

## PARISH LIAISON MEETING

### Minutes of the Meeting held

Wednesday, 24th October, 2018, 6.30 pm

**Councillors:** Councillor Karen Walker (Chairman), Councillor Tim Warren (Cabinet Member), Councillor Bob Goodman (Cabinet Member), Councillor Paul May (Cabinet Member), Councillor Paul Myers (Cabinet Member), Councillor Vic Pritchard (Cabinet Member), Councillor Mark Shelford (Cabinet Member) and Councillor Karen Warrington (Cabinet Member)

**Parish Representatives:** Rosemary Naish (Chair, B&NES ALCA) and Clive Fricker (Vice-Chair, B&NES ALCA) and representatives of Bathampton PC, Batheaston PC, Camerton PC, Chew Magna PC, Clutton PC, Compton Dando PC, Dunkerton & Tunley PC, Farmborough PC, Farrington Gurney PC, Freshford PC, High Littleton PC, Keynsham TC, Monkton Combe PC, North Stoke Parish Meeting, Peasedown St John PC, Priston PC, Saltford PC, Shoscombe PC, South Stoke PC, Stanton Drew PC, Temple Cloud & Cameley PC, Timsbury PC, Ubley PC, Westfield PC, Whitchurch PC

**Also in attendance:** Maria Lucas (Director of Legal and Democratic), David Trethewey (Director of Partnerships and Corporate Services), Andy Thomas (Head of Strategy, Engagement & Marketing), Sara Dixon (Locality Manager), Cathryn Brown (Environmental Protection and Licensing Manager) and Mark Cassidy (Team Leader Parks & Trees)

#### 13 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting.

#### 14 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer advised the meeting of the procedure.

#### 15 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Charles Gerrish, Compton Martin PC, West Harptree PC and Kirsten Matthews, Clerk of Wellow PC.

#### 16 URGENT BUSINESS AS AGREED BY THE CHAIR

There was none.

#### 17 MINUTES OF PREVIOUS MEETING: 30 MAY 2018

These were approved as a correct record and signed by the Chair.

#### 18 UPDATE FROM GIIGACLEAR ON FULL FIBRE ROLLOUT AND FUTURE PARISH LIAISON

Richard Olive, Connecting Devon & Somerset Deployment Manager, Gigaclear, gave a presentation. A copy of this PowerPoint slides is attached as appendix 1.

In reply to questions from delegates Richard said:

- In the areas where they are contracted to build their network, Gigaclear is also contracted to provide a connection for every property.
- This installation programme is being overseen by Connecting Devon and Somerset (<https://www.connectingdevonandsomerset.co.uk/>) Broadband Delivery UK (BDUK), part of the Department for Digital, Culture, Media and Sport, are contributing 20% of the funds.
- Gigaclear prefer to lay cables in agricultural land and verges rather than roads, where this is possible, to minimise disruption. Permission is sought from landowners to carry out the work. Gigaclear only connect a property to the network if a request from the householder has been received. Gigaclear do not enter private land without permission.
- A broadband cabinet can connect about 400 homes and generally serves 3-4 parishes. When plans have been made for an area, Gigaclear will send letters to all landowners in the area.
- Gigaclear has considered the feasibility of duct sharing with BT, but in rural areas BT's network is mostly overhead. Where duct sharing does occur it is generally only for a limited period of time, so Gigaclear would eventually have to put its cables in a separate trench. There are a few areas where it is feasible to install cables over buildings.
- It has not been possible for Gigaclear to co-ordinate work with TrueSpeed. TrueSpeed is a commercial company, which chooses when and where it wishes to extend its coverage, but Gigaclear is working to a Government contract. Neither of the companies is building a traditional network; they are installing small cable tubes without excess capacity and sharing is impracticable. If Gigaclear decided not to proceed in an area already enjoying a high level of broadband connectivity, it would have to renegotiate its contract with BDUK.
- Gigaclear might eventually establish its own ISP service, but the network would remain open access, as this was a condition of its contract with BDUK. Gigaclear has 2 websites: Gigaclear.net, which is the marketing site, and Gigaclear.com
- If anyone has any concerns or would like to talk directly to Gigaclear contact email: [info@gigaclear.com](mailto:info@gigaclear.com) or tel: 01865 591100.

**19 UPDATE FROM THE LEADER OF BATH AND NORTH EAST SOMERSET COUNCIL, COUNCILLOR TIM WARREN**

Councillor Warren updated the meeting.

