

# **BATH AND NORTH EAST SOMERSET COUNCIL**

## **MINUTES OF COUNCIL MEETING**

Thursday, 12th May, 2022

Present:- **Councillors** Rob Appleyard, Sarah Bevan, Colin Blackburn, Alison Born, Shelley Bromley, Neil Butters, Vic Clarke, Sue Craig, Paul Crossley, Chris Dando, Jess David, Tom Davies, Sally Davis, Winston Duguid, Mark Elliott, Michael Evans, Andrew Furse, Kevin Guy, Liz Hardman, 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, June Player, Vic Pritchard, Manda Rigby, Dine Romero, Mark Roper, Richard Samuel, Brian Simmons, Alastair Singleton, Shaun Stephenson-McGall, Karen Walker, Sarah Warren, Karen Warrington, Ryan Wills and Joanna Wright

Apologies for absence: **Councillors** Tim Ball, Gerry Curran, Douglas Deacon, Alan Hale, Steve Hedges, Sarah Moore, Bruce Shearn, Andy Wait, Chris Watt and David Wood

### **1 EMERGENCY EVACUATION PROCEDURE**

The Democratic Services Manager drew attention to the emergency evacuation procedure.

### **2 ELECTION OF CHAIRMAN 2022/23**

It was proposed by Councillor Kevin Guy, seconded by Councillor Vic Pritchard, and supported by Councillors Karen Walker and Robin Moss and then

**RESOLVED** that Councillor Shaun Stephenson Mc-Gall be elected Chairman of the Council for the Council year 2022/23.

Councillor Shaun Stephenson Mc-Gall made and signed his Declaration of Acceptance of Office, received the Chain of Office from Councillor Lisa O'Brien and then addressed the Council. During his speech, Councillor Stephenson Mc-Gall indicated that his preferred form of address was Chair. He thanked Members for their support and confidence in him, thanked Councillor O'Brien for chairing Council for the previous year and thanked the residents of Oldfield and Oldfield Park for continuing to support him. He looked forward to the varied role upholding the Constitution, representing residents and conducting citizenship ceremonies. He would be supporting the Armed Forces community covenant and Armed Forces week, championing the work of Parish and Town Councils and helping the community celebrate the Platinum Jubilee. As the first LGBT Chair of Council, he looked forward to celebrating Pride and LGBT History month, as an expression of the diversity of the community. He pledged to visit as many wards as possible, accompanied by the local councillor, to gain a better understanding of local issues. Climate Emergency issues would be at the centre of all his work. He concluded by celebrating democracy, all the more important with current global events, and in this spirit of mutual respect and tolerance, he presented a gift of a book to Councillors Guy, Pritchard, Walker, Moss and Wright which suggests ways of reducing polarisation and bringing people together.

**FROM THIS STAGE OF THE PROCEEDINGS, COUNCILLOR SHAUN STEPHENSON MC-GALL PRESIDED AT THE MEETING.**

**3 APPOINTMENT OF VICE-CHAIRMAN 2022-23**

It was proposed by Councillor Karen Walker, seconded by Councillor Kevin Guy, and unanimously

**RESOLVED** that Councillor June Player be elected Vice-Chairman of the Council for the Council year 2022-23.

Councillor June Player made and signed her Declaration of Acceptance of Office, received the Chain of Office from Councillor Shaun Stephenson Mc-Gall and thanked the Council for her appointment.

**4 MINUTES - 25TH MARCH 2022**

On a motion from Councillor Kevin Guy, seconded by Councillor Eleanor Jackson, it was unanimously

**RESOLVED** that the minutes of March 25<sup>th</sup> 2022 are approved as a correct record and signed by the Chair.

**5 DECLARATIONS OF INTEREST**

There were none.

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

Councillor Shaun Stephenson Mc-Gall presented Councillor Lisa O'Brien with her past Chairman's badge.

It was proposed by Councillor Vic Pritchard, seconded by Councillor Kevin Guy and supported by Councillors Karen Walker and Robin Moss and

**RESOLVED** that this Council places on record its appreciation of the services performed by Councillor Lisa O'Brien in the office of Chairman of the Council for 2021-22.

Councillor Lisa O'Brien then addressed the Council. She acknowledged it had been a challenging year chairing Council on zoom, thanked officers and her Vice-Chair for their support. She mentioned a few of the grants she had been pleased to award during her year, such as to a music organisation combatting loneliness and isolation, the Scouts for new equipment, funding for a children's catch-up maths group and a new Mums group. She highlighted a number of important ceremonies she had been privileged to attend, including a tree planting ceremony for the Holocaust and welcoming Covid heroes to the Guildhall. One of the most enjoyable and important tasks was to preside over Citizenship ceremonies.

On conclusion, Councillor O'Brien 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;
2. Reminded Members that the traffic light system would be used for timing speeches; and
3. 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.

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

There was none.

## **8 APPOINTMENT OF COMMITTEES AND PANELS & OTHER ASSOCIATED BUSINESS**

The Council considered the Annual business report, which invites Members to establish their non-executive and regulatory Committee arrangements for the Council Year May 2022 to May 2023.

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

**RESOLVED** to

1. 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, appoint those bodies with membership, terms of reference and delegated powers as set out in the Constitution (and with any necessary amendments arising from this meeting);
3. 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. 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. 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. 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 of the report);

7. Note the arrangements for the conduct of Cabinet business, as set out in section 5 of the report;
8. Note the activity of the Member Advocates, as set out in Appendix 2 to the report, and agree the advocate title change from 'Biodiversity' to 'Green Infrastructure & Nature Recovery';
9. 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. Note the calendar of meeting dates that has been prepared up to May 2023 which is available on the Council's website;
11. 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.

