

BATH AND NORTH EAST SOMERSET COUNCIL

MINUTES OF COUNCIL MEETING

Thursday, 17th November, 2022

Present:- **Councillors** Rob Appleyard, Tim Ball, Sarah Bevan, Colin Blackburn, Alison Born, Shelley Bromley, Neil Butters, Sue Craig, Paul Crossley, Gerry Curran, Chris Dando, Jess David, Tom Davies, Sally Davis, Winston Duguid, 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, Ruth Malloy, Sarah Moore, Robin Moss, Michelle O'Doherty, Lisa O'Brien, Bharat Pankhania, June Player, Vic Pritchard, Manda Rigby, Dine Romero, Mark Roper, Richard Samuel, Bruce Shearn, Shaun Stephenson-McGall (Ch), Karen Walker, Sarah Warren, Karen Warrington, David Wood and Joanna Wright

Apologies for absence: **Councillors** Vic Clarke, Douglas Deacon, Alan Hale, Hal MacFie, Paul May, Paul Myers, Brian Simmons, Alastair Singleton, Andy Wait, Chris Watt and Ryan Wills

(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.)

46 EMERGENCY EVACUATION PROCEDURE

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

47 DECLARATIONS OF INTEREST

There were no declarations of interest.

48 MINUTES - 13TH OCTOBER 2022

On a motion from Councillor Dr Yukteshwar Kumar, seconded by Councillor Kevin Guy, it was unanimously

RESOLVED that the minutes of the meeting held on 13th October 2022 be confirmed as a correct record and signed by the Chair.

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

The Chair thanked the Royal British Legion for organising the recent events for Armistice Day, Remembrance Sunday and the poppy appeal and also all those councillors who attended the events in their local communities.

He stated that his and the Council's thoughts and prayers are with Alex Fletcher of Bath City Football Club and his family, following the terrible accident at the football ground and hopes that Alex makes a good recovery.

He informed the Council that he had recently chaired the Parish Liaison Meeting and was very encouraged to see so many Parish and Town Councils and their communities engaged in the topic of the Climate and Ecological Emergency.

50 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There were no items of urgent business.

51 QUESTIONS, STATEMENTS AND PETITIONS FROM THE PUBLIC

Statements were made by the following members of the public:

Gordon Mackay, from Midsomer Norton Town Council made a statement regarding the need for a crossing for North Silver Street in the town. He drew attention to the petition requesting this which currently has 112 signatures. The lack of a crossing stops people walking the short distance to schools in the area because it is considered to be too dangerous. Cllr Guy asked Mr Mackay if he would be willing to meet with the Cabinet Member for Transport to discuss this issue, to which he replied that he would. Cllr Evans asked whether there was any evidence to support the assertion that people require a crossing. Mr Mackay stated that some monitoring has taken place which shows that almost 20% of cars were breaking the 30mph speed limit with some at very high speeds. Cllr Hughes asked whether Mr Mackay would be happy to meet with him to work on putting together a proposal for highway improvements in the area to which he replied that he would. Cllr Hardman asked whether Mr Mackay has contacted his B&NES Councillor. Mr Mackay stated that he had contacted his local councillor and the highways team and eventually decided to start the petition to reach a wider audience. The petition was referred to the Cabinet Member for Transport.

Robbie Bentley spoke regarding transport matters. He noted that there was still a patchwork of transport policies across the area now covered by the West of England Combined Authority (WECA). It would be important going forward for officers from WECA to have an awareness of the local areas in order to harmonise these policies. As WECA will have responsibility for public transport across the region, training will be needed to ensure that they run an effective system. The West of England must not be left behind due to a poor public transport system.

Adam Reynolds spoke regarding active travel. He noted that last year the Council lost around £1m in funding to improve walking and cycling in B&NES by failing to engage with community groups and local ward councillors. He stressed the need for local councillors to ensure that they obtain any funding that is available to improve their wards. The Active Travel Fund Tranche 4 bids are imminent. Cllr Pritchard asked for further clarification regarding comments made regarding the Citizens' Panel. Mr Reynolds stated that this work had been carried out by Britain Thinks and that of the 27 people who took part not one used cycling as their primary form of transport. Seven of the people who took part had disabilities, but it was not clear whether they were blue badge holders, and he was concerned that there had been unconscious bias. It was also a Panel rather than a Jury, so he did not feel it was useful. Cllr Moss asked why Mr Reynolds felt that the Local Cycling (LC) update is so important. Mr Reynolds explained that in 2019 when the LC work was carried out it was not clear what this would be used for. However now this becomes the

business case for how the £2 billion of available funding will be allocated by the Government.

