

BATH AND NORTH EAST SOMERSET COUNCIL

MINUTES OF COUNCIL MEETING

Thursday, 10th May, 2018

Present:- **Councillors** Cherry Beath, Patrick Anketell-Jones, Rob Appleyard, Tim Ball, Colin Barrett, Jasper Becker, Sarah Bevan, Colin Blackburn, John Bull, Neil Butters, Anthony Clarke, Matt Cochrane, Paul Crossley, Chris Dando, Matthew Davies, Sally Davis, Emma Dixon, Michael Evans, Charles Gerrish, Ian Gilchrist, Lizzie Gladwyn, Bob Goodman, Francine Haerberling, Liz Hardman, Steve Hedges, Deirdre Horstmann, Eleanor Jackson, Les Kew, Marie Longstaff, Barry Macrae, Paul May, Alison Millar, Robin Moss, Paul Myers, Lisa O'Brien, Michelle O'Doherty, Bryan Organ, Lin Patterson, Vic Pritchard, Liz Richardson, Caroline Roberts, Nigel Roberts, Dine Romero, Will Sandry, Mark Shelford, Brian Simmons, Peter Turner, Martin Veal, Karen Walker, Geoff Ward, Tim Warren, Karen Warrington and Chris Watt

Apologies for absence: **Councillors** Fiona Darey, Douglas Deacon, Andrew Furse, Alan Hale, Steve Jeffries, Shaun Stephenson-McGall, Michael Norton, June Player, Joe Rayment, Richard Samuel and David Veale

1 EMERGENCY EVACUATION PROCEDURE

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

2 ELECTION OF CHAIR(MAN) FOR 2018-19

It was proposed by Councillor Sarah Bevan, seconded by Councillor Tim Warren, and supported by Councillors Dine Romero and Robin Moss and then

RESOLVED that Councillor Karen Walker be elected Chairman of the Council for the Council year 2018/19.

Councillor Karen Walker made and signed her Declaration of Acceptance of Office, received the Chain of Office from Councillor Cherry Beath and presented the Consort's badge to her husband, Dave. Councillor Walker then addressed the Council. During her speech, Councillor Walker indicated that her preferred form of address was Madame Chair. She informed Council that her theme for the year would be 'inclusion for all, living life to the full' and her chosen charities would be Dorothy House Hospice who now support Motor Neurone Disease at the RUH, and Forces Online.

FROM THIS STAGE OF THE PROCEEDINGS, COUNCILLOR KAREN WALKER PRESIDED AT THE MEETING.

3 ELECTION OF VICE CHAIR(MAN) FOR 2018-19

It was proposed by Councillor Robin Moss, seconded by Councillor Tim Warren, and unanimously

RESOLVED that Councillor Eleanor Jackson be elected Vice-Chairman of the Council for the Council year 2018/19.

Councillor Eleanor Jackson made and signed her Declaration of Acceptance of Office, received the Chain of Office from Councillor Karen Walker and thanked the Council for her appointment.

4 DECLARATIONS OF INTEREST

The Deputy Monitoring Officer issued a general dispensation to enable Members with roles as Parish and Town Councillors to be able to take part in debate and vote on agenda item 9 – Parish Charter Review.

5 MINUTES - 22ND MARCH 2018

On a motion from Councillor Tim Warren, seconded by Dine Romero, it was

RESOLVED that the minutes of 22rd March 2018 be confirmed as a correct record and signed by the Chair.

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

Councillor Karen Walker presented Councillor Cherry Beath with her past Chairman's badge.

It was proposed by Councillor Tim Warren, seconded by Councillor Dine Romero and supported by Councillors Robin Moss and Sarah Bevan and

RESOLVED that this Council places on record its appreciation of the services performed by Councillor Cherry Beath in the office of Chairman of the Council for 2017/18.

Councillor Cherry Beath then addressed the Council and, in so doing, explained how much she had enjoyed the role. She commended the public who continued to bring important community issues to the chamber and praised the work done by volunteers in the community. She commended the work of her chosen charities and thanked the Chair's support staff and her husband, Richard, for supporting her in his role as consort. On conclusion, Councillor Beath then took a seat in the body of the Chamber.

The Chair then;

1. Asked everyone to turn off their mobile phone or switch to silent to avoid disrupting the meeting, and explained that some Councillors were accessing their meeting papers via iPads;
2. Announced that the meeting was being webcast and invited anyone who did not wish to be filmed to make themselves known to the camera operators;

3. Invited the Council to stand for a minute's silence following the recent death of former B&NES Councillor Chris Pearce.
4. Encouraged Members to sign up for one of the GDPR Member training sessions being organised for 14th & 15th May.
5. Congratulated the Roman Baths for winning GOLD & SILVER awards at the VisitEngland 2018 Tourism Awards for Excellence.
6. Further congratulated Bath Record Office who had secured a grant of £138,000 from the Wellcome Trust to help conserve and digitise records relating to the development of the public health infrastructure of Bath.
7. Invited the Leader to make a speech of thanks to Strategic Directors Andrew Pate and Louise Fradd who would both shortly be leaving the Council.

7 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There were no items of urgent business.

8 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC

Statements were made by the following members of the public;

Rosemary Naish, speaking as Chair of the B&NES ALCA group, made a statement thanking all those involved in producing the Parish Charter document which had been developed over the last 18 months. A full copy of Rosemary's statement is available on the Minute book and online. In response to a query from Councillor Liz Richardson, a Parish Councillor herself, as to whether Rosemary considered there could be more effective working between B&NES and Parish Councillors, Rosemary responded that relationships were certainly more effective than in the past and she hoped they would continue to develop.

