

BATH AND NORTH EAST SOMERSET COUNCIL

MINUTES OF COUNCIL MEETING

Thursday 19th September 2024

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

Apologies for absence: **Councillors** Colin Blackburn, Deborah Collins, Sarah Evans, Liz Hardman, Steve Hedges, Shaun Hughes, Grant Johnson, John Leach, Bharat Pankhania, Paul Roper and Toby Simon

25 EMERGENCY EVACUATION PROCEDURE

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

26 DECLARATIONS OF INTEREST

The Monitoring Officer issued a dispensation for all Councillors that are in receipt of the State Pension and therefore have an interest in the Winter Fuel Payments motion, to enable them to take part in the debate and vote.

Councillor Dave Wood declared an 'other' interest in agenda item 8 – 'Annual Climate and Nature Progress report' as Chief Executive of Avon Needs Trees.

27 MINUTES - 18TH JULY 2024

On a motion from Councillor Matt McCabe, seconded by Councillor Andy Wait, it was

RESOLVED that the minutes of 18th July 2024 be approved as a correct record and signed by the Chair.

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

The Chair made the customary announcements regarding microphone use.

29 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There were no items of urgent business.

30 QUESTIONS, STATEMENTS AND PETITIONS FROM THE PUBLIC

The Chair made reference to the questions from the public and the responses that had been circulated.

Statements were made by the following members of the public;

Niels Steinhoff read a statement on behalf of Michael Coffey regarding the Sydney Road Liveable Neighbourhood scheme. The statement was in support of the scheme outlining the benefits it delivered and calling on the Council to show leadership by pressing ahead at the end of the trial to deliver a safe and healthy scheme on behalf of all residents.

Sarah Toy made a statement also in support of the above scheme. She referenced her experience as a chartered civil engineer and highlighted the benefits such as air quality improvements, safer routes to school and active travel. She urged the Council to focus on the silent majority benefitting from the trial and make it a permanent scheme. Councillor Joanna Wright asked if Sarah knew the cost of putting in the Sydney Road Liveable Neighbourhood scheme. Sarah replied that she didn't have that information but had been told that it was cheap within the overall scheme.

Christine Harrington read a statement on behalf of Robert Stone, also supporting the Sydney Road Liveable Neighbourhood scheme. She explained that there was a clear need, as previous driving behaviour had caused problems and she outlined some of those. The trial has been a success, despite the misinformation, intimidation and threats and it needs to be made permanent.

Susan Charles, Corston Parish Councillor, made a statement calling for accessible housing, a copy of which has been added to the online record and placed on the Minute Book. Councillor Joanna Wright asked Susan if she knew how many accessible houses had been built by this Administration in the last 5 years. Susan replied that she didn't know but thought it didn't sound like it was enough.

Matt Cooper made a statement, a copy of which has been added to the online record and placed on the Minute Book. Matt highlighted the benefits of plant-based eating and called on the Council to support plant-based eating within all Council settings. Councillor Saskia Heijltjes asked Matt if he knew how many emissions could be saved by switching to a plant-based diet, to which he replied that switching to a vegetarian diet typically produces a reduction of about 50% and a fully plant-based diet produces a reduction of about 75% (statistics from the University of Bath) and added that UK rates are higher than global rates.

Iris Gerosa made a statement "From Brazil to Bath tackling the ecological emergency", a copy of which has been added to the online record and placed on the Minute Book. Iris spoke about the problems of water pollution, deforestation leading to the loss of biodiversity, and excessive water waste. She called on the Council to implement a Plant-Based Action Plan to promote and prioritise plant-based eating wherever the Council has influence. Councillor Sam Ross asked about the health benefits of a plant-based diet, to which Iris explained about the reduction of coronary heart disease and diabetes.

Anthony Simpson made a statement also stressing the ecological and climate benefits of a plant-based diet, a copy of which has been added to the online record and placed on the Minute Book. He presented a number of statistics from Oxford University demonstrating the climate impact of a plant-based approach and asked Councillors to show courage and leadership by calling on the national government to support the transition towards a plant-based food system. Councillor Kevin Guy asked if Anthony could send a link to the data that he had quoted, to which Anthony confirmed he could. Councillor Joanna Wright asked if it was possible for residents on a low income to follow the Council's lead of a plant-based diet, to which Anthony responded that Oxford University research has shown that a plant-based diet can be between 30/40% cheaper.

