

# Minutes

of the Meeting of

## The Council

### Tuesday, 22nd September 2020

held via Microsoft Teams

Meeting Commenced: 6:00 pm Meeting Concluded: 8:25 pm

#### Councillors:

P David Shopland (Chairman)

P Richard Westwood (Vice Chairman)

A Marc Aplin

P Nigel Ashton

P Mike Bell

P Mike Bird

P Steve Bridger

P Peter Bryant

P Gill Bute

P Mark Canniford

P Ashley Cartman

P John Cato

P Caritas Charles

P Caroline Cherry

A James Clayton

P Sarah Codling

P Andy Cole

P Peter Crew

P John Crockford-Hawley

P Ciaran Cronnelly

P Mark Crosby

P Donald Davies

P Catherine Gibbons

A Hugh Gregor

P Wendy Griggs

P Ann Harley

P Karin Haverson

P Sandra Hearne

P David Hitchins (joined after attendance roll call)

P Steve Hogg

P Nicola Holland

P Ruth Jacobs

P Huw James

P Patrick Keating

P John Ley-Morgan

P Stuart McQuillan  
P Ian Parker  
P Robert Payne  
P Marcia Pepperall (joined after attendance roll call)  
P Bridget Petty  
P Lisa Pilgrim  
P Terry Porter  
P Geoffrey Richardson  
P Tim Snaden (joined after attendance roll call)  
P Mike Solomon  
P James Tonkin  
P Stuart Treadaway  
A Richard Tucker  
A Roz Willis  
Vacancy

P: Present

A: Apologies for absence submitted

**Officers in attendance:** Jo Walker (Chief Executive), Lucy Shomali (Director of Development and Environment), Sheila Smith (Director of People and Communities), Matt Lenny (Director of Public Health), Nicholas Brain (Head of Legal and Democratic Services), Hazel Brinton (Corporate Services), Gemma Dando (Development and Environment), Sue Efford (Corporate Services), Jo Jones (Corporate Services), Paul Morris (Corporate Services), Mike Riggall (Corporate Services), Richard Turner (Corporate Services), Melanie Watts (Corporate Services)

#### **COU Chairman's Introduction**

**98**

The Chairman welcomed everyone to this virtual meeting of the Council.

He outlined the procedures to be followed at the meeting and confirmed that decisions taken at this virtual meeting would have the same standing as those taken at a physical meeting of the Council in the Town Hall.

The meeting was being livestreamed on the internet and a recorded version would be available to view within 48 hours on the North Somerset Council website.

#### **COU Public Participation, petitions, and deputations (Standing Orders 2(vi) and 17, as amended by new Standing Order 5A) (Agenda Item 1)**

**99**

The Chairman drew members attention to the three submissions received from local residents in support of the Motions later on the agenda (item 6). A copy of the submissions was circulated to all councillors and published on the website in advance of the meeting.

The Chairman announced the statements had been noted and would be considered under item 6 later in the meeting.

#### **COU Declaration of disclosable pecuniary interest (Standing Order 37)**

**100**

**(Agenda Item 4)**

Councillor Canniford declared an interest in agenda item 6.2 (Eviction of Private Housing Tenants under Section 21 of the 1988 Housing Act).

Note: Later in the meeting, under item 6.2, the following councillors also declared an interest in this item: Councillor Bryant, Councillor James, Councillor Richardson and Councillor Shopland.

**COU Minutes of the meeting held on 14 July 2020 (Agenda Item 5)  
101**

It was noted that Councillor Codling's name had been incorrectly spelt in the attendance list and should read 'Sarah' and not 'Sara'.

**Resolved:** that the minutes be approved as a correct record, subject to a correction to the spelling of Councillor Sarah Codling's name.

**COU Motions by Members (Standing Order No. 14)  
102 The Nature Emergency (Councillor Payne) (Agenda Item 6 (1))**

Councillor Payne referred to a proposed amendment from Councillor Petty to the Motion he had put forward, circulated to members immediately prior to the meeting. In order to properly consider the amendment he withdrew his Motion and stated he would re-submit a Motion on this matter to the next Council meeting.