Rev Kenny Nelson spoke regarding the Parkside building located in Charlotte Street. He noted that the southern part of the building remains completely empty. The fabric of the building continues to be compromised and the Church has brought forward proposals to use the space for a counselling hub, family centre and ad hoc community use. He asked the Council to decide as a matter of priority what is to happen with this space and to put it in the hands of the community. Cllr Guy asked whether Rev Nelson would like to meet with himself as Leader of the Council and with the responsible Cabinet Member to discuss this further. Rev Nelson confirmed that he would welcome a meeting. Cllr Moss asked whether Rev Nelson has discussed the issue with the Property Services Team. Rev Nelson confirmed that he has but that no progress has been made.

Martin Grixoni spoke regarding Bath and Business. He referred to inefficiency in the South Quays development as tenants are not paying rent until the new footbridge opens. He expressed concern regarding the proposed new Clean Air Zone arrangements to charge additional HGVs, the “ring of steel” which restricted access for businesses in the city centre and blue badge holders. He queried whether all the new 20mph zones were really needed. He also noted the large number of retail units which are currently empty in the city centre. He stated that if the Council makes things more difficult for businesses, they are likely to go elsewhere.

Matt Cooper spoke regarding the renewable energy motion. He stated that urgent action on this issue is required which would require bold leadership. He stated that nuclear energy would not be an option for tackling climate change but that renewables are. The savings made from a transition to renewable energy would pay back costs within just 6 years. He urged the Council to push Westminster not only to back renewables but to go further and faster with genuine urgency.

A copy of the statements submitted is attached as Appendix 1 to these minutes.

52 EQUALITY IMPROVEMENT ACTION PLAN

The Council considered a report which set out the Equality Improvement Action Plan.

On a motion from Councillor Dine Romero, seconded by Councillor Karen Warrington it was unanimously

RESOLVED to

1. Agree that the performance of the Council is measured against the highlighted performance indicators;
2. Adopt the Equality Improvement Plan (EIP) as part of Council policy and practice; and
3. Note that the Corporate Equality Diversity and Inclusion Steering Group is responsible for ensuring delivery on the EIP.

53 HEALTH & WELLBEING BOARD - REVISED TERMS OF REFERENCE

The Council considered a report which set out proposed changes to the Terms of Reference of the B&NES Health and Wellbeing Board.

On a motion from Councillor Dine Romero, seconded by Councillor Vic Pritchard, it was unanimously

RESOLVED to

1. Note the proposed changes to the Health and Wellbeing Board's Terms of Reference, which include changes to the Board's vision and membership in particular;
2. Note the addition of the Bristol, Swindon and Wiltshire Integrated Care Board to its membership, as part of the statutory requirements of the 2022 Health and Care Act; and
3. Approve the updated Terms of Reference for the B&NES Health and Wellbeing Board.

54 TREASURY MANAGEMENT PERFORMANCE REPORT TO 30TH SEPTEMBER 2022

The Council considered a report which set out details of performance against the Council's Treasury Management Strategy for 2022/23 for the first six months of 2022/23.

On a motion from Councillor Richard Samuel, seconded by Councillor Mark Elliott, it was

RESOLVED

1. To note the Treasury Management report to 30th September 2022, prepared in accordance with the CIPFA Treasury Code of Practice; and
2. To note the Treasury Management Indicators to 30th September 2022.

[Notes;

1. The above resolutions were carried with 47 Councillors voting in favour and 1 Councillor abstaining.]

55 AVON PENSION FUND ANNUAL REPORT

The Council considered the Avon Pension Fund Annual Report.

On a motion from Councillor Paul Crossley, seconded by Councillor Bruce Shearn, it was unanimously

RESOLVED

1. To note the Avon Pension Fund Committee's Annual Report to Council; and
2. To note the Pension Board's Annual Report.

56 CHARITABLE TRUST BOARD ANNUAL REPORT

The Council considered the Annual Report of the Charitable Trust Board.

On a motion from Councillor Dave Wood, seconded by Councillor Rob Appleyard, it was unanimously

RESOLVED to note the report.

