

BATH AND NORTH EAST SOMERSET COUNCIL

MINUTES OF COUNCIL MEETING

Thursday, 17th December, 2015

Present:- **Councillors** Patrick Anketell-Jones, Rob Appleyard, Tim Ball, Colin Barrett, Jasper Becker, Sarah Bevan, Colin Blackburn, Lisa Brett, John Bull, Neil Butters, Anthony Clarke, Matt Cochrane, Paul Crossley, Chris Dando, Fiona Darey, Matthew Davies, Emma Dixon, Michael Evans, Andrew Furse, Charles Gerrish, Ian Gilchrist, Bob Goodman, Francine Haerberling, Alan Hale, Liz Hardman, Donal Hassett, Steve Hedges, Deirdre Horstmann, Eleanor Jackson, Steve Jeffries, Les Kew, Marie Longstaff, Barry Macrae, Alison Millar, Robin Moss, Paul Myers, Michael Norton, Bryan Organ, Lin Patterson, June Player, Christopher Pearce, Vic Pritchard, Joe Rayment, Liz Richardson, Caroline Roberts, Nigel Roberts, Dine Romero, Will Sandry, Mark Shelford, Brian Simmons, Peter Turner, David Veale, Martin Veal and Tim Warren

Apologies for absence: **Councillors** Cherry Beath, Jonathan Carr, Sally Davis, Douglas Deacon, Paul May, Shaun McGall, Lisa O'Brien, Karen Walker, Geoff Ward, Karen Warrington and Chris Watt

70 EMERGENCY EVACUATION PROCEDURE

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

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

The Chairman made the customary housekeeping announcements regarding the webcast, mobile phones and meeting procedures.

Declarations of interests had been registered on the Trade Union motion from Councillors John Bull, Anthony Clarke, Chris Dando, Liz Hardman, Eleanor Jackson, Joe Rayment, Nigel Roberts. The Monitoring Officer issued a dispensation so that all Councillors could take part in the debate.

The Chairman announced the following dates for civic events in 2016;

- Charity Gala – 6th February
- Civic Reception at Roman Baths – 8th March
- Parish & Town Councillors Reception – 20th April
- Reception for School Governors – 6th May

72 REFERENDUM ON PROPOSAL FOR BATH & NORTH EAST SOMERSET COUNCIL TO OPERATE A DIRECTLY ELECTED MAYOR AND CABINET EXECUTIVE INSTEAD OF A LEADER AND CABINET EXECUTIVE MODEL

The Council considered a report, deferred from 12th November meeting, setting out arrangements for the process required by legislation following receipt of a valid petition requesting a referendum on a move to a Directly Elected Mayor and Cabinet

Executive form of governance. The report also made proposals for operating this type of governance model, and made reference to fees payable.

On a motion from Councillor Tim Warren, seconded by Councillor Francine Haeberling, it was

RESOLVED

1. To note the position concerning the receipt of a valid petition as set out in paragraph 5.1 of the report;
2. For the purposes of the publication of a notice required by Regulations 17(1) and (2), to approve the proposals set out in Appendix One on the operation of a Directly Elected Mayor and Cabinet Executive Model arrangements, should this model be implemented following a referendum;
3. To approve the proposals for seeking recommendations of the Independent Remuneration Panel in the event of a vote in favour of a directly elected mayor in the referendum, as set out in paragraph 5.7 of the report; and
4. To approve the fees as out in Appendix two of the report.

[Note: The motion was carried with 41 Councillors voting in favour, 0 against and 13 abstentions.]

73 BATH & NORTH EAST SOMERSET LOCAL DEVELOPMENT SCHEME 2015-2019

The Council considered a report, deferred from the meeting on 12th November, seeking agreement to the revised Bath & North East Somerset Local Development Scheme in order to establish the priorities for the preparation of Planning Policy documents for the period 2015-2019.

On a motion from Councillor Liz Richardson, seconded by Councillor Bob Goodman, it was

RESOLVED

1. To agree the Local Development Scheme in Annex 1 as the effective Local Development Scheme for Bath & North East Somerset for 2015-2019;
2. To delegate authority to the Divisional Director for Development, in consultation with the Cabinet Member for Homes and Planning, to make minor amendments to the Local Development Scheme before publication; and
3. That the Bath & North East Somerset Local Development Scheme 2015-2019 should be effective from 20th November 2015.

[Note: The above motion was carried with 41 Councillors voting in favour, 0 against and 13 abstentions]

74 THE LOCAL COUNCIL TAX SUPPORT SCHEME (LCTS) 2016-17

The Council considered a report, deferred from the meeting on 12th November, proposing a continuation of the Local Council Tax Support scheme (LCTS) into its fourth year, with the policy to incorporate uprating of national personal allowances and benefits as necessary.