### **Our Young Stars Awards**

These aim to recognise and celebrate the outstanding achievements of extraordinary young people in the area. They complement the Community Awards, which are hosted by the Chair. The closing date for nominations for Our Young Stars is 21<sup>st</sup> November 2018, and presentations will be made at a Gala Awards Dinner on 9<sup>th</sup> March 2019. Nomination forms can be downloaded from <http://www.bathnes.gov.uk/ouryoungstars>.

The deadline for nominations for the Community Awards is 21<sup>st</sup> December 2018. Nominations can be made online at: <http://www.bathnes.gov.uk/services/neighbourhoods-and-community-safety/local-awards/chairmans-community-business-awards>. The awards will be presented at an event on 27<sup>th</sup> February 2019.

### **Influencing Central Government**

A document is being prepared for November Council, which sets out our key “requests” to central Government. These include proposals for a tourism levy and for rebalancing contributions made by business, so that online retailers pay their share and we can raise money to invest in our High Streets.

The document will be available at the end of the month, and I encourage you to have a look at it and consider adding your voice to support change. I need to stress that this is not just about asking for more money, but about us being self-sufficient.

The document can be viewed and downloaded from: <https://democracy.bathnes.gov.uk/documents/s53251/Appendix%20-%20Influencing%20central%20government.pdf>

### **WECA and Rural Transport**

We know there is a great deal of concern about reductions in rural bus services. WECA are in the process of developing a Bus Strategy, which will be announced on 30<sup>th</sup> November 2018. This will include all issues relating to the bus network, so is worth watching out for.

Some more good news on rural transport is a proposal from Clutton Parish Council to create a new community transport service connecting Clutton and other villages in the Chew Valley and Somer Valley to Bath and the Park and Ride. Other parishes, including Camerton, Dunkerton and Timsbury have also expressed interest. We are working with the parishes on the details of the proposal, which would be funded by Section 106 contributions. The aim is commence operation of the service, which would be licensed to call at public bus stops, from August 2019.

Our aim in working with WECA is to get some common sense proposals “on the ground”. The work to be done at Bence’s Garage complements the Two Headed Man improvements, and will definitely ease access in that part of the world by addressing a “pinch point” on the road network. (See

<http://www.bathnes.gov.uk/services/parking-and-travel/transport-plans-and-policies/a39-junction-improvements>)

Improvements on the railway will include a half-hourly service from Severn Beach to Westbury. It is hoped that increased train frequencies at Keynsham and Oldfield Park will be possible.

I also want to flag up the current air quality consultation, on which there is an item later on tonight's agenda. The proposal covers central Bath, but there are benefits from it for the whole of B&NES.

Councillor Mark Shelford (Cabinet Member for Transport and Environment) said that the work at Bence's Garage should be completed in November. WECA has very helpful and will be supporting the next B&NES tram feasibility study. This will be done as part of the Mass Rapid Transit Project, sponsored by Bristol, which has two parts, Bristol Airport – Bristol TM and Bristol TM– Bath. The Bristol TM – Bath section will now be given priority, because there are concerns about the cost of the section from Bristol Airport, as it may have to go underground, while the Bath section is technically much easier. A feasibility study will be required. He was keen that when the Clean Air Zone came into effect in Bath to see additional investment for buses in rural areas.

Leonard Sheen, Chairman of High Littleton PC, said that as from the previous weekend the service on the 718 bus had been reduced by half. There would now be no service between High Littleton and Bath on either Saturday or Sunday. He asked how additional services to High Littleton would be created by the Clean Air Zone. Councillor Shelford replied that it would be challenging, but the Council was committed to working with central Government on finding solutions.

Chris Warren, Chair of Saltford PC, said that on Points West recently a First Group spokesman had said that First can do almost nothing to improve bus services in Bristol and Bath, because the roads are full to capacity. Yet hundreds of additional homes are being built in Keynsham and Bath, and thousands of additional people are moving into Bath. There is a real danger of gridlock. There is now talk of a new Mass Rapid Transit network, but such a thing already exists: the railway. Saltford has been campaigning for a new station for a long time. The local MP is very supportive and the community wants it. Yet we are hearing various reasons why the station is not going to be built, such as the difficulty of timetabling trains. It seems ridiculous that there is going to be an unmanageable increase in traffic, while there is a sensible solution available, the reinstatement of the station that was closed in 1970. He asked why the Council was not supporting the reinstatement of Saltford station. Councillor Tim Warren responded that Chris Warren had attended a meeting at which Network Rail had explained there was insufficient line capacity to allow trains to serve a station at Saltford. There is no point in spending money to build a station at which trains cannot stop. If Network Rail said that a train service could be provided to the station, the Council would support it. He was convinced that the right approach was through WECA; if the Mass Rapid Transit Project came to fruition, it would allow a greater number of intermediate stops to enjoy a higher frequency of services.

