

Minutes

of the Meeting of

The Council

Tuesday, 13th November 2018

held at the Town Hall, Weston-super-Mare, Somerset.

Meeting Commenced: 6.00 pm Meeting Concluded: 7.50 pm

Councillors:

P David Jolley (Chairman)

P Reyna Knight (Vice-Chairman)

P Elfan Ap Rees

P Felicity Baker

A Karen Barclay

P Chris Blades

P Mary Blatchford

P Peter Burden

P Charles Cave

P Robert Cleland

P Andy Cole

P John Crockford-Hawley

P Bob Garner

Colin Hall

P David Hitchins

P Jill Iles

P Tom Leimdorfer

P Richard Nightingale

A David Oyns

P David Pasley

P Marcia Pepperall

P Terry Porter

A Kate Stowey

A Richard Tucker

P Martin Williams

P Nick Wilton

P Nigel Ashton

P Jan Barber

P Michael Bell

A Ericka Blades

P Peter Bryant

P Mark Canniford

P James Clayton

P Sarah Codling

P Peter Crew

P Donald Davies

Judith Hadley

P Ann Harley

P Denise Hunt

P Ruth Jacobs

P John Ley-Morgan

P Jerry O'Brien

P Ian Parker

P Dawn Payne

P Lisa Pilgrim

A David Shopland

P James Tonkin

P Liz Wells

P Roz Willis

P Deborah Yamanaka

P: Present

A: Apologies for absence submitted

Officers in attendance: Helen Bailey (Interim Chief Executive), Sheila Smith (Director of People and Communities), Nicholas Brain (Head of Legal and Democratic Services), Richard Penska (Interim Head of Finance), Sue Efford (Corporate Services), Paul Morris (Corporate Services), Michael Rees (People and

Communities), Richard Turner (Corporate Services) and Joanna Walker (Chief Executive Designate)

COU 62 Public Participation: Richard Lawson, Local Resident – Fracking within North Somerset and Results of a Survey of Hutton Residents (Agenda Item 1)

Mr Lawson addressed the Council as a local resident and Chair of ‘Frack Free North Somerset’. He referred to a survey of Hutton residents undertaken by Frack Free North Somerset earlier in the year to discover their views on fracking. He explained Hutton had been selected due to the stated intention from Infinity Energy to frack the coast of Somerset somewhere south of Weston-super-Mare. He referred to the large body of scientific work identifying problems with fracking and reported that of the 181 people who responded to the Hutton survey 87% declared they did not give consent to fracking in their parish. He referred to the environmental impacts of fracking and urged the Council in determining any future application for fracking to consider the wishes and well-being of residents of North Somerset, its responsibilities in playing its part in avoiding climate change, and whether the Council should join with eleven parish and town councils in Somerset and declare itself a Frack-Free Zone.

The Chairman thanked Mr Lawson for his address. The matter would be referred to the relevant directorate. He also drew attention to the Motion on non-hydraulic fracking to be dealt with later in the meeting (agenda item 6.2 refers).

COU 63 Declarations of Interest by Members (Agenda Item 4)

None

COU 64 Minutes of the Meeting held on 25 September 2018 (Agenda Item 5)

Councillor Bell indicated that an undertaking to provide a report had not been actioned (minute no. COU 54 refers) and suggested the minutes be amended accordingly. The Head of Legal and Democratic Services responded that whilst this may have yet to be actioned the minute was correct.

Resolved: that the minutes of the meeting be approved as a correct record.

**COU 65 Motions by Members (Standing Order No. 14)
EU Citizens and Brexit (Councillor Mike Bell) (Agenda Item 6.1)**

Motion: Moved by Councillor Bell, and seconded by Councillor Canniford

“This Council recognises the invaluable contribution of European Union citizens who live and work in North Somerset, many of whom work in jobs that provide vital community services including with the council and our health and emergency services.

Council notes that an estimated 7,000 people from EU countries live in North Somerset and have faced uncertainty as Britain leaves the European

Union. Council also notes that some British citizens ordinarily resident in North Somerset currently live or work elsewhere in the EU.