## **9 CONSTITUTION REVIEW - DISPUTED ISSUES**

The Council considered a report covering three issues highlighted during the Constitution review work on which the Constitution Working group could not agree, for full Council to consider.

Councillor Richard Samuel, in summing up, acknowledged the strength of feeling and suggested the Constitution Working group would look at how it could be ensured that there is no reduction in public access for questions and statements.

On a motion from Councillor Richard Samuel, seconded by Councillor Joel Hirst, it was

### **RESOLVED to**

1. Agree the use of 'Chair' as the default terminology within the revised Constitution and confirms that the principle of allowing individual Chairs of bodies to choose how they wish to be addressed in meetings should remain.
2. Confirm that there should be no change to the principle which requires the full text of a statement to a Council meeting from a member of the public or a councillor to be submitted in writing by the published deadline for registering this intention.
3. Agree that the expression of this principle in Part 4 (A) Rule 34 of the Council's Constitution be clarified, as follows:

"Councillors and members of the Public have the right to put forward petitions and statements at a Council meeting. The submission must be relevant to the Council and/or the Bath & North East Somerset area. All statements (including those supporting a petition) must be submitted in writing (this to include transmission by email) and must be lodged with the Monitoring Officer

no later than close of business 2 clear working days before the day of the meeting at which the submission is to be made (e.g. Monday 5pm for a meeting on a Thursday).”

4. Note that Councillors have no involvement in ‘vetting’ statements in advance of meetings, and that all Councillors on a committee/panel/body to which a statement will be made receive them at the same point before the meeting.
5. Note that when a statement is received, officers will check that it does not breach the requirements listed in the Constitution, and that if it does so and time permits, they will work with the person to try and enable them to make a statement that complies with the rules.
6. Note that the rationale for having sight of statements in advance will enable Councillors to have the opportunity to consider the issues raised, in order to respond in a meaningful way and ask pertinent questions: otherwise, Members have little option but to thank the speaker. It also enables the Monitoring Officer or their staff to check that statements comply with the rules above.
7. Recommend that the Constitution Working Group consider a mechanism by which public speakers can receive a formal response to their statements, within a reasonable time.
8. Note that Democratic Services will endeavour to assist and support people who are disadvantaged through protected characteristics under the Equalities Act, discussing any specific particular difficulties with someone in this situation and finding ways to overcome those, as they have always done as part of their responsibilities under the Act.
9. Request that the Monitoring Officer produce guidelines on the acceptable forms for written statements (for example, to clarify whether bullet points are acceptable), and that Council should consider these as part of the Constitution Review report in July 2022; and
10. Confirm that the existing principle of not considering political group motions at the Annual General meeting of Council is intended to cover the Annual General Meeting in any form, and therefore should not be compromised by holding an ordinary meeting following the Annual General Meeting.

[Notes:

1. *The above resolution was carried on a split vote as set out below;*

<i>Resolution 1</i>	<i>- Unanimous</i>
<i>Resolutions 2–9</i>	<i>- Councillors in favour – 33, Councillors against - 16</i>
<i>Resolution 10</i>	<i>- Councillors in favour – 42, Councillors abstaining - 7.</i>

2. *During debate, an amendment had been moved by Councillor Robin Moss and seconded by Councillor Vic Pritchard to delete recommendations 2 – 9 and replace with the words “There is no requirement for any written copy to be provided prior to addressing council meetings”. This was lost on a named vote;*

*Councillors in favour: Councillors Vic Clarke, Chris Dando, Sally Davis, Michael Evans, Liz Hardman, Eleanor Jackson, Grant Johnson, Yuktshwar Kumar, Paul May, Robin Moss, Paul*

Myers, Lisa O'Brien, June Player, Vic Pritchard, Brian Simmons, Karen Warrington, Joanna Wright.

Councillors against: Councillors Rob Appleyard, Sarah Bevan, Colin Blackburn, Alison Born, Shelley Bromley, Neil Butters, Sue Craig, Paul Crossley, Jess David, Tom Davies, Winston Duguid, Mark Elliott, Andy Furse, Kevin Guy, Joel Hirst, Lucy Hodge, Duncan Hounsell, Shaun Hughes, Hal McFie, Ruth Malloy, Matt McCabe, Michelle O'Doherty, Bharat Pankhania, Manda Rigby, Dine Romero, Mark Roper, Richard Samuel, Alastair Singleton, Shaun Stephenson McGall, Karen Walker, Sarah Warren and Ryan Wills.]

## 10 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC

Zhenya Shkil made a statement on behalf of *Bath Stands with Ukraine* suggesting ways in which the Council could give support to a type of twinning arrangement with a specific area in Ukraine. The full statement is available attached to the minutes. Councillor Vic Pritchard asked Ms Shkil for a little more information about the 2 areas she had mentioned, to which she replied that for various reasons, Oleksandriya (approx. 60K population) was probably the best option. The Chair thanked Ms Shkil for her statement and referred it to the Leader of Council.

Ben Reed made a statement welcoming the recent news that an operator is sought for Bath Approach golf course and hoped this would be a success story for Bath over the coming years. The full statement is available attached to the minutes. The Chair thanked Mr Reed for his statement which was referred to the relevant Cabinet Member.

## 11 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS

Councillor Yuktेशwar Kumar made a statement to Council about soil degradation, and the harmful effect of this in regard to environmental issues, food quality and financial impact. He urged the Council to put pressure on national Government to take action to save British soil. A full copy of the statement is attached to the minutes. The Chair thanked Councillor Kumar for his statement, which was referred to the relevant Cabinet Member.

The meeting ended at 8.49 pm

Chair .....

Date Confirmed and Signed .....

Prepared by Democratic Services