Chris Gittins, Clerk of Timsbury PC, said that at their next parish meeting there would be a discussion on reductions in the 179 bus service. One option that might be

considered would be to set up a community bus service before August 2019, when the 179 bus might be withdrawn completely. If the 179 continued after August, the community bus could be in competition with a commercial service. He asked if Councillor Shelford could dispel the uncertainty. Councillor Shelford said that he could not promise that the Council would continue to subsidise the 179. Matters would be clearer after the WECA bus strategy had been finalised. It had been agreed that the strategy should start with a clean sheet and not simply try to replicate the inherited pattern of bus provision, but be based on where people live and travel now. That analysis is currently being done. He was strongly in favour of the Council providing subsidies for bus services, because his experience of living in different parts of the world had taught him that public transport systems do not work unless they are publicly subsidised.

Leonard Sheen, Chairman of High Littleton PC, said that rural communities were going to be very adversely affected by reductions in bus services, but it appeared no additional support would be available for rural areas from the Council until at after 2021, if they were lucky. It appeared that the Council was only interested in the City of Bath and that Parish Councils were expected to make up shortfalls by increasing local levies. The City of Bath has no local councils, but the parishes fund many things in Bath. Councillor Tim Warren pointed out that he was a North East Somerset resident. If Bath was split from North East Somerset, Council Tax in North East Somerset would increase. The Council is under significant financial pressure, however the Council was exploring new sources of income and becoming self-sufficient.

Ron Hopkins, Vice-Chair of Westfield PC, said that there was a large horseshoe-shaped swathe in the south of B&NES, which included Westfield, Radstock, Midsomer Norton and many villages, which had no green belt and would not benefit from high-speed trains or trams, but where there will be a lot of new building served by roads and infrastructure that have not changed much since 1958. He urged the Council to give more consideration to rural communities.

## **20 UPDATE FROM CABINET MEMBERS - COUNCILLOR MARK SHELFORD/COUNCILLOR PAUL MAY**

Councillor Paul May apologised that there had been problems with arrangements for home-to-school transport this year, particularly in Peasedown St John. Working out the arrangements was a complex exercise, because there were rules about which children were entitled to home-to-school transport. This year there had to be additional conversations with officers, because the bus service was not operating at the times children needed to go to school. Officers then spoke to the bus company to resolve the problems. He acknowledged that the matter had not been handled as well as it should have been.

Kathy Thomas, Peasedown St John PC, said that residents had been concerned because it had appeared that there had been discrimination against some children. She was not sure that had been addressed. Councillor May replied that the rules for home-to-school transport were very clear in the legislation. If distinctions were made between children, they had been in the rules for a long time and were not introduced by the Council. Kathy said that some children had been given bus passes, but these did not take them to school, but to central Radstock. Councillor Shelford said that the bus pass took them to the nearest bus stop to the school on that route, which was at

the bottom of the hill. They then had to walk up the hill. The bus times were changed to account for this. Councillor May said that he felt that the Council had not communicated as well as it should have done. The school application process was complicated, many children did not get their first preferences and finalising the details took time. However, the Council should have communicated some simple messages at the start of the summer and not mid-summer when many people were on holiday.

## **21 UPDATE FROM CABINET MEMBER FOR ECONOMIC AND COMMUNITY REGENERATION, COUNCILLOR PAUL MYERS**

Councillor Myers updated the meeting.

### **Community Infrastructure Levy**

He noted that this was the most-raised item at the Parish Liaison Meeting. Following on from the last meeting he and officers met five parish councils, Freshford, Tunley, Clutton, Keynsham and Midsomer Norton. He believed that all the individual points raised had now been worked through. Feedback from this exercise would inform a workshop for towns and parishes to be held on 6<sup>th</sup> December 2018 in the Somerdale Pavilion, Fry's, Keynsham. Invitations to this had been issued.