Philip Fawkner-Corbett read a statement on behalf of Martin Farrell, a copy of which has been added to the online record and placed on the Minute Book. Martin set out his view that there was a current disconnection between policy makers, project assessment and the decision process for decisions concerning the World Heritage site of Bath. He called for the planning authority to be supported by an independent scrutiny panel and that the Council fully engages with stakeholders before any decision is required at committee.

Gracie Allen spoke about the Rights of Nature motion, giving a youth perspective. She described all the positive benefits for young people's physical and mental health for spending time in nature and urged Councillors to support the motion. Councillor Joanna Wright asked for Gracie's opinion about the implications of the motion not being supported, to which Gracie replied it would be terrible, as nature needed to be considered as a crucial part of our society.

Alison Harper called for Councillors to support the Rights of Nature motion on the agenda and set out her concept of eco-literacy; that of humans being connected to everything on the planet. This motion goes towards addressing some of the catastrophic effects humans are having on the natural world. Councillor Kevin Guy asked Alison if she had supported Bath Meadows being transferred to the National Trust, to which she replied that she had. Councillor Sam Ross asked Alison of the implications of the motion not succeeding, to which Alison replied that it was a frightening prospect as people don't know what the future holds.

The Chair thanked all the speakers for their statements which would be passed to the relevant Cabinet Members.

31 ANNUAL CLIMATE AND NATURE PROGRESS REPORT

Councillor Sarah Warren, Cabinet Member for Climate Emergency and Sustainable Travel, introduced this item and commended the Annual Climate and Nature Progress report to Council. She mentioned some clarification that was needed to the walking and cycling numbers before final publication.

During debate, clarification was sought that paragraph 3.9 did not compromise Planning Committee members when the application came to committee, and this was given by the Monitoring Officer.

On a motion from Councillor Sarah Warren, seconded by Councillor Oli Henman, it was

RESOLVED to

1. Note the positive progress achieved over the past year across the priorities set out in the Climate Emergency Strategy and Ecological Emergency Action Plan and
2. Approve the Annual Climate & Nature Progress Report, noting that a clarification will be included in the final version published on the website, to correct an error in the data on walking and cycling numbers.

[Notes:

1. *The above successful resolution was carried with 43 Councillors voting in favour and 3 Councillors abstaining.]*

32 POLICY DEVELOPMENT AND SCRUTINY ANNUAL REPORT 2023-24

Councillor Dine Romero introduced this report and highlighted some of the key activities and achievements during the year.

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

RESOLVED to note the contents of the Policy Development and Scrutiny Annual Report 2023-2024.

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

The Council considered a report updating them on the use of Regulation of Investigatory Powers Act and Investigatory Powers Act, Policies, and Procedures.

On a motion from Councillor Dave Wood, seconded by Councillor Robin Moss, it was unanimously

RESOLVED to

1. Note the summary of statistics on the use of Regulation of Investigatory Powers Act 2000 and Investigatory Powers Act 2016 (RIPA/IPA) by the council (Appendix 1);
2. Note the RIPA & IPA training module (Appendix 2); and
3. Adopt the Home Office Covert Human Intelligence sources code of practice (revised December 2022) set out at paragraph C.1.13 of the Council's Policy on the use of Regulation of Investigatory Powers Act 2000 (RIPA) & Investigatory Powers Act (IPA) 2016 (Appendix 3).

34 MOTION FROM THE GREEN GROUP - RIGHTS OF NATURE

Councillor Joanna Wright moved this motion, seconded by Councillor Sam Ross. Following a vote, this motion was

NOT CARRIED

Council:

- Recognises that nature has rights. By considering these rights in decisions, the Council can promote economies that renew resources and enhance communities' safety, strength, and resilience.
- Understands that nature is a connected system where all living things depend on each other. The rights of others balance the rights of one living thing, and any conflicts between them should be resolved in a way that keeps nature healthy and balanced.
- Acknowledges that all living things, including nature, have the right to live and be respected. This means nature has the right to renew itself, maintain its natural state, contribute to our ecosystem, and be free from harm.
- Recognises that everyone is responsible for respecting and living in harmony with nature - human well-being aligns with nature's by protecting, conserving, and restoring ecological cycles and balances.