57 MOTION FROM CLLR WRIGHT - THE IMPACT OF INCREASING CHARGES AND TAXATIONS TO THE INHABITANTS OF B&NES AS A RESULT OF THE GOVERNMENT'S CONTINUED SUPPORT AND FUNDING OF NUCLEAR POWER IN PREFERENCE TO RENEWABLE ENERGY GENERATION

On a motion from Councillor Joanna Wright, seconded by Councillor Matt McCabe, it was

RESOLVED that

Council notes;

1. That the National Grid believes it can get to 100% low carbon sources of electricity by 2035. This involves the following assumptions: there will be a massive increase in renewables, a massive increase in storage, and an increase in nuclear to around 20%.
2. That the Government has announced an intention to intensify efforts to explore for new, and exploit existing, oil and gas resources in the North Sea, which defies advice from the Government's Climate Change Committee and puts at risk its legal obligation to achieve Net Zero by 2050.
3. The arguments for nuclear fission and energy generation remain contentious and therefore decisions to continue to invest in expensive, long term nuclear projects require continuous scrutiny.
4. That new research suggests that the assumption that nuclear energy is necessary to form a baseload of energy provision may no longer be valid and that nuclear energy is now one of the most expensive forms of electricity available.
5. That nuclear remains a high risk form of generation, that has not yet found a solution to the disposal of its waste and has the potential to cause considerable harm.

6. That current planning policy governing renewable energy infrastructure, and onshore wind turbines in particular, needs to be amended to encourage investment and innovation 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 set out how renewables can end our reliance on foreign gas, instead of resorting to the exploitation of dwindling local reserves of fossil fuels, or an expansion of nuclear.
3. Calls on the Government to back investment in renewable energy and storage and provide financing for this.
4. Calls on the government to change the National Planning Policy Framework on Solar Panels and Wind Turbines.
5. 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.

[Notes;

1. *The above resolution was carried with 35 Councillors voting in favour, and 13 Councillors abstaining]*

58 MOTION FROM CLLR WRIGHT - MAKING VOTES COUNT WITH PROPORTIONAL REPRESENTATION

On a motion from Councillor Joanna Wright, seconded by Councillor Ruth Malloy, it was

RESOLVED that

Council notes:

1. Within Europe, only the United Kingdom and authoritarian Belarus still use the archaic First Past the Post (FPTP) system for General and Local Elections. Whilst internationally, Proportional Representation (PR) is used to elect parliaments in more than 80 countries.
2. The UK's First Past the Post voting system curtails voter choice, making millions of votes ineffective, and leaving millions feeling unrepresented and unheard.
3. **Elected under a form of Proportional Representation, MPs, regional mayors and councillors** would better reflect their communities, leading to improved decision-making, wider **citizen** participation and increased levels of ownership of decisions taken.

4. PR is already used to elect the parliaments and assemblies of Scotland, Wales and Northern Ireland.

Council believes that:

5. The FPTP system has contributed to dangerous levels of distrust and disillusionment with our democratic processes and politicians.
6. It is essential that faith is restored in our democratic system and that the public see Parliament as fairly reflecting their views.
7. Our First Past the Post voting system is a significant barrier to restoring this faith and all but guarantees that the balance of opinion among the electorate is not reflected in Parliament.
8. A system of Proportional Representation in which seats match votes and all votes count equally would help to rebuild public trust by ensuring that all political views are represented in Parliament **and Local Government** in proportion to their level of public support.

Council therefore resolves:

9. To write to his Majesty's Government calling for a change in our outdated electoral laws to enable Proportional Representation to be used for general and local authority elections; and
10. **To thank Bath's MP Wera Hobhouse for her longstanding commitment to electoral reform, as evidenced by her role in the APPG for Electoral Reform and to call upon her to continue campaigning with Make Votes Matter and the Electoral Reform Society for a change to electoral law, leading to the introduction of a PR voting system for general elections and all other elections in the UK that do not yet use it, namely England.**
11. To call upon Bath and North East Somerset's two MPS to push for a change to electoral law to permit Proportional Representation and to promote the matter for debate within Parliament.