This Council therefore:

1. Pledges to provide relevant support to EU citizens who live or work in North Somerset, during and after the Brexit process;
2. Confirms that it believes that all EU citizens who live in the District should retain their right to vote in and be candidates in local elections;
3. Requests that the Executive explore ways in which the council can best assist EU citizens in North Somerset apply for settled status and British citizenship, as appropriate, particularly in the case of children and young people, families and those in receipt of council care support services;
4. Also requests that the Executive explore ways in which North Somerset residents living or working overseas can be equally supported, as required, through the Brexit process.”

Seven Members signified their support for a debate on the Motion.

Councillor Bell spoke in support of the Motion. He referred to the concerns of EU citizens living and working in North Somerset because of the ongoing uncertainties around the Brexit process and suggested the Council should provide relevant support by sharing any available information and guidance for EU citizens throughout the Brexit process. He referred to the importance of planning and preparation for Brexit and the need for appropriate measures to be put in place.

In discussing the Motion members expressed sympathy for EU citizens in North Somerset living with the uncertainties of Brexit but it was generally agreed it would be premature to approve such a Motion at this stage when the details of any Brexit deal had yet to be agreed by the government. It was suggested it may be appropriate to consider these issues early next year once the position was clearer. Reference was also made to the opportunities for councillors to provide support for individuals within their communities where required and to the importance of reciprocal arrangements for North Somerset residents living or working in Europe.

On being put to the vote, the **Motion** was lost.

**COU
66 Motions by Members (Standing Order No. 14)
Government Proposals on Non-Hydraulic Fracking as Permitted
Development (Councillor Tom Leimdorfer) (Agenda Item 6.2)**

In presenting his Motion Councillor Leimdorfer proposed the following amendments –

Paragraph (2) – the deletion of the words “*or national planning inspector*” at the end of the penultimate sentence.

Paragraph (3) – the deletion of the words “This Council affirms that local councils should have a meaningful say in whether projects go ahead, where these could result in significant local impacts such as increased traffic, fields and open spaces being converted to drilling sites. Local councils should retain the right to represent their communities’ needs and wishes.”

Motion: Moved by Councillor Leimdorfer, and seconded by Councillor Ashton

“The government has been carrying out consultation on whether to make non-hydraulic fracking (exploratory drilling for fracking) a permitted development and hence not subject to the normal planning process. This has been considered by cross-party bodies such as the Parliamentary Select Committee and the Local Government Association, as well as by a range of non-governmental organisations. The matter is of particular relevance to North Somerset Council, given the Oil and Gas Licensing Blocks ST35 and ST36 include coastal areas from Clevedon to Brean as well as areas along the edges of the AONB (which itself would be excluded from permitted development).

The Motion proposed:

(1) This Council is in agreement with the conclusions of the Parliamentary Select Committee on Communities and Local Government (July 2018) that ‘Shale gas development of any type should not be classed as a permitted development. Given the contentious nature of fracking, local communities should be able to have a say in whether this type of development takes place, particularly as concerns about the construction, locations and cumulative impact of drill pads are yet to be assuaged by the Government’.

(2) The Council is also in agreement with the Local Government Association statement of May 2018: “*We oppose any proposal for shale exploration to be allowed to bypass the locally democratic planning system through permitted development. We are clear that it should be up to local communities to decide whether or not to host fracking operations in their areas.*”

(3) We ask our Chief Executive to convey these views to the Secretary of State for Housing, Communities and Local Government.”

Seven Members signified their support for a debate on the Motion.

Councillor Leimdorfer spoke in support of the Motion. He referred to the concerns raised by the public speaker earlier in the meeting on hydraulic fracking but clarified that his Motion focussed on the issue of non-hydraulic fracking/exploratory drilling, and the need for any shale exploration to be subject to the normal planning process and not to be classed as permitted development. He drew members’ attention to development management policy DM14 and suggested members would be supporting the Council’s existing policies by approving this Motion. In discussing the Motion it was noted that the Council had already responded to a government consultation on fracking, setting out the Council’s position that any proposal for shale exploration should be determined via the democratic planning system and not be classed as permitted development.

On being put to the vote, it was

Resolved: the government has been carrying out consultation on whether to make non-hydraulic fracking (exploratory drilling for fracking) a permitted development and hence not subject to the normal planning process. This has been considered by cross-party bodies such as the Parliamentary Select Committee and the Local Government Association, as well as by a range of non-governmental organisations. The matter is of particular relevance to North Somerset Council, given the Oil and Gas Licensing Blocks ST35 and ST36 include coastal areas from Clevedon to Brean as well as areas along the edges of the AONB (which itself would be excluded from permitted development).