Council therefore Resolves:

- To request Cabinet to commission officers to prepare a report to Council outlining how to integrate the "Rights of Nature" into the Council's day-to-day operations, planning procedures, and decision-making processes.
- Following this report, to ask the Council's Constitutional Working Group to recommend how the Council's Constitution can be amended to incorporate the Rights of Nature.
- To ask Council Leaders to write to the Government calling for the "Rights of Nature" to be made statutory.

[Notes;

1. *The above motion was lost, with 5 Councillors voting in favour, 39 against and 3 abstentions.]*

35 MOTION FROM THE LIBERAL DEMOCRAT GROUP - WINTER FUEL PAYMENTS

During debate, an amendment from the Labour group was moved. Councillor Alan Hale sought assurance that it was a valid amendment and the Chief Operating Officer, on behalf of the Chief Executive, confirmed that it was, as it was on the same subject matter, has not been considered in the last six months and sought to achieve something which could not be achieved by simply voting against the motion.

On a motion from Councillor Dave Harding, seconded by Councillor Michael Auton, it was

RESOLVED that

Council:

1. Notes the recent announcement by the Labour Government to end universal winter fuel payments and restrict eligibility to only those in receipt of Pension Credits and other benefits.
2. Notes with concern that many pensioners on lower incomes will now not receive vital support with winter fuel costs. Across England and Wales, the number of people eligible for winter fuel payments will fall by 10 million (from 11.4 million to only 1.5 million).
3. Notes that in Bath and North East Somerset, the number of pensioners affected by the change in eligibility criteria is 32,412. That means 91.9% of pensioners currently eligible for winter fuel payments will no longer be able to claim the payment from this winter onwards.
4. Believes that the Labour Government has set the threshold at which pensioners do not qualify for Winter Fuel Payments far too low. Only those receiving a pension of less than £218.15 a week (or £332.95 a week for couples) are eligible for Pension Credits. This is significantly lower than the living wage rate.
5. Notes with concern the low take up of Pension Credit, with only 63% of those eligible nationwide receiving them and over 880,000 pensioners not doing so.
6. Recognises the importance of raising awareness of benefits, such as Pension Credit, to ensure people receive the support they are entitled to. Council welcomes the work being undertaken by the Welfare Support and Public Health teams, with Citizens Advice and Age UK, to promote the Pension Credit scheme to those who may be eligible, and also welcomes Government awareness campaigns, such as the Pension Credit Week of Action.
7. Further notes that the Energy Price Cap is due to rise by 10% in October which, combined with the removal of Winter Fuel Payments, risks pushing thousands of local pensioners into fuel poverty.

Council therefore:

8. Asks the Leader of Council to write to the Government, calling for the policy on linking Winter Fuel Payments to Pension Credit receipt to be immediately suspended and for a new threshold determining eligibility for Winter Fuel Payments to be adopted.
9. Asks the Leader of Council to write to all MPs covering the Bath and North East Somerset Council area, asking them to give their formal support to halting the changes to the Winter Fuel Payment eligibility.

[Notes;

1. *During debate, an amendment was moved by Councillor Robin Moss and seconded by Councillor Lesley Mansell. The amendment was lost, with 5 Councillors voting in favour, 39 Councillors voting against and 1 abstention. The amendment is attached for reference.*
2. *The successful resolution above was carried with 38 Councillors voting in favour, 6 Councillors voting against and 4 abstentions.]*

36 QUESTIONS, STATEMENTS AND PETITIONS FROM COUNCILLORS

Councillor Andy Wait made a statement about 10 years of KeynshamNow. A full copy of Councillor Wait's statement is attached to the online record and placed on the Minute book. Councillor Alan Hale asked if there was political balance amongst those advising the young people, to which Councillor Wait replied that there was, and that the mentors are there to facilitate what the young people want to do.

Councillor Saskia Heijltjes made a statement about Liveable Neighbourhoods, in support of them but pointing out that 4 out of the 11 going to WECA the following day didn't include traffic restrictions so fell short of the transformative benefits they could offer. Councillor Kevin Guy asked if Councillor Heijltjes agreed that earlier speakers had mentioned the transformative difference Liveable Neighbourhoods had made to their lives, to which Councillor Heijltjes replied that they had, but that the schemes they were referring to had included traffic restrictions. Councillor Joanna Wright asked Councillor Heijltjes if she knew whether B&NES had any school streets, to which the Councillor replied that she didn't believe that was the case.

The Chair thanked both Councillors for their statements.

The meeting ended at 9.04 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services