

BATH AND NORTH EAST SOMERSET COUNCIL

MINUTES OF COUNCIL MEETING

Thursday, 13th October, 2022

Present:- **Councillors** Tim Ball, Sarah Bevan, Colin Blackburn, Alison Born, Shelley Bromley, Vic Clarke, Sue Craig, Gerry Curran, Chris Dando, Jess David, Sally Davis, Mark Elliott, Michael Evans, Andrew Furse, Kevin Guy, Liz Hardman, Steve Hedges, Joel Hirst, Lucy Hodge, Duncan Hounsell, Shaun Hughes, Dr Eleanor Jackson, Grant Johnson, Dr Kumar, Matt McCabe, Hal MacFie, Ruth Malloy, Paul May, Robin Moss, Paul Myers, Michelle O'Doherty, Lisa O'Brien, Bharat Pankhania, Vic Pritchard, Manda Rigby, Dine Romero, Mark Roper, Bruce Shearn, Brian Simmons, Alastair Singleton, Shaun Stephenson-McGall, Sarah Warren, Karen Warrington, Andy Wait, Ryan Wills and Joanna Wright

Apologies for absence: **Councillors** Neil Butters, Paul Crossley, Tom Davies, Douglas Deacon, Winston Duguid, Alan Hale, Sarah Moore, June Player, Richard Samuel, Karen Walker, Chris Watt and David Wood

[It was noted that Councillors who have been unable to attend Council meetings due to a higher risk of serious illness from covid infection are still covered by a dispensation.]

30 EMERGENCY EVACUATION PROCEDURE

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

31 DECLARATIONS OF INTEREST

There were no declarations of interest made.

32 APPOINTMENT OF VICE CHAIR

As the Vice Chair, Councillor Sarah Moore, was unable to attend the re-convened meeting, arrangements were made for a Vice-Chair for this meeting only.

On a motion from Councillor Vic Pritchard, seconded by Councillor Kevin Guy, it was

RESOLVED that Councillor Lisa O'Brien stands in as Vice Chair for this meeting only.

33 MINUTES - 21ST JULY 2022

On a motion from Councillor Eleanor Jackson, seconded by Councillor Grant Johnson, it was unanimously

RESOLVED that the minutes of 21st July 2022 be confirmed as a correct record and signed by the Chair.

34 ANNOUNCEMENTS FROM THE CHAIR OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE

The Chair explained that this meeting had been postponed from 15th September 2022 due to the period of national mourning following the death of Queen Elizabeth II.

He explained, that since taking on the role of Council Chair, he had been endeavouring to visit as many Town and Parish Councils as possible. He had been impressed by the diversity of activities he had come across. He extended the invitation to any other local Councils and invited them to contact the Chairs office to arrange.

35 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There were no items of urgent business.

36 QUESTIONS, STATEMENTS AND PETITIONS FROM THE PUBLIC

Statements were made by the following members of the public;

Caroline Heaton made a statement relating to the renewable energy motion on the agenda. She drew attention to this summer as highlighting the climate crisis and outlined how renewables provided an affordable, sustainable and non-polluting solution. Councillor Guy asked Ms Heaton if she agreed that it was important to also stand against fracking, to which she replied that she did. Councillor Pritchard asked if Ms Heaton considered there were any circumstances where nuclear power might be appropriate, to which she responded that she did not, as the dangers of disposing of long life toxic waste made it extremely unviable. The Chair thanked Ms Heaton for her statement which would be considered during the later motion debate.

Guy Norfolk made a statement relating to the renewable energy motion on the agenda. He outlined the case against nuclear power and made the case that non-proliferation treaties for weapons needed to extend to energy too. He explained that renewable options were affordable, safe and environmentally sound. The Chair thanked Mr Norfolk for his statement which would be considered during the later motion debate.

Dave Andrews made a statement relating to the renewable energy motion on the agenda. The full statement is available attached to the minutes. He explained that he was a former expert Advisor to the European Commission on power generation and provided a google search reference if more technical and factual information was needed. Councillor Guy asked Mr Andrews if he considered fracking was a solution to the energy crisis, to which he replied that we it's not something we yet know so it's a gamble, whereas we do know that if investment is made in a wind farm, the power is available in 5 years. The Chair thanked Mr Andrews for his statement which would be considered during the later motion debate.

Charlotte Howell-Jones made a statement relating to the renewable energy motion on the agenda. A copy is available on the Minute book. She focussed on the world we were leaving for our children and called for a different energy strategy to swiftly lower our emissions. She also said that the benefit to the economy of renewable sources (up to 9 times cheaper) was frequently overlooked by Government. The

Chair thanked Ms Howell-Jones for her statement which would be considered during the later motion debate.

