

# **BATH AND NORTH EAST SOMERSET COUNCIL**

## **MINUTES OF COUNCIL MEETING**

Thursday, 25th May, 2023

Present:- **Councillors** Michael Auton, Tim Ball, Alex Beaumont, David Biddleston, Colin Blackburn, Anna Box, Deborah Collins, Paul Crossley, Chris Dando, Jess David, Mark Elliott, Fiona Gourley, Kevin Guy, Alan Hale, Ian Halsall, Dave Harding, Gavin Heathcote, Steve Hedges, Saskia Heijltjes, Oli Henman, Joel Hirst, Lucy Hodge, Shaun Hughes, Dr Eleanor Jackson, John Leach, Hal MacFie, Ruth Malloy, Lesley Mansell, Matt McCabe, Paul May, Sarah Moore, Ann Morgan, Robin Moss, Michelle O'Doherty, Bharat Pankhania, June Player, Manda Rigby, Dine Romero, Paul Roper, Sam Ross, Onkar Saini, Toby Simon, Shaun Stephenson-McGall, Alison Streatfeild-James, George Tomlin, Malcolm Treby, Karen Walker, Sarah Warren, Tim Warren CBE, Andy Wait and David Wood

Apologies for absence: **Councillors** Alison Born, Sarah Evans, Duncan Hounsell, Samantha Kelly, George Leach and Joanna Wright

### **1 EMERGENCY EVACUATION PROCEDURE**

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

### **2 ELECTION OF CHAIR 2023 - 2024**

It was proposed by Councillor Kevin Guy, seconded by Councillor Robin Moss and supported by Councillors Shaun Hughes, Tim Warren and Sam Ross and then

**RESOLVED** that Councillor Sarah Moore be elected Chair of the Council for the Council year 2023/24.

Councillor Sarah Moore made and signed her Declaration of Acceptance of Office, received the Chain of Office from Councillor Stephenson Mc-Gall and then addressed the Council. She thanked Members for their support and confidence in her and also the residents of Twerton and Whiteway. She explained she was looking forward to various aspects of the Chair role, including showcasing our wonderful city, towns and villages, presiding over important events and citizenship ceremonies. She expressed her intention to visit a large number of local charities and organisations to meet the volunteers who contribute to this vital role in the community.

**FROM THIS STAGE OF THE PROCEEDINGS, COUNCILLOR SARAH MOORE PRESIDED AT THE MEETING.**

### **3 APPOINTMENT OF VICE CHAIR 2023 - 2024**

It was proposed by Councillor Shaun Hughes, seconded by Councillor Kevin Guy, and unanimously

**RESOLVED** that Councillor Karen Walker be elected Vice-Chair of the Council for the Council year 2023-24.

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

#### **4 DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **5 MINUTES - 16TH MARCH 2023**

On a motion from Councillor Chris Dando, seconded by Councillor Eleanor Jackson, it was

**RESOLVED** that the minutes of the meeting of 16<sup>th</sup> March 2023 be approved as a correct record and signed by the Chair.

#### **6 ANNOUNCEMENTS FROM THE CHAIR OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE**

Councillor Sarah Moore presented Councillor Shaun Stephenson-McGall with his past Chair's badge.

It was proposed by Councillor Kevin Guy, seconded by Councillor Robin Moss, supported by Councillors Shaun Hughes, Sam Ross and Tim Warren and

**RESOLVED** that this Council places on record its appreciation of the services performed by Councillor Shaun Stephenson-McGall in the office of Chair of the Council for 2022/23.

Councillor Stephenson-McGall then addressed the Council and, in so doing, thanked Members and officers for their support during his year in office. He highlighted a number of the key moments of the year and made particular reference to presiding over the ceremonies that marked the death of Queen Elizabeth 2<sup>nd</sup>, and the proclamation for King Charles.

The Chair then;

1. Welcomed and congratulated all newly elected Councillors and invited the Council to place on record its appreciation of the past service given by the Members who retired following the election;
2. Invited the Council to note the appointment of Councillor Kevin Guy as Liberal Democrat Group Leader, Councillor Robin Moss as Labour Group Leader, Councillor Shaun Hughes as Independent Group Spokesperson, Councillor Joanna Wright as Green Party Group Leader and Councillor Tim Warren as Conservative Group Leader;
3. Reminded everyone to switch off/to silent their mobile phones and laptops;

4. 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; and
5. Reminded Members to use their microphones so that their comments are picked up for the webcast.

## **7 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

There were no items of urgent business.