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(2) The Council is also in agreement with the Local Government Association statement of May 2018: "*We oppose any proposal for shale exploration to be allowed to bypass the locally democratic planning system through permitted development. We are clear that it should be up to local communities to decide whether or not to host fracking operations in their areas.*"

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COU 67 Chairman's announcements (Agenda Item 8)

The Chairman referred to a presentation he had attended given by the Council's partners Addaction, based on the Boulevard in Weston-super-Mare. He explained the role of Addaction in re-building lives, reporting they were currently helping over 900 people with complex needs around the misuse of alcohol and opiates. He asked members to let him know if they would be interested in attending a future presentation from Addaction and he would let them know when the next one was organised.

COU 68 Leader's announcements (Agenda Item 9)

The Leader congratulated the Chairman and all staff involved in Weston's Carnival on Friday 9 November which had been particularly enjoyable this year. He also thanked all those involved in the Remembrance Sunday services in Weston which had been well attended.

In response to Councillor Bell's earlier comments under the minutes, the Leader confirmed that a report had been sent to councillors and he would arrange for another copy to be forwarded to Councillor Bell.

COU 69 Forward Plan dated 2 November 2018 (Agenda Item 11)

Councillor Ashton presented the Forward Plan.

Resolved: that the Forward Plan be noted.

**COU
70 Policy and Scrutiny Panel Report (Agenda Item 12)**

Councillor Willis presented the report from the Health Overview and Scrutiny Panel, drawing attention to key areas the Panel had focussed on during the current municipal year and ongoing issues for the Panel. She made specific reference to the issues being addressed by the GP Working Group, chaired by Councillor Parker, and confirmed the working group would be reporting to the Panel in January. In response to questions raised as to whether the Council was adopting a sufficiently robust approach in its dealing with the NHS, she referred to the close working relationship between the Council and its health partners and stated she was confident that solutions would be found to the current challenges to primary care provision within Weston town centre.

Councillor Cave presented the report from the Strategic Planning and Economic Development Policy and Scrutiny Panel. He outlined the main issues considered by the Panel and its working groups over recent months.

Resolved: that the reports be noted.

**COU
71 Question Time (Standing Order No. 18) (Agenda Item 13)**

Oral questions were directed to Members concerned and the summary notes and the topics involved are contained in Appendix 1.

**COU
72 Report and matters referred from Employment Committee – 15 October 2018
EMP 23 Interviews for Chief Executive Post (Agenda Item 16)**

Councillor Pasley presented the reference from the Employment Committee. He outlined the interview process undertaken and those who had been involved, both from within the Council and representatives of major stakeholders. He reported that the committee's decision to appoint Joanna Walker as Chief Executive had been unanimous, and the Council was now being recommended to appoint her as Head of Paid Service. He thanked all those involved in the process for the professional way in which proceedings had been conducted and reported that Joanna Walker, who was in attendance at this meeting, would be joining the Council on 16 January 2019.

Motion: Moved by Councillor Pasley, seconded by Councillor Ashton

Resolved: that Joanna Walker be appointed Head of Paid Service.

The Chairman welcomed Joanna Walker to the meeting and congratulated her on her appointment. At the invitation of the Chairman, Joanna Walker introduced herself, outlining her previous local government experience and stating she was looking forward to joining the Council in January.

COU 73 Reports on joint arrangements and external organisations and questions relating thereto: Avon Fire Authority (Agenda Item 17 (1))

Councillor Davies reported that Avon Fire Authority had met earlier in the day to consider an exempt report on the ICT procurement programme.

Resolved: that the report be noted.

COU 74 Reports on joint arrangements and external organisations and questions relating thereto: Avon Pension Fund Committee (Agenda Item 17 (3))

Councillor Blatchford presented the report, making particular reference to the Brunel Pension Partnership, the investment strategy, the risk management strategy and the responsible investing policy.

In discussing the report questions were raised regarding the relationship between Avon Pension Fund and Brunel Pension Partnership, whether elected members were represented on the Partnership, clarification around the pooling arrangements and how investment decisions were taken. In response Councillor Blatchford undertook to provide a written reply to all councillors after the meeting.