[Notes;

1. *The above resolutions were carried with 34 Councillors voting in favour, 11 Councillors voting against and 2 Councillors abstaining.*
2. *The wording shown in bold at resolutions 3, 8 and 10 was proposed by Cllr Ruth Malloy and accepted into the motion by the mover and seconder. This agreement also involved the removal of a few words from resolution 3 of the original motion.]*

59 MOTION FROM THE LIBERAL DEMOCRAT GROUP - LGA SAVE LOCAL SERVICES CAMPAIGN

On a motion from Councillor Richard Samuel, seconded by Councillor Jess David, it was

RESOLVED that

Council:

1. Notes the *Save Local Services* campaign by the Local Government Association (LGA), which emphasises the importance of local government services to every person in every community, particularly in light of the cost-of-living crisis.
2. Notes, with concern, that the Chancellor has signalled a reduction in spending on public services and /or the imposition of tax rises and requested government departments to cut their budgets.
3. Believes the LGA is correct to warn that the future financial sustainability of councils and local services is on a cliff-edge. The scale of inflation in the economy and demand-related pressures cannot be met by reducing costs, making efficiencies, or raising council tax. Non-statutory services, such as parks, leisure and neighbourhood services, are under sustained pressure. Councils will be hard-pressed to limit damage to the local services upon which so many people rely.

Council therefore:

4. Resolves to support the *Save Local Services* campaign and to call on government to:
 - a. Put local government finances on a sustainable footing.
 - b. Provide adequate funding, in line with inflation and the demand for services and provide powers that enable councils to extend the scope of charged for services.
 - c. Agree longer-term settlements of at least three years, giving Councils certainty to plan budgets and minimise service disruption.
5. Asks the Leader of Council to communicate Council's views to government, local MPs and the LGA.

[Notes;

1. The above resolutions were carried with 40 Councillors voting in favour, and 6 Councillors abstaining.]

60 MOTION FROM THE LABOUR GROUP - ADDITIONAL COUNCIL SUPPORT FOR COMMUNITY WARM SPACES

On a motion from Councillor Robin Moss, seconded by Councillor Dine Romero, it was unanimously

RESOLVED that

Council:

1. Welcomes the creation of its Warm Welcome package which focus on the 3 council run libraries, and community places as warm spaces.
2. Thanks all those organisations and businesses who have already come forward to offer warm spaces.
3. Thanks all those community organisations, parish and town councils are already working to support residents with the cost of living crisis.
4. Welcomes the creation of the on-line map which is regularly updated with new warm places
5. Welcomes the focus in the standards charter on respect and dignity, as well as warmth, and that all potential warm spaces must comply with this charter.
6. Welcomes the £250 grant available for registered warm spaces or for activities within the space.
7. Believes that more can be done to encourage more places to become warm spaces, and for more places to offer more hours for community use.
8. Notes that energy prices are more than double their autumn 2021 levels, inflation is now over 10% and threats of Covid and 'flu cause great concern.
9. Is aware that time is of the essence when it comes to reassuring the public that B&NES Council and local communities will keep them safe and warm this winter.
10. Recognises that Council must work smartly within its budgets.
11. Understands that smart working on immediate needs is an investment that will save both financial and human costs later.
12. Recognises that significant experience has been gained in the council and communities' response to the pandemic, and from housing refugees.
13. Recognises the value of partner working, which is exemplified in creation of the Community Wellbeing Hub, comprising of private business, the third sector and the council.

Council therefore resolves to continue to:

14. Work with partners to ensure that vulnerable residents have the shortest possible journey to a warm space.
15. Help residents access community transport that enables access and safe travel home.
16. Wherever possible, place other useful facilities e.g. food banks, on-site.

17. To signpost residents to help and support as necessary.

18. Build community organisations' capabilities and capacity: e.g. help with volunteer training / DBS checks; refreshment facilities; insurance; secure fuel storage, risk assessments and more.

Council further:

19. Will retain oversight of this network with timely 2way communication.

20. Appreciates the scale of the task at hand but also recognises its moral duty to do all it can to protect all vulnerable residents in our community by continuing to work with partners and our communities

21. Agrees to continue to work collaboratively cross-partnership and crossparty, and in so doing, to help save lives this winter.

22. Will continue to look at what additional support including funding could be made available to ensure warm spaces are available across our region and across a range of days and times.

61 MOTION FROM CLLR ANDY FURSE - ENDING OF B&NES JIANGXI PROVINCE FRIENDSHIP AGREEMENT

On a motion from Councillor Andy Furse, seconded by Councillor Robin Moss, it was

RESOLVED that

Council notes:

In view of the OHCHR Report released on 1st September on Human Rights concerns with Xinjiang Uyghur region in China, it is now time we ceased our Friendship agreement with Jiangxi Province and City of Jingdezhen.