37 B&NES LOCAL PLAN PARTIAL UPDATE: MAIN MODIFICATIONS

The Chair announced that there would be no debate on this item. He explained that, following the postponement of the meeting and the need to agree the modifications for public consultation, this item had been handled under Constitutional rule 3.4.3 – Chief Officers action so no Council decision was now sought. <https://democracy.bathnes.gov.uk/ieDecisionDetails.aspx?ID=1768>.

38 CORPORATE AUDIT COMMITTEE ANNUAL REPORT

The Council considered the annual report of the Corporate Audit Committee.

On a motion from Councillor Mark Elliott, seconded by Councillor Vic Pritchard, it was unanimously

RESOLVED

1. To note the Annual Report of the Corporate Audit Committee; and
2. To approve the revised Terms of Reference for the Corporate Audit Committee.

39 STANDARDS COMMITTEE ANNUAL REPORT

The Council considered the annual report of the Standards Committee.

On a motion from Councillor Duncan Hounsell, seconded by Councillor Robin Moss, it was unanimously

RESOLVED to note the work of the Standards Committee, as set out in the Annual report.

40 ANNUAL REPORT ON THE USE OF THE REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) & INVESTIGATORY POWERS ACT (IPA) 2016

The Council considered the annual report on the use of the Regulation of Investigatory Powers Act 200 (RIPA) & Investigatory Powers Act (IPA) 2016.

On a motion from Councillor Kevin Guy, seconded by Councillor Shaun Hughes, it was unanimously

RESOLVED

1. To note the use of Regulation of Investigatory Powers Act 2000 and Investigatory Powers Act 2016 (RIPA/IPA) by the Council (Appendix 1); and

2. To note the changes to the Council's Policy on Regulation of Investigatory Powers Act 2000 and Investigatory Powers Act 2016 ("the Policy").

41 PROPORTIONALITY REVIEW

The Council considered a report following a change in political balance in the Council, in line with the requirements of the Local Government & Housing Act 1989. A revised proportionality table had been circulated following the despatch of the agenda.

On a motion from Councillor Kevin Guy, seconded by Councillor Robin Moss, it was unanimously

RESOLVED

1. To note that Councillor Pritchard has agreed that Councillor Kumar will remain on the Climate Policy Development & Scrutiny Panel as a Conservative member;
2. To further note that, following the departure of Councillor May from the Conservatives, Councillor Pritchard has offered up a place on the Children, Adults, Health & Wellbeing Policy Development & Scrutiny Panel to the Liberal Democrat Group, which has been allocated to Councillor May; and
3. To approve the revised political proportionality table.

42 MOTION FROM THE LABOUR GROUP - LOCAL GOVERNMENT PAY: A FULLY FUNDED, PROPER PAY RISE FOR COUNCIL AND SCHOOL WORKERS

Councillor Moss explained that this motion was put forward some time ago (before the meeting was postponed) and pointed out that paragraphs 8, 9 and 10 refer to the work done by Council officers during the pandemic, for which they should rightly be applauded. He further added that it's also right that they deserve a proper pay increase, especially in the light of rising inflation rates, from a central Government pay settlement. However, the motion in its generality is now no longer relevant due to recent events, so he explained that they were withdrawing the motion from this agenda.

43 MOTION FROM THE LIBERAL DEMOCRAT GROUP - BUS CUTS

On a motion from Councillor Matt McCabe, seconded by Councillor Sarah Warren, it was

RESOLVED that

Council:

1. Notes with dismay the cuts to essential, local bus routes in B&NES, including First bus service numbers 11, 12, 20, 42, and 171, and the timetable and route changes affecting many other local bus services, including the 178.

2. Notes that some mitigations to cuts have been announced, including re-routing some services, the new 379 route, and new operators stepping in on some routes.
3. Notes that the West of England Combined Authority (WECA) is the regional transport authority responsible for planning bus services, in cooperation with local bus operators.
4. Notes B&NES Council's Transport Levy contribution to WECA is £5,194,000 in 2022-23, of which £780,000 is a contribution to supported bus services.
5. Notes that bus operating companies have been affected by falling passenger journeys, rising costs and driver shortages, and notes government financial support to bus companies was recently extended to March 2023.
6. Welcomes the recently announced investment in bus stop facilities and reduced fares on many services. Notes however that reduced fares do not apply to all routes and have led to some popular ticketing options being discontinued and others increasing in price.
7. Notes with disappointment that communication and consultation by the West of England Combined Authority around the future of local bus services with local authorities (who know their local area best) has been inadequate and would welcome clarity in terms to the profitability or loss making of certain routes and the sharing of data to improve the general provision.
8. Believes that a reliable, comprehensive and affordable bus service is essential to all B&NES residents to access shops, services, leisure, employment and education, and to help tackle air pollution, congestion and the Climate Emergency.
9. Believes that bus service cuts will have an enormously negative impact on B&NES communities, particularly affecting rural and disadvantaged communities, residents who have no access to private transport, and anyone trying to reach key sites such as schools and the RUH.
10. Believes that any gap in service provision will drive residents away from public transport permanently.
11. Believes that the whole bus system is fundamentally broken and requires radical reform to make it fit for the future.

