

# BATH AND NORTH EAST SOMERSET COUNCIL

## MINUTES OF COUNCIL MEETING

Thursday, 25th March, 2021

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

Apologies for absence: **Councillors** Matt McCabe

### 73 DECLARATIONS OF INTEREST

Councillors Steve Hedges and Eleanor Jackson declared an 'other' interest as holders of Blue Badges, in relation to the statement made by Councillor Sarah Moore regarding disabled access to the region. Councillor Robin Moss also declared an 'other' interest on the same item as a family member is a Blue Badge holder. *[These statements were made at the Councillor statements item.]*

### 74 MINUTES - 23RD FEBRUARY 2021

On a motion from Councillor Eleanor Jackson, seconded by Councillor Alan Hale, it was

**RESOLVED** that the minutes of 23<sup>rd</sup> February 2021 are approved as a correct record to be signed by the Chairman in due course.

### 75 ANNOUNCEMENTS FROM THE CHAIR OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE

The Chairman read the following statement;

“At a recent Council meeting, the word gaslighting was used by a member in the context of political debate. Gaslighting is defined as “a form of emotional manipulation that often results in the recipient doubting their perception of reality and their sanity.” Whilst the member using that word continues to hold the views they were seeking to express in the overall debate, upon reflection they acknowledge the wider meaning of the term 'gaslighting' in connection with domestic abuse and would emphasise that it was not meant to trivialise the act of gaslighting and they sincerely regret any offence caused.”

The Chairman then invited the Leader to give a brief update on 2 issues;

- Safety for women; – Councillor Romero spoke of the shock and upset on hearing of Sarah Everards death. She explained that the women councillors of this council had met last week and agreed that they would make a stand against this and work together with all their colleagues to make streets and public places feel safe for everyone. This includes empowering all to call out unwanted attention and aggression in speech and action. She hoped all councillors would support this position.
- The latest Covid situation for the Council; – Councillor Romero explained that case numbers were low and the vaccination programme was going well. Asymptomatic and symptomatic testing facilities were now available across Bath, Keynsham and Midsomer Norton. Pressure on the RUH was reducing and they were working with the Police to help ensure people were sticking within the rules. The Council was still distributing business grants and had processed over 9000 applications as well as over 12,000 calls at the Hub. Councillor Romero acknowledged and thanked the contribution of staff doing their day jobs and volunteering. She welcomed the light at the end of the tunnel but urged caution as regulations were gradually relaxed.

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

The Chair informed the meeting that he had agreed one item of urgent business which had arisen since the publication of the agenda and had been circulated to all Members and published online. This was taken at minute number 79.

## **77 URGENT DECISION BY CHIEF EXECUTIVE - ASYMPTOMATIC MASS TESTING**

It was noted that the Chief Executive had agreed the award of contracts to support the Council in rolling out a Lateral Flow Testing programme as part of the national response to COVID-19, at a cost of approximately £346,000 per month (subject to any changes in DHSC requirements).

This was made under Part 4G, rule 5 of the Constitution which requires that, following the decision, a report be made to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

## **78 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC**

Statements were made by the following members of the public;

Martin Grixoni addressed Council about its engagement with the community, expressing a view that consultation was poor and citing various recent examples where he considered this to be the case. He drew attention to the Council's Community Engagement Charter listing the 5 commitments within that to provide early, timely information, take into account all responses, and provide feedback and he urged the Council to follow its own principles and do this more effectively. Councillor Joanna Wright asked if Martin was aware that she and officers had visited the school he mentioned 3 times in the last 3 months, contrary to what Martin had said in his statement. Martin responded that the information he had seen from the

school suggested otherwise. Councillor Paul Myers asked Martin if had a record of the examples he had listed and whether he had submitted those to the Council already. Martin responded that he did and would be happy to provide any information that would be helpful.

Bob Goodman spoke to the Council about ecological issues. He welcomed the news of peregrine falcon eggs at St John's Church and spotting the first swallows of the season. He was frustrated, however, with his perception of inconsistent application of planning policy with regard to a recent city farm application being refused, when similar ecological aspects were shared with the Tufa field application which was of national ecological significance. He queried whether the latter being an Aequus development was a factor. Councillor Tim Ball asked if Bob understood the planning process and the due diligence process that Committee members were subject to. Bob responded that he did.

Ben Reed made a statement, as Chair of the Friends of Bath Approach Golf course, a copy of which is available to read in full linked to the minutes. In his statement, he explained the steps taken to keep the golf course open for everyone to enjoy. A volunteer community group – Friends of Bath Approach Golf Course – has been established with the intention of repairing and maintaining the golf greens, keeping the site clean and tidy and raising funds for future improvements. Councillor Paul Myers asked if a Community Asset Transfer was intended for this group. Ben replied that he was aware of those but that was not the intention for this group which would be a Friends group, as existed for other parks in the area. Councillor Karen Walker asked Ben if a business plan had been submitted to the Council. Ben replied that a detailed document had been submitted setting out the Group's intentions. Councillor Liz Hardman asked Ben if he agreed that keeping the site open would encourage residents from outside Bath to enjoy the site as well, to which he replied that he certainly agreed, and that the petition of over 4800 signatures confirmed that support came from across the B&NES area.

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

## **79 REPORT TO DELEGATE POWER TO MAKE ORDERS UNDER SECTION 91 LOCAL GOVERNMENT ACT 1972**

The Council considered a report which had been brought as an urgent item arising after publication of the agenda.