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

RESOLVED

1. To approve delegated authority for the Lead Cabinet Member for Finance and Efficiency and the Section 151 Officer of Bath & North East Somerset Council to agree that there are no changes to the existing Council Tax Support Scheme for 2016-17, other than the application of national uprating adjustments and technical changes to ensure legal compliance as soon as practical; and
2. To approve work to design an even more simplified scheme from April 2017-18 (which could enable greater use of digital channels for those claimants who can and choose to use them, and reduced complexity for both customers and personnel involved in delivering the support).

75 PARISH COUNCILS: LOCAL COUNCIL TAX SUPPORT SCHEME GRANT

The Council considered a report, deferred from the meeting of 12th November, proposing reductions and then phasing out of the level of grant paid in light of the reductions to core funding received from central government.

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

RESOLVED

1. To approve the 2016/17 Parish Local Council Tax Support Scheme grants as set out in Appendix 1 to the report; and
2. To approve the proposal to phase out the remaining grant from 2017/18 onwards as set out in Appendix 1 of the report, subject to confirmation of the Council's financial planning assumptions in the Local Government Finance Settlement.

[Note: The above motion was passed with 41 Councillors voting in favour, 13 against and 0 abstentions.]

76 REQUEST BY DUNKERTON PARISH COUNCIL TO CHANGE ITS NAME TO DUNKERTON AND TUNLEY PARISH COUNCIL

The Council considered a report, deferred from the Council meeting on 12th November, concerning a request from Dunkerton Parish Council to change its name.

On a motion from Councillor David Veale, seconded by Councillor Les Kew, it was unanimously

RESOLVED to note the receipt of the request from Dunkerton Parish Council to change its name and agree to the making and publication of a Notice under Section 75 of the Local Government Act 1972 to change the name of Dunkerton Parish Council to Dunkerton and Tunley Parish Council.

77 TREASURY MANAGEMENT MONITORING REPORT TO 30TH SEPTEMBER 2015

The Council considered a report, deferred from the November Council meeting, giving details of performance against the Council's Treasury Management Strategy and Annual Investment Plan 2015/16 for the first six months of 2015/16.

On a motion from Councillor Charles Gerrish, seconded by Councillor Tim Warren, it was unanimously

RESOLVED

1. To note the Treasury Management report to 30th September 2015, prepared in accordance with the CIPFA Treasury Code of Practice; and
2. To note the Treasury Management Indicators to 30th September 2015.

78 REVIEW OF THE COUNCIL'S STATEMENT OF PRINCIPLES UNDER THE GAMBLING ACT 2005

The Council considered a report, deferred from 12th November, requiring the Council, as licensing authority to review its Statement of Principles.

On a motion from Councillor Paul Myers, seconded by Councillor Martin Veal, it was

RESOLVED to adopt the Statement of Principles provided in Annex B to the report, having had regard to the responses received following the public consultation exercise, as recommended by the Licensing Committee.

[Note: The above resolution was passed with 46 Councillors voting in favour, 5 against and 2 absentions.]

79 REQUIRED AND PROPOSED AMENDMENTS TO THE CONSTITUTION

The Council considered a report, deferred from the meeting on 12th November, concerning various amendments to the Constitution.

On a motion from Councillor Tim Warren, seconded by Councillor Charles Gerrish, it was

RESOLVED

1. That the amendments to the Council's Constitution as set out in Appendices 1 to 6 to the report be approved; and
2. That the business of the February 2016 Council meeting focuses on budget items only (with discretion to the Chairman to add urgent items to the agenda) and members of the public wishing to speak are limited to items relevant to the budget and for 90 minutes only, with written notification submitted prior to the meeting and the Chairman to ensure a full range of budget issues are covered.

[Notes:

1. *During the debate, an amendment was moved by Councillor Dine Romero, seconded by Councillor Alison Millar, to approve appendices 1 to 6 but refer all remaining items back to the Constitution Working group. This motion was lost with 14 Councillors voting in favour, 40 against and 0 abstentions.*
2. *The wording underlined in resolution 2 above was proposed by Councillor Robin Moss and accepted into the substantive motion by the mover and seconder.*
3. *The successful resolution above was carried unanimously.*
4. *During the debate, a short adjournment was called to enable clarification on the wording of Councillor Robin Moss' amendment.]*

80 MOTION FROM THE LABOUR GROUP - TRADE UNION BILL

A motion was moved by Councillor Robin Moss, seconded by Councillor Joe Rayment, regarding the Trade Union Bill.

Following a vote, this motion was not carried.

[Note: The motion was lost, with 22 Councillors voting in favour, 31 against and 1 abstention.]

81 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS

Councillor Will Sandry had withdrawn his statement, originally registered for 12th November, so there were no items from Councillors.

The meeting ended at 8.20 pm

Chairman

Date Confirmed and Signed

Prepared by Democratic Services