Council therefore:

12. Opposes cuts to essential bus services in B&NES.

13. Calls on the WECA Mayor to:

- a. Continue negotiations with bus providers to retain and reinstate as many routes as possible and to prevent a gap in service provision.

- b. Urgently bring forward new and innovative solutions, such as demand-responsive services, to supplement core routes.
- c. Develop a co-ordinated, imaginative, long-term approach to public transport in our area, through bus franchising or equivalent across the West of England area.

14. Calls on the government to:

- a. Overhaul public transport funding models and provide a sustainable, long-term funding deal to provide certainty and stability.
- b. Take action to address the driver shortage with a national effort to recruit and train more drivers and measures to improve retention.
- c. Restore transport authorities' ability to directly intervene in the public transport market and bring bus services back under public control.

15. Asks the Leader to communicate Council's views to the WECA Mayor, government and local MPs.

[Notes:

1. *During debate, an amendment had been moved by Councillor Joanna Wright, seconded by Councillor Robin Moss, to add a bullet point calling on the WECA Mayor to produce a bus network map. A copy of the amendment is attached to the record. This was lost on a vote of 7 Councillors in favour, 33 Councillors voting against and 5 abstentions.*
2. *A further amendment was moved during debate from Councillor Liz Hardman, seconded by Councillor Robin Moss, to provide further detail to the motion. A copy of the amendment is attached to the record. This was lost on a vote of 8 Councillors voting in favour, 36 Councillors voting against and 1 abstention.*
3. *The above successful resolution was carried with 41 Councillors voting in favour and 5 abstentions.]*

44 MOTION FROM CLLR JOANNA WRIGHT - SUPPORT RENEWABLE ENERGY

The motion as set out in the agenda and copied below was moved by Councillor Joanna Wright, and seconded by Councillor Robin Moss;

Council Notes:

1. The arguments for nuclear energy appear to be contentious and therefore decisions to continue to invest in expensive, long term nuclear projects require further scrutiny.
2. New research suggests that the assumption that nuclear energy is necessary to form a baseload of energy provision is no longer valid; neither is it valid to pursue the development of nuclear energy purely on economic grounds.
3. Nuclear energy is not a clean and safe technology and still has the potential to cause considerable harm.
4. The current planning policy that governs renewable energy infrastructure, and onshore wind turbines in particular, needs to be amended to encourage investment in this area.

Council therefore:

1. Calls on the Government to review approvals given for Sizewell C and for investment into nuclear energy in general.
2. Calls on the Government to back investment in renewable energy and provide financing for this.
3. Calls on the government to change the National Planning Policy on Solar Panels and Wind Turbines.
4. Requests that the Leader write to the Secretary of State at the Department of Business, Energy and Industrial Strategy and local MPs to inform them of the council's position.

The eventual decision, on an amendment from Councillor Matt McCabe, seconded by Councillor Vic Pritchard was that;

It was **RESOLVED** to defer this item to the following meeting, in order for recent related developments to be taken into account and incorporated if deemed appropriate. (The aspiration being for this to be a cross party motion).

[Notes;

1. *During debate, a proposed amendment from Councillor Alastair Singleton was moved introducing the subject of fracking and Oil & Gas exploration. A copy of the amendment has been attached to the record. This was challenged by Councillor Wright, under Constitutional rule 3.1.27 and following advice from the Monitoring Officer, the Chair deemed this proposed amendment to be invalid.*
2. *The above successful amendment to defer this item was, following further advice from the Monitoring Officer, deemed to be valid.*
3. *A proposal to move to the vote was moved by Councillor Kevin Guy, seconded by Councillor Vic Pritchard, and carried by a majority of Members standing.*
4. *The successful substantive was carried with 43 Councillors voting in favour, 1 Councillor voting against and 1 Councillor abstaining.]*

45 QUESTIONS, STATEMENTS AND PETITIONS COUNCILLORS

There were no items from Councillors.

The meeting ended at 8.37 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services