the potential impact of unconventional on the potential impact and risks of unconventional gas exploration and extraction, as well as geothermal exploitation within Bath and North East Somerset in the context of the National Planning Policy Framework, and report back to full Council. This will include a summary explanation of the potential impact and risks of unconventional gas exploitation and geothermal energy exploitation within Bath and North East

Somerset, taking account of the report produced for B&NES by the British Geological Survey in October 2012;

10. As part of the report referred to in (9), to request that Cabinet report back to Full Council on measures available to the Council to control, and if appropriate prevent, the use of unconventional gas exploration and extraction and geothermal exploitation within Bath and North East Somerset;
11. To continue to work with Somerset County Council and other neighbouring authorities, and national Government, to examine the technical and environmental issues involved in unconventional gas exploration and extraction and geothermal exploitation;
12. To continue to support the appropriate development of renewable energy systems and improved energy efficiency in Bath and North East Somerset as set out in the draft Core Strategy in order to help achieve the transition from fossil fuels to sustainable sources of energy; and
13. To request that the Members of Parliament for Bath and North East Somerset convey Council's concerns to the appropriate Government Ministers.

*[Note; The above resolution was approved with all Councillors voting in support except for one abstention.]*

## **25 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS**

Councillor Paul Crossley made a statement updating the Council on a series of commitments and actions the Council is undertaking that demonstrate its commitment to sustainability. A copy of the full statement is available online and on the Council's Minute book.

In response to a question from Councillor Dave Laming about why the Council appeared to be against secondary double glazing, Councillor Crossley responded that he and Tim Ball had been working with English Heritage, Bath Preservation Trust and the Planning department to bring forward a policy for this that works with listed buildings. It has been done in Scotland and accepted by Scottish Heritage and they were working towards finding a solution that was acceptable to English Heritage.

The meeting ended at 8.15 pm

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**