Laura Darling made a statement about mooring and boating issues at Mead Lane in Saltford. A full copy of Laura's statement is available on the Minute book and online. Councillor Neil Butters asked Laura if she considered there would be some value in having a named contact in the Council with whom they could raise issues, to which Laura responded that that would be helpful.

Andy Thearle, Secretary for the National Heritage Ironwork Group, made a statement highlighting the various issues regarding historic ironwork and drawing Councillors' attention to the upcoming Bath IRON festival. A full copy of Andy's statement is available on the Minute book and online. Councillor Tim Warren asked Andy how much rent the Council was charging his group to use the park for their event, to which Andy responded there was no charge. Councillor Dine Romero asked Andy for good examples of what he was looking for elsewhere in the country, to which he mentioned Stratford and Scotland but explained that the South West was bereft of such a place. Councillor Robin Moss asked Andy if he had approached the West of England Mayor who has a budget for this type of event, to which Andy responded that he had not and another grant they had secured had unfortunately

been withdrawn. Councillor Sarah Bevan asked Andy if he was aware of the Freshford Centre, to which he replied that he was.

Nicolette Boater made a statement about effective and inclusive governance. A redacted copy of Nicolette's statement is available on the Minute book and online.

The Chair referred all statements to the relevant Cabinet Members.

9 APPOINTMENT OF COMMITTEES & PANELS AND OTHER ANNUAL BUSINESS

The Council considered a report concerning the non-executive and regulatory committee arrangements for the Council Year May 2018 to May 2019 and associated annual business.

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

RESOLVED

1. To approve the structure for non-executive and regulatory decision making and Policy Development & Scrutiny working (set out in current form in Appendix 1 of the report);
2. Accordingly, to appoint those bodies with membership, terms of reference and delegated powers as set out in the Constitution, noting the revisions and points outlined in paragraphs 4.3 & 4.4 of the report, **and with the amendment to the 5th line of the Development Management Committee Terms of Reference Section 8 to replace the words 'contrary to policy' with the words 'contrary to law or locally or nationally adopted planning policy'**;
3. To 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. To 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;
5. To 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. To determine the bodies on which co-opted and independent members are to have seats as either voting or non-voting members and appoint such members accordingly (current arrangements are set out in Appendix 1);
7. To 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 5 of the report;

8. To note the arrangements for the conduct of Cabinet business, the urgent decisions that have been taken in the last municipal year and the arrangements concerning the Health & Care Board, as set out in section 6, and also noting the additional rule 16 decision which had been circulated to the meeting and is attached to the online minutes;
9. To instruct the Monitoring Officer, in consultation with Group Leaders, to make appointments on non-executive outside bodies and note that the Leader or Cabinet Members will do so for executive outside bodies, where such vacancies arise;
10. To agree the arrangements regarding outside body appointments, as set out in section 7 of the report, and **note that for appointments to the Avon Fire Authority, the limit of 2 terms or 8 municipal years will apply, and that this same limit will apply for appointments to all other outside bodies unless there are exceptional or extenuating circumstances to be agreed by Group Leaders;**
11. To note the amendment to the Constitutional procedure rules with regard to the Standards Committee as outlined in section 8 of the report;
12. To adopt the revised Local Code of Corporate Governance into Part 6 of the Constitution – ‘Codes of Conduct and Working Protocols’, as described in section 8.2 of the report;
13. To note the production of the Chairman’s Civic Handbook, as described in section 8.4 of the report, **and instruct the Monitoring Officer to update this to reflect feedback from the Chair of Council and recent former Chairs, particularly with regard to contemporary practice, before it is put into use;**
14. To note the calendar of meeting dates that has been prepared up to May 2019 which is available on the Council’s website; and
15. To 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 resolution above was carried with 1 Councillor voting against, 2 Councillors abstaining and the remainder voting in favour;*
2. *The wording in bold in resolution 2. was proposed by Councillor John Bull and accepted into the substantive motion by the mover and seconder;*
3. *The wording in bold in resolutions 10. and 13. was proposed by Councillor Dine Romero and accepted into the substantive motion by the mover.]*

10 REVISED PARISH CHARTER 2018

The Council considered a report seeking its endorsement to the revised Parish Charter which was adopted by Cabinet in April 2018.

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

RESOLVED

1. To endorse the revised Parish Charter attached as Appendix 1 to the report; and
2. To adopt the Terms of Reference for the Parish Liaison meeting contained within the Parish Charter at its Appendix 1.

11 DESIGNATION OF CHIEF FINANCIAL OFFICER

The Council considered a report seeking confirmation of the designation of the Director of Finance (Donna Parham) as the Council's Section 151 Officer (Chief Financial Officer) with effect from 11 May 2018.

On a motion from Councillor Charles Gerrish, seconded by Councillor Karen Warrington, it was unanimously

RESOLVED

1. That the Council designate the Director of Finance as the Council's Chief Financial Officer, in accordance with section 151 of the Local Government Act 1972, with effect from 11 May 2018; and
2. To agree the related delegations changes arising from the removal of the Strategic Director – Resources post with effect from 11 May 2018.

12 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS

The Chair made reference to the 7 questions from Councillors and responses, which had been circulated to the meeting.

The meeting ended at 7.50 pm

Chairman

Date Confirmed and Signed

Prepared by Democratic Services