The creation of such a Friendship agreement with Jiangxi Province (a province of approximately 45million people) in October 2009 was at a time when the PRC was considered to be respecting the freedoms of its people, respecting the international agreements in Hong Kong and not showing any aggression in the region.

However, over the time we have had our agreement in place there has been: political suppression and the breaking of international agreements in Hong Kong, expansionism in the South China Sea, serious military threats to democratic Taiwan, and now the United Nations report on human rights abuses on the Uyghur population specifically in Xinjiang region.

Our friendship agreement signals a friendship with the Chinese Communist Party in Jiangxi Province. The same regime that is criticised in the UN Report in Xinjiang.

Furthermore, at a local level there has been no news of this friendship agreement from either the cabinet or council officers for a long time and no known economic benefit to B&NES.

Corresponding with Council officers and economic development officers recently has confirmed that there hasn't been any involvement on this for around 6-7 years (since John Wilkinson was head of Economic Development). So, there is no value or benefit in the relationship, and it would appear to be non-functioning anyway.

To retain such an agreement gives tacit support to Jiangxi province, and the Chinese Communist Party and thus its human rights abuses of Uyghurs, oppression of Hong Kong and threats to democratic Taiwan. The Chinese Communist regime's actions repeatedly demonstrate that it is not concerned with upholding the universal values we safeguard and does not adhere to international rules of conduct for example: -

- It is widely reported and well documented that at least a million Uyghurs have been forcibly detained in so called "re-education" camps in China.
- Survivors who have escaped have talked about their experience which include internment, rape, torture, forced sterilisation.
- There have been reports of organ harvesting against Uyghurs by the Chinese government, with evidence presented to the UN Human Rights Council.
- A number of Uyghurs have submitted evidence to the International Criminal Court calling for an investigation for Crimes of Genocide & Crimes Against Humanity.
- In its latest report, Amnesty International states that: "The human rights situation across China continued to deteriorate. Human rights lawyers and activists reported harassment and intimidation; unfair trials; arbitrary, incommunicado and lengthy detention; and torture and other ill-treatment for simply exercising their right to freedom of expression and other human rights. The government continued a campaign of political indoctrination, arbitrary mass detention, torture and forced cultural assimilation against Muslims living in Xinjiang. Thousands of Uyghur children were separated from their parents.

The National Security Law for Hong Kong enabled human rights violations which were unprecedented since the establishment of the Special Administrative Region."

- Last year UK academics have been sanctioned by China for research and activism on the plight of Uyghur Muslims. Such sanctions pose a serious threat to the freedom of UK nationals with the potential risk of extradition to China when travelling abroad to friendly nations.

Already, Newcastle, Wakefield and Newport Councils have passed motions to end twinning and friendship agreements with cities in China.

Bath and North East Somerset has a proud history of promoting the advancement of human rights and standing in solidarity with those oppressed. In 1936 Bath became home to Emperor Haile Selassie, home to his campaign for international support of his homeland, Ethiopia, which had been invaded by Mussolini's fascist regime.

Council therefore resolves;

1. To give notification that Bath & NE Somerset Council will terminate our friendship agreement with Jiangxi province and City of Jingdezhen;
2. To express condemnation of the Chinese government's treatment of Uyghur Muslims and human rights activists;
3. To show solidarity with the people campaigning for freedom and democracy in mainland China, Hong Kong and Macau; and
4. To write to the MPs for Bath and for NE Somerset urging them to lobby the Government for action in relation to the treatment of Uyghur Muslims.

[Notes;

1. *During debate, an amendment had been moved by Councillor Lisa O'Brien, seconded by Councillor Vic Pritchard, to delete resolution 1 and replace this with the following wording – "To communicate with the leadership of the Province and the City to express our concerns regarding the content of the UN report and to request a timely response from them." This was lost on a vote of 4 Councillors voting in favour, 40 Councillors voting against and 2 Councillors abstaining.*
2. *The above successful resolution was carried with 44 Councillors voting in favour, 1 Councillor voting against and 1 Councillor abstaining.]*

62 QUESTIONS, STATEMENTS AND PETITIONS FROM COUNCILLORS

Four questions were received from Councillors. *A copy of the questions and responses is attached as Appendix 2 to these minutes.*

Councillor Dr Yuktेशwar Kumar made a statement to Council about "Bath Deserves Better". He expressed concerns about animosity shown by the current administration and stated that it is important to show mutual respect and to treat others with dignity.

The meeting ended at 9.05 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services