### **Parish Sweeper Scheme**

He said that while this was in Councillor Goodman's Cabinet portfolio, he had picked it up as an issue in Parish Charter discussions. A workshop was held and an offer sent to the 18 parishes in the scheme in August. They had until December to respond if they wished to take up the transition offer. 3 parishes had so far confirmed that they would accept the offer. Parishes in the scheme which had not received the offer or did not fully understand it should contact Sara Dixon, locality manager. The definition of the Cleansing – Core Service, available to the whole of B&NES, had been circulated with the agenda.

Hilary Collins, Clerk of Ubley PC, asked whether it would be necessary to retain the same hours for their parish sweeper for the two-year transition period, as the income for B&NES would be reduced in the first year and would be nil in the second year. If they had to keep his hours the same for those two years, it would give the parish no flexibility and it would be forced to increase the precept to cover his salary. Councillor Myers said that he would be happy to have discussions with her outside the meeting.

### **Grass Cutting and Verge Maintenance**

Councillor Myers showed some PowerPoint slides. A copy of these is contained in appendix 2 to these minutes.

He said that a decision had been taken as an efficiency measure to cease to cut grass on land that the Council did not own. Issues about liability and insurance arose if the Council carried out work on land it did not own. Land in the area had accordingly been allocated to one of four categories:

Category 1: The Council owns the land and is responsible for its maintenance.

Category 2: There is no identifiable legal owner (eg due to missing documentation) – the fact that the Council has regularly cut grass in the past, does not mean it has ongoing liability to do so.

Category 3: Owned by the Crown (eg dissolved ownership where developer has gone out of business) – known as *bona vacantia*. There needs to be discussion as to what the Council might do in these cases.

Category 4: Other ownership (eg Curo, Developer) – where Council land has been transferred to other parties, they should assume responsibility for its maintenance.

Mark Cassidy, Team Manager Parks and Bereavements Services, had done an excellent job in clarifying the ownership of land in the district. Councillor Myers hoped that the Council and towns and parishes would be able to liaise constructively if there were questions about the maintenance of particular pieces of land.

Ron Hopkins, Vice-Chair of Westfield PC, asked why a piece of land did not revert to the Crown if its legal owner could not be identified, thus removing the distinction between categories 2 and 3. Councillor Myers replied that the distinction was the certainty in category 3 that there was no owner, because the previous owner, such as a developer, had gone bankrupt, compared with the uncertainty about ownership in category 2, arising through missing documentation, for example, when it is believed that there is an owner. Ron suggested that a decision had to be made about ownership in such cases. Various councils had been cutting grass for 43 years in some areas and put signs up and prosecuted people for parking on the grass or allowing children to play ball games. Then suddenly, without warning, the Council decided to walk away. Parish councils did not know what to do. Councillor Myers said the Parish Charter existed to improve co-operation between the Council and towns and parishes. The first step being taken was to compile a definite record of the ownership of relevant land, and then the Council would work through the issues with towns and parishes on a case by case basis.

### **Council Website Redesign**

Representatives from towns and parishes would be invited to participate in user testing of the new website. The Council would like to invite a small group of parish council representatives to take part in some user testing, in a similar way to the user group for Fix My Street. If anyone was interested in taking part, please contact Sara Dixon, Locality Manager email: [sara\\_dixon@bathnes.gov.uk](mailto:sara_dixon@bathnes.gov.uk).

### **Tourism – Visit Bath and Somerset**

For many years there have been complaints that Bath Tourism Plus is only interested in tourism in the City of Bath. This summer a letter was sent to every town and parish notifying them that free membership of Visit Somerset had been obtained for them for one year. Visit Somerset would publicise events and attractions in towns and parishes and include them on their map. He urged towns and parishes to use this facility before the free membership lapsed. He would invite Visit Somerset to attend a future meeting and show their tourism map. If anyone had queries, they should contact Tina Veater, email: [tina@visitsomerset.co.uk](mailto:tina@visitsomerset.co.uk) or tel: 91761 409830

## **Future Bright**

This is a WECA initiative to boost skills and opportunities for up to 3000 adults who are in work and receiving in-work benefits, with the aim of getting them into secure and better-paid jobs. Please help promote this initiative to your local residents. Details are on the WECA website at:

<https://www.westofengland-ca.gov.uk/future-bright/>

## **Community Empowerment Fund**

Councillor Myers showed some PowerPoint slides showing the allocation of funding and examples of completed projects. A copy of these slides is included in appendix 2 to these minutes.