## **8 URGENT DECISION BY CHIEF EXECUTIVE - ENTRY HILL DEPOT CALL-IN VALIDATION**

Council noted the urgent decision that had been taken by the Chief Executive on 25<sup>th</sup> April 2023 to suspend the normal requirements on timing for the period in which a call-in meeting must normally be held, as the call-in had been received very close to the 4<sup>th</sup> May election, the issue was deemed too sensitive to be considered in the week leading to the election and no constituted Panels would be in place until after this Council AGM on 25<sup>th</sup> May 2023.

## **9 NOTIFICATION OF MEMBERS ELECTED ON 4TH MAY 2023**

This item was noted.

## **10 APPOINTMENT OF LEADER**

On a motion from Councillor Sarah Warren, seconded by Councillor Michelle O'Doherty, it was

**RESOLVED** that Councillor Kevin Guy be elected Leader of the Council for the 4 year term from May 2023 AGM to May 2027 AGM.

*[Notes;*

1. *The above successful resolution was carried with 49 Councillors voting in favour, 2 Councillors abstaining and 0 Councillors voting against.]*

## **11 APPOINTMENT OF COMMITTEES AND PANELS, AND OTHER ANNUAL BUSINESS**

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

**RESOLVED** to

1. Approve a structure for non-executive and regulatory decision making, and the scrutiny function as set out in the Constitution and as circulated to all Councillors in advance of the meeting (and appended to the minutes);
2. Approve the terms of reference for Committees and Panels etc as set out in Appendix 2 to the report and constitute those bodies accordingly;

3. Approve the appointment of Members to the Committees and Panels in accordance with the requirements of political proportionality and the nominations made by the political groups (whilst noting the non-proportional basis of operating for the Licensing Sub-Committee as explained in paragraph 3.10 of the report);
4. Appoint as Chairs of such bodies, those Councillors as may from time to time be nominated by the political group to whom the chairmanship of the body is allocated;
5. 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 and the allocation of chairing entitlements made at this meeting;
6. Agree the bodies on which independent co-opted members have seats as either voting or non-voting members and appoint those members accordingly (as set out in the political proportionality table appended to the minutes);
7. Expressly disapply the proportionality rule to the Restructuring Implementation Committee (with no Councillor voting against), as set out in section 3.9 of the report;
8. Confirm that the chairing arrangement for the Standards committee set out in paragraph 3.11 of the report should continue (with an independent member taking the chair);
9. Agree to defer consideration of allocation of Political Assistants until the outcome of the Paulton election is known, and therefore confirm existing appointments until then, on an interim basis;
10. Appoint 3 members to Avon Fire Authority on a proportionality basis to be determined;
11. Note, in light of the decision taken earlier on the agenda to appoint a Leader, that the Leader will publish in due course, a scheme of delegation of executive functions;
12. Note the urgent executive decisions that have been taken in the last municipal year, as set out in paragraph 5.3 of the report;
13. Note the position regarding the frequency of meetings (as set out in Section 6 of the report) as the basis for enabling the diary of meetings to be prepared, including a date of 16th May 2024 for the May Council AGM, and to authorise the Monitoring Officer to project dates forward and prepare the diary on this basis;
14. Re-appoint the existing Independent Remuneration Panel (IRP);

15. Instruct the Independent Remuneration Panel to consider a Special Responsibility Allowance for the Cabinet Project Lead role, using the Job Description at Appendix 4 of the report;
16. Note the activity of the Member Advocates, as set out in Appendix 3 of the report;
17. 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;
18. Confirm the scheme of delegations, previously agreed at Council, as set out at Part 2 of the Constitution; and
19. 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 above successful resolution was carried with 49 Councillors voting in favour, 2 Councillors abstaining and no Councillors voting against.*
2. *During debate, Councillor Jackson queried whether SACRE should be included in the proportionality table and it was agreed this issue would be resolved outside the meeting.]*

## **12 PLEDGE TO CHILDREN IN CARE**

Councillor Paul May moved this item, making reference to a slightly revised Pledge document which had been circulated to all Councillors (and is attached to these minutes). The amended wording is the second bullet point of the 'Your Care plan' section and set out below;

- ✓ "Your Care Plan will consider your age, gender identity, sexual orientation, disabled or non-disabled status, religion or beliefs, ethnicity and cultural needs"

In seconding the item, Councillor Dine Romero drew Members' attention to section 5.7 of the report, stating that it should refer to all Councillors, and not just Cabinet Members.

It was then unanimously

**RESOLVED** to approve the Bath and North East Somerset Council Pledge to Children and Young People in Care and Care Leavers.

## **13 QUESTIONS, STATEMENTS AND PETITIONS FROM THE PUBLIC**

Statements were made by the following members of the public;

Chad Allen made a statement calling on the Council to take action to remove English ivy from the trees in its area, as it was harmful to the tree population and affected the tree's ability to filter clean air. He explained it was not a native species, having been introduced into the country in the 18<sup>th</sup> century.