On a motion from Councillor Dine Romero, seconded by Councillor Paul Myers, it was unanimously

**RESOLVED** to

1. Delegate authority to the Monitoring Officer, in consultation with the Group Leaders, to make an Order (Appendix 1) to appoint parish councillors to ensure that an inquorate Parish Council is quorate and can continue to act;
2. Adopt the process for appointment at Appendix 2 of the report.

## **80 AMENDMENTS TO THE CONSTITUTION**

The Council considered a report concerning various amendments to the Constitution to ensure the rules remain accurate, transparent and accountable to local people.

On a motion from Councillor Tim Ball, seconded by Councillor Sally Davis, it was unanimously

**RESOLVED** to

1. Agree the amendments to the Planning Delegation scheme, as set out in the revised Appendix 1, and to agree to delegate to officers any other textual changes as may be required to ensure clarity;
2. Agree the amendments to the Planning Committee Terms of Reference contained in Appendix 2 and described in paragraph 3.3 of the report (with the proposed changes shown in tracked changes);
3. Agree the insertion of a clarifying paragraph to the general officer delegation scheme, as described in section 3.4 of the report;
4. Amend the Constitution to formalise the position that political group motions continue to be taken as the last items on the agenda, as described in paragraphs 3.6 – 3.8 of the report;
5. Agree to remove the Petition scheme from the Constitution, as described in section 3.9 – 3.14 of the report.

**81 INTERIM MONITORING OFFICER**

The Council considered a report seeking an extension to the interim appointment of the Monitoring Officer.

On a motion from Councillor Dine Romero, seconded by Councillor Paul Myers, it was unanimously

**RESOLVED** to agree the extension of the appointment of Interim Head of Legal and Democratic Services and Monitoring Officer of Michael Hewitt, on a salary of £80,108 pro rata per annum for a further period from 1 April 2021 to 31 July 2021.

**82 CONFIRMATION OF CHAIR DESIGNATE 2021/22**

This report invites Councillors to indicate which Councillor will be formally nominated as Chairman at the Council's AGM.

On a motion from Councillor Paul Myers, seconded by Councillor Dine Romero, and supported by Councillor Robin Moss and current Chairman Councillor Andy Furse, it was unanimously

**RESOLVED** that, for forward planning purposes, Councillor Lisa O'Brien is named as Chair(man) of the Council (Designate) for the 2021/22 Council Year.

**83 MOTION FROM LIBERAL DEMOCRAT GROUP - VIRTUAL MEETINGS**

On a motion from Councillor Jess David, seconded by Councillor Paul Myers, it was

**RESOLVED** that

Council notes that:

1. B&NES Council meetings have been held virtually since Spring 2020 as permitted by the Coronavirus Regulations 2020, under which virtual meetings have the same status and validity as in-person meetings.
2. These regulations will expire on 7 May 2021.
3. The LGA and B&NES Group Leaders, as well as many Councils across the UK, and national professional bodies, have called for virtual meetings to be made a permanent option for Councils.

Council believes that:

4. There are many benefits to virtual and hybrid meetings for participants, observers and the general public, including: improved access and safety, reduced emissions from transport, savings on time and expenses, and better engagement with residents.
5. Councillors, officers and the public have made great progress in developing the technological skills to participate in virtual meetings on various platforms.
6. Longer term, the option of holding virtual and hybrid meetings could attract a more diverse range of Councillors and officers.
7. Councils should be able to choose between a virtual, hybrid or in-person format for Council meetings, depending on factors such as participants or weather conditions.

Council therefore:

8. Calls on the Government to bring forward legislation enabling virtual and hybrid meetings to be a permanent option for Councils, alongside in-person meetings.
9. Requests that the Leader write to relevant Ministers and local MPs on this matter.
10. Calls on all Councillors to raise this issue with colleagues such as Parish Councillors.

*[Notes;*

1. *The above successful resolution was carried with 1 Councillor voting against and the remaining Councillors voting in favour.]*

**84 MOTION FROM CONSERVATIVE GROUP - INITIATIVES TO IMPROVE CHILDREN'S WELLBEING**

This item was not moved, and therefore no debate took place.

**85 MOTION FROM LABOUR GROUP - COMMUNITY WEALTH BUILDING**

This item was not moved, and therefore no debate took place.

**86 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS**

Councillor Sarah Moore made a statement about disability access in B&NES, a full copy of which is available linked to the online minutes. She made several suggestions regarding parking bays and parking provisions and urged Councillors to look more closely at the small steps that could be taken in their wards to improve independence for all residents. Councillor Dine Romero asked Councillor Moore if she was making this statement in her newly appointed role as Member Advocate for Access, to which Councillor Moore confirmed that she was. Councillor Robin Moss asked Councillor Moore if she considered the Council was doing enough for Blue Badge holders at the moment to which she replied that there was more work that could be done, and she hoped that they could push forward on this as lockdown eased.

Councillor Jess David made a statement about the impact of Covid-19 on women, a full copy of which is available linked to the online minutes. Councillor David addressed the work, caring and wellbeing impact on women and called for a scrutiny review picking up all these issues. Councillor Dine Romero asked if Councillor David's intention was that this referral should be considered by the Scrutiny Chairs and Vice-Chairs initially, to which Councillor David confirmed that she agreed, and did indeed consider this a cross cutting issue.

Councillor Chris Watt made a statement about the Bath Half Marathon 20/21. He applauded this event which was beneficial on many fronts, not least for the valuable fundraising opportunities it provides for many charities. He acknowledged that every effort needed to be made to ensure the event is staged safely but welcomed the work being done by Council officers committed to finding a date and venue for this to take place.

The Chairman thanked the above Councillors for their statements which would be referred to the relevant Cabinet Members.

The meeting ended at 8.05 pm

Chairman .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**