Resolved: that the report be noted.

COU 75 Youth Justice Partnership Plan 01/04/18 – 31/03/21

Councillor Barber presented the report. She referred to the positive recognition received by the service, including accreditation for being a youth friendly service, and to the project management role of the Youth Offending Service Manager in the South West Resettlement Consortium.

At the invitation of the Chairman, Mike Rees, North Somerset Youth Offending Service Leader presented the Youth Justice Partnership Plan. He outlined the key elements of the Plan with a focus on the three national youth crime and justice outcomes of reducing re-offending, reducing first time offending and reducing the use of custody, all of which were measured using national indicators. He also referred to the focus on victim engagement and support and restorative justice, and outlined the extensive range of services and activities provided as part of the Youth Offending Service. He reported that good feedback had been received from partner agencies on the Plan and referred to the financial challenges in delivering and extending the current services provided.

Members thanked the Youth Offending Service Leader for his report and for the delivery of the service in challenging circumstances. In discussing the report members raised a number of questions and received responses in relation to the following: with reference to the future of the High Impact Families (Troubled Families) Programme once funding came to an end in 2020, members were advised the High Impact Families Programme Board was currently considering this challenge; with regard to the profile of youth

offending and the relevance of ethnic origin recording, with particular reference to why the ethnic origin of some young people was recorded as unknown, it was noted this number was small and the information may not have been offered; the increasingly diverse and complex partnership and funding arrangements around youth offending services; in seeking clarification around why, with below national average re-offending rates in North Somerset, there were low levels of suitable employment opportunities, Members noted the difficulties in identifying and sustaining education, training and employment placements for some of the more challenging young people remaining within the criminal justice system; with reference to how residents could be confident that referral services were working effectively in reducing re-offending it was noted that entry and exits from programmes were carefully monitored and overall indicated successful completions.

Motion: Moved by Councillor Barber, seconded by Councillor Ap Rees

Resolved: that the Youth Justice Partnership Plan 01/04/18 – 31/03/21 be approved and adopted and submitted to the Youth Justice Board.

COU 76 Draft Municipal Calendar 2019/20 (Agenda Item 19)

The Head of Legal and Democratic Services presented the report.

Motion: Moved by Councillor Ashton, seconded by Councillor Ap Rees

Resolved: that the draft Municipal Calendar 2019/20 attached to the report be approved.

COU 77 Date of Next Council Meeting

The Chairman confirmed the next Council meeting was scheduled for Tuesday 8 January 2019 at 6.00 pm.

Chairman

Appendix 1

**North Somerset Council
Council Meeting, 13 November 2018
Question Time (Agenda Item 13)**

Question 1

From Councillor Nightingale

To Councillor Baker, Executive Member for Community, Tourism and Leisure, Licensing, Corporate Communications, Electoral Services, Libraries

Dog Fouling, Littering and other Anti-Social Behaviour

Councillor Nightingale referred to the significant amount of emails he received in relation to dog fouling, littering and other anti-social behaviour and asked the Executive Member whether, given the limited resources available, she would consider the use of private firms to fine offenders.

In response Councillor Baker clarified that not all the issues referred to came within her portfolio but indicated she would be happy to discuss the matter further with officers and the police. On a positive note she drew members' attention to a recent report on Weston-super-Mare in the Telegraph which had given an excellent account of the town.

Question 2

From Councillor Canniford

To Councillor Ap Rees, Executive Member for Planning, Highways, Transport, Housing, Economic Development

Late Night Parking in Weston Town Centre

Councillor Canniford asked the Executive Member if he could confirm there would again be free late night parking in the centre of Weston this Christmas.

Councillor Ap Rees responded he was currently in discussions with officers on this matter and would advise members in due course.

Question 3

From Councillor Crockford-Hawley

To Councillor Pasley, Executive Member for Human Resources, Asset Management, Capital Programme, Transformation

Plans for a Pool on Weston Seafont

Councillor Crockford-Hawley asked the Executive Member if he was aware of any plans to provide: (1) a swimming pool on a seafont or beach site unrelated to the Tropicana, or (2) provide anything resembling a Centre Parcs type development on the seafont, or elsewhere in Weston-super-Mare, or was this perhaps just ill-informed speculation doing the rounds in the local media.