Adam Reynolds made a statement calling for the pace of activity in delivering public realm improvements to be accelerated. The statement is attached in full. Councillor Saskia Heijltjes asked Mr Reynolds if he was clear about the guidance for liveable neighbourhoods, and what they could deliver. Mr Reynolds responded that he understood hard measures needed to be in place before softer measures could be introduced.

Mrs Harrington presented a petition of nearly 500 signatures with the following request, and spoke in support;

*"We, the undersigned residents of Bath and North East Somerset, and/or regular users of the supported bus services from neighbouring villages in Somerset, petition the authority to reconsider its decision to withdraw the subsidy for the 82 Tynning, Radstock-Paulton via Westfield and Paulton Hospital services and find means of funding it, and to restore the 42 Odd Down to the RUH.*

*Because*

- The elderly, disabled and those on low incomes are disproportionately affected, and have no alternatives so will be condemned to loneliness and isolation.*
- School children will not be able to travel independently to Midsomer Norton secondary schools.*
- Waiting for the no 4 (RUH) often means ill people standing for 20-30 minutes due to jams in Weston.*
- NE Somerset residents are being discriminated against.*
- There is a climate emergency. Using public transport reduce B&NES carbon footprint."*

Councillor Kevin Guy asked if Mrs Harrington was aware that the WECA Mayor was responsible for bus transport, not the Council. Mrs Harrington responded that the WECA Mayor had said that it was the Council, not WECA, who were responsible. Councillor Sam Ross asked Mrs Harrington if she was aware that WECA had asked all its constituent councils to increase their bus subsidy budgets. Mrs Harrington responded that locals would not mind paying towards this.

David Redgewell made a statement about various transport issues, including suggestions for addressing rural bus issues, and urged all parties to address this quickly by working together to find solutions. A copy of the statement has been placed on the Minute book. Councillor Kevin Guy asked if Mr Redgewell considered that, if BSIP money for these services is not provided, B&NES should advocate that it comes directly to the Council, as in North Somerset. Mr Redgewell responded that it was necessary to check the regulations and go through the proper processes. Councillor Saskia Heijltjes asked if Mr Redgewell was aware of an article regarding demand responsive transport likely failing if supported bus services were removed. Mr Redgewell replied that he was aware, and made the wider point that it was about

connecting people, places and communities and that he was worried about parts of the region.

Alexander Robinson, SU President for the University of Bath, made a statement about further developing the civic relationship between the Council, students and education providers and gave the example of Nottingham who had developed a Student Living Strategy. The statement is attached. Councillor Kevin Guy asked if Mr Robinson would be happy to meet up, to which he replied that he would. Councillor Saskia Heijltjes asked how the Council could better support students to which he replied that active engagement was good. The campaign to encourage students to vote had been good, and this needed to continue with possible surgeries and events at the University.

Robbie Bentley made a statement highlighting the mental health aspects which needed consideration with regard to the public transport issues raised by earlier speakers. He urged collaboration with WECA and the Leaders of other Councils to provide solutions.

The Chair thanked all the speakers for their statements, which were referred to the relevant Cabinet Members.

#### **14 QUESTIONS, STATEMENTS AND PETITIONS FROM COUNCILLORS**

Councillor Eleanor Jackson made a statement about rural community bus services, a copy of which has been added to the Minute book and attached to the online record.

Councillor Saskia Heijltjes made a statement about effective scrutiny and the Green Party group's aspiration to be more involved in this vital part of the Council's decision making processes. A copy of the statement has been added to the Minute book and attached to the online record. Councillor Kevin Guy asked if her group would reconsider the offer of a place on the Corporate Audit Committee, which played an important role in scrutinising the Council's financial and governance position. Councillor Heijltjes replied that she would take this back to the group.

Councillor Sam Ross made a statement calling for collaborative working across the political groups and expressing regret that they had not been consulted earlier during the allocation of committee and panel places. As a North East Somerset Councillor, she highlighted that for small communities such as the one she represents, often needs are higher but investment is lower leading to inequity of provision. Councillor Kevin Guy asked Councillor Ross if she was aware that committees and panels were established on a proportional system. Councillor Ross replied that she was aware, as had been made clear by her statement. Councillor Karen Walker asked if Councillor Ross was aware that all councillors can make statements at PDS panel meetings, to which Councillor Ross replied that she was.

The Chair thanked the Councillors for their statements which will be addressed by the relevant Cabinet Members.

The meeting ended at 7.51 pm

Chair .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**