**COU Motions by Members (Standing Order No. 14)  
103 Eviction of Private Housing Tenants under Section 21 of the 1988 Housing Act (Councillor Payne) (Agenda Item 6 (2))**

**Motion:** Moved by Councillor Payne and seconded by Councillor Gibbons

"North Somerset Council notes that:

1. No fault evictions, introduced under Section 21 of the 1988 Housing Act, allow landlords to evict tenants, without having to give a reason, once the term of the tenancy has expired;
2. 80% of England's 11 million renters are on tenancies with fixed terms of six months or a year; after this period has ended, landlords can evict their tenants under Section 21 without cause;
3. Research indicates that Section 21 evictions are now the single biggest cause of homelessness in England; and that
4. In 2017, the Scottish Government made tenancies indefinite and banned no-fault evictions.

The council believes that abolishing Section 21 no-fault evictions:

1. Would help make renting homes in North Somerset and elsewhere more secure and our communities more stable, improve standards of accommodation and increase tenant confidence;
2. Would further help in the council's work to tackle homelessness, which must be a priority for government at all levels; and
3. Should happen as soon as practicably possible.

The council therefore:

- (1) Welcomes the UK Government announcement in April of plans to consult on new legislation to abolish Section 21 no-fault evictions in England, and the lengthening of the notice a landlord must give of the eviction, but regrets the lack of action by Government in moving towards abolition; and
- (2) Resolves to express to the Government its support for the abolition of Section 21, and to seek to work with organisations nationally such as Generation Rent and locally such as Weston Housing Action to bring about the swift abolition of Section 21 no-fault evictions.”

Seven members signalled their support for a debate on the Motion.

Councillor Payne spoke in support of his Motion. He thanked the public speakers for their submissions in support of the Motion as submitted under public participation and expressed his disappointment at the lack of government progress on this issue having given a commitment to address this within the Queen’s Speech.

In debating the Motion councillors expressed their support for the abolition of Section 21 no-fault evictions, and the following issues were discussed: the importance of security of tenure for private housing tenants which would also encourage tenants to invest in their communities and their homes and thereby improve housing standards; the importance of continued protection for individual landlords who for good reason needed to regain possession of their properties; the need to achieve a fairer process and adequate protections for private renters and to reduce homelessness; the need to campaign for wider reform of the private rented sector including encouraging longer tenancies, decent homes standards and fair rents; the need to safeguard against stereotyping landlords and tenants and to recognise the good and bad that existed within each category.

In expressing his support for the Motion, the Leader offered to write to the Housing Minister on behalf of the Council to urge him to delete Section 21 of the 1988 Housing Act. It was proposed that the letter should also be copied to the two local MPs. Councillor Payne thanked the Leader and accepted his offer to write to the Housing Minister.

During the discussion on this item Councillors Bryant, James, Richardson and Shopland declared an interest.

**Resolved:** that North Somerset Council notes that:

1. No fault evictions, introduced under Section 21 of the 1988 Housing Act, allow landlords to evict tenants, without having to give a reason, once the term of the tenancy has expired;
2. 80% of England’s 11 million renters are on tenancies with fixed terms of six months or a year; after this period has ended, landlords can evict their tenants under Section 21 without cause;
3. Research indicates that Section 21 evictions are now the single biggest cause of homelessness in England; and that
4. In 2017, the Scottish Government made tenancies indefinite and banned no-fault evictions.

The council believes that abolishing Section 21 no-fault evictions:

1. Would help make renting homes in North Somerset and elsewhere more secure and our communities more stable, improve standards of accommodation and increase tenant confidence;
2. Would further help in the council's work to tackle homelessness, which must be a priority for government at all levels; and
3. Should happen as soon as practicably possible.

The council therefore:

- (1) Welcomes the UK Government announcement in April of plans to consult on new legislation to abolish Section 21 no-fault evictions in England, and the lengthening of the notice a landlord must give of the eviction, but regrets the lack of action by Government in moving towards abolition; and
- (2) Resolves to express to the Government its support for the abolition of Section 21, and to seek to work with organisations nationally such as Generation Rent and locally such as Weston Housing Action to bring about the swift abolition of Section 21 no-fault evictions; and
- (3) that Councillor Davies, as Leader of the Council and Executive Member for Housing, write to the Housing Minister on behalf of the Council to urge deletion of Section 21 of the 1988 Housing Act.

**COU Chairman's Announcements (Agenda Item 8)**  
**104**

None

**COU Leader's Announcements (Agenda Item 9)**  
**105**

None

**COU Chief Executive's Announcements (Agenda Item 10)**  
**106**

The Chief Executive Officer announced the latest Coronavirus case data, with the 7-day rate for North Somerset standing at 15.0 per 100,000, with the comparable South West rate at 9.7 and the England rate at 34.4.