Councillor Pasley responded that a pool on Weston seafont was a great idea but he was not aware of any such plans, adding this was a development rather than an asset management issue and therefore not within his portfolio.

Councillor Ap Rees confirmed he wasn't aware of any such proposals either.

In a supplementary question Councillor Crockford-Hawley asked Councillor Ap Rees if he would care to discuss this with Weston's MP who recently said he supported a new facility on a seafront or beach site away from the Tropicana despite no site being available. Councillor Ap Rees responded he would be delighted to discuss the matter with the local MP.

Question 4

From Councillor Hunt

To Councillor Ap Rees, Executive Member for Planning, Highways, Transport, Housing, Economic Development

Malfunction Junction in Worle

Councillor Hunt stated she was sure Councillor Ap Rees was aware of the morning and evening misery trying to get out of Worle at malfunction junction, at the bottom of the Queensway, and the slow and painful crawl out of Weston for those commuting out through J21 out on to the M5. She added that in 2016 it had been promised in Mercury headlines that changes were planned and that things would improve but there had been no action. She asked the Executive Member if he could he tell councillors when they could expect to see some changes and why the wait had been so long.

In response Councillor Ap Rees stated the delays were down to Highways England who had promised to undertake works to the M5 northbound slip road to improve access to the M5. Until these works had been carried out the Council was powerless to do more. He suggested the junction would work much better once access improvement works had been completed.

Question 5

From Councillor Bell

To Councillor Barber, Executive Member for Children and Young People's Services

Ofsted Action Plan for SEND Services

Councillor Bell referred to the Action Plan for SEND services that had recently been signed off and asked the Executive Member what action had been taken within the Council to lobby for the retention of funding for the service.

Councillor Barber responded that she was always lobbying and that every effort would be made to provide the best services possible with the resources available, and with the assistance of the Clinical Commissioning Group (CCG).

Question 6

From Councillor Parker

To Councillor Ap Rees, Executive Member for Planning, Highways, Transport, Housing, Economic Development

Job Losses arising from Lidl Closure

Councillor Parker understood that further to their announcement a couple of years ago, Lidl warehouse at West Wick was now in the process of re-locating to Avonmouth, taking several hundred jobs out of the district. Apart from being a huge blow to the local economy and the Council's strategy of trying to bring much needed local jobs into Weston, not lose them, he asked the Executive Member what efforts, if any, were being made to replace this number of job losses.

Councillor Ap Rees responded that it was disappointing that Lidl had decided to relocate to Avonmouth. He referred to the new jobs being created in the area, referring to the opportunities on the Lidl site and to the work which had now started on the food centre on the former Weston Airfield site. He also referred to the North South Link through Locking Parklands and was hopeful that employers would take up the opportunities available there. He agreed that any job losses were regrettable but assured Councillor Parker that efforts were being made to secure new employment opportunities.

Question 7

From Councillor Yamanaka

To Councillor Ap Rees, Executive Member for Planning, Highways, Transport, Housing, Economic Development

Speed Signs on the A38

Councillor Yamanaka reported that speed limits on the A38 between Bristol and the airport had changed recently and asked the Executive Member if he was aware that some speed limit signs had changed but some had not. She stated that cars joining the A38 from some side roads were under the impression that the speed limit was different from the speed signed on the A38 itself. She asked the Executive Member if he could ensure that the signs were consistent.

Councillor Ap Rees responded that if Councillor Yamanaka could provide him with a list of roads he would ensure this was followed up by highways officers.

Question 8

From Councillor Davies

To Councillor Ap Rees, Executive Member for Planning, Highways, Transport, Housing, Economic Development

Sovereign Centre Parking

Councillor Davies asked the Executive Member if he could clarify who was now responsible for car parking policy in the Sovereign Centre as he believed it was under the remit of Councillor Pasley.

Councillor Ap Rees responded that the Sovereign Centre was undergoing change and reported that the Parking Manager was currently looking at parking arrangements in the Sovereign Centre and whether there were opportunities for extending current opening hours.

In response to a supplementary question as to whether matters regarding parking in the Sovereign Centre should be referred to him rather than Councillor Pasley, Councillor Ap Rees suggested that was dependent on whether or not it was a complaint!