## **Parish Charter**

The revised Parish Charter was ratified at the ALCA AGM in September 2018. Work was progressing on the Parish Toolkit. A survey of parishes to obtain practical information had been done. He urged towns and parishes to use the new Charter to facilitate communications with B&NES Council.

## **Consultation Engagement**

At the Bath City Forum there had been criticism of the B&NES consultation process, and detailed suggestions for improvements had been made. A meeting with the Chairs of all the forums had taken place to discuss these. In November there would be an agenda item at all of the Forums to discuss feedback and comments about consultation in B&NES. There is already a great deal of information about consultation on the Council's website. It should be remembered that there are specific rules relating to statutory consultations, for example about planning matters, and the discussions that will take place about consultation in B&NES will not affect statutory rights. One of the problems with consultation is that often fully-formed ideas are presented for consultation to a totally-unprepared audience. He hoped that the large amount of information published in advance of the Air Quality Consultation would mean that the community was better informed about the rationale for the proposals. Another issue is that many people are hard to reach, and yet could be affected by many proposals. Delegates would be welcome to attend the Forum in November.

Because of pressure of time, the Chair was unable to allow any further comments or questions, and invited delegates to contact Sara Dixon, Locality Manager, about them.

The Chair thanked Councillor Myers for the updates.



Cathryn Brown, Team Manager – Licensing and Environment, made a presentation. A copy of her PowerPoint slides is attached as appendix 3 to these minutes.

Further information and details of future consultation events are available on the Council's website at:

<http://www.bathnes.gov.uk/latestnews/air-pollution-consultation-help-bath-breathe>

The Chair apologised that because pressure of time it would not be possible to take comments or questions from delegates.

The Chair thanked Cathryn for her presentation.

## **23 UPDATE ON PURDAH RULES AND ELECTION COSTS**

Maria Lucas, Director – Legal and Democratic, gave a presentation. A copy of her PowerPoint slides is given in appendix 4.

For the next Local and Parish Elections, purdah starts on **18<sup>th</sup> March 2019** and ends on **3<sup>rd</sup> May 2019**.

The legal basis for the purdah rules are contained in section 2 of the Local Government Act 1986:

(<https://www.legislation.gov.uk/ukpga/1986/10/section/2>)

and the Code of Recommended Practice on Local Authority Publicity

([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/5670/1878324.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/5670/1878324.pdf)).

Maria discussed with delegates several issues illustrating the working of purdah:

### Scenarios I

1. There was no problem before purdah. Ok during purdah if purely factual.
2. The Clerk should issue a factual statement denying the allegation.
3. No - this is outside the rules.

### Scenarios II

4. No - this is outside the rules.
5. The Chair cannot sign a contract on behalf of the Council. Only the Clerk can do this.
6. The Parish Council can put an article in its newsletter encouraging residents to vote, but it cannot suggest which way people should vote on the Neighbourhood Plan.

### Scenarios III

7. If the parish council has supported Julian House in previous years then it could be considered "business as usual" and there would be no problem. If it is controversial, then it should go ahead.
8. No information can be published about a Councillor who is being investigated under the standards regime.
9. No - there is no limit on the number of candidates who can stand for election and the Clerk should provide the form.

Maria explained that there would be no charge for the main elections in 2019. There would be a charge for any by-elections, and the Electoral Services Manager has compiled a spreadsheet, which calculates the average cost of a by-election. This is available on request. The polling district review has identified some school premises as polling stations, where the previous ones did not fit the new boundaries. Schools have a legal obligation to make accommodation available.

Councillor Vic Pritchard asked what the consequences were of non-compliance with the purdah rules. Maria replied that there could be reputational risk for a council. There could also be liability for breach of the Act and there could be an election petition resulting in costs and a rerun of the election.

The Chair thanked Maria for her presentation.

## **24 DATES OF FUTURE MEETINGS**

It was noted that the next Parish Liaison Meeting was scheduled for 6 March 2019.

The Chair asked whether there were any suggestions for items for the next agenda. Delegates expressed serious disappointment that no discussion had been allowed about the Air Quality Consultation. The Leader of the Council, Councillor Tim Warren, responded that there was a 6-week consultation and a number of public events. He would happy to arrange another meeting for delegates to focus on this one issue. He and Councillor Bob Goodman would also be available for discussion after the meeting.

The Chair thanked everyone for attending the meeting.

The meeting ended at Time Not Specified

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**