She also outlined a series of recent government announcements giving local authorities responsibility for administering self-isolation payments to those on low incomes, re-enforcing the messaging around working from home wherever possible, extending requirements for the wearing of face coverings and introducing earlier closing times for pubs, restaurants and hospitality venues, and reported she would be working with the senior leadership team to deliver these in line with council expectations.

**COU Forward Plan dated 2 September 2020 (Agenda Item 11)**  
**107**

Councillor Davies presented the Forward Plan.

**Resolved:** that the report be noted.

**COU Policy and Scrutiny Panel Report (Agenda Item 12)**  
**108**

Members received and discussed the report from Councillors Crosby, Griggs, Richardson, Crockford-Hawley and Bridger. On behalf of Councillor Tucker,

Councillor Gibbons thanked Councillor Richardson, Vice-Chairman of the Health Overview and Scrutiny Panel, for the work he was undertaking in the absence of the Chairman. She reported Councillor Tucker was making a steady recovery and was hoping to begin a phased return to work in due course.

**Resolved:** that the report be noted.

**COU Corporate Parenting Update (Agenda Item 13)**

**109**

Councillor Gibbons presented the report, advising this was the first of what would be a regular item on the Council agenda. With reference to recommendation 4 of the report she nominated Councillors Ciaran Cronnelly and Huw James to become Younger People's Champions, referring to the importance of this role in ensuring the views of young people were heard and acted upon. She referred to the suitability of the nominated councillors to work as ambassadors for young people within the community.

In discussing the report members supported the need to champion the views and thoughts of young people and the importance of congratulating them on their efforts and achievements, particularly throughout the challenges of the pandemic. Reference was made to the importance of re-energising the youth councils and of encouraging self-advocacy, and Councillor Codling, as Weston Town Council's Youth Champion, offered to work with the newly appointed Younger People's Champions in developing this work.

**Motion:** Moved by Councillor Gibbons and seconded by Councillor Charles

**Resolved:**

- (1) that members recognise their corporate parenting responsibilities;
- (2) that members congratulate 'their children' on their educational achievements;
- (3) that members commit to gaining a better understanding of their role as corporate parents; and
- (4) that Councillors Ciaran Cronnelly and Huw James be appointed as Younger People's Champions to mirror the longstanding position of Older People's Champion so that young people's views more generally can be heard and acted upon.

**COU Question Time (Standing Order No. 18) (Agenda Item 14)**

**110**

Advance written questions were received from Councillor Cato and circulated to councillors and published on the website in advance of the meeting. Full details together with the responses to them are contained in Appendix 1.

**COU Report and matters referred from the Executive, 29 July 2020**

**111 EXE 14 - Covid 19 Financial Impacts (Agenda Item 15)**

Councillor Cartman presented the reference and drew members' attention to the Executive recommendations to Council for approval.

In response to a question on the recently announced third tranche of government funding and new income losses scheme, it was noted that officers were in the process of submitting the claim to government that was due by the end of September.

**Motion:** Moved by Councillor Cartman, seconded by Councillor Davies

**Resolved:** that that resolutions (2) and (3) of EXE 14 be approved in accordance with Financial Regulations 4.21, as follows:

(2) that the inclusion of £8.826m of earmarked funding into the council's budget, which has been provided by the Government in order to deliver specific policy issues created as a consequence of the Covid-19 pandemic, as outlined in paragraph 3.4 of the report, be approved and also the associated grossing up of the Directorate expenditure budgets; and

(3) that the inclusion of £11.853m of non-earmarked funding from the Government into the council's budget, which has been provided in response to the non-ring-fenced Covid-19 pandemic pressures as outlined in paragraph 3.4 of the report, be approved.

**COU 112 Reports on joint arrangements and external organisations and questions relating thereto: Avon Fire Authority (Agenda Item 18)**

Councillor Jacobs presented the report.

**Resolved:** that the report be noted.

**COU 113 0-19 Public Health Nursing Commissioning Plan (Agenda Item 19)**

Councillor Bell presented the report.

**Motion:** Moved by Councillor Bell, seconded by Councillor Davies and

**Resolved:** that the commissioning plan be approved so detailed procurement planning and preparation can proceed.

**COU 114 Exclusion of Press and Public (Agenda Item 19)**

The Chairman reminded members that the final item of business on the agenda was exempt (by virtue of paragraph 3 of schedule 12A of the Local Government Act 1972) and proposed that the press and public be excluded for the remainder of the meeting.

On the motion of the Chairman it was

**Resolved:** that the press, public, and officers not required by the Members, the Chief Executive or the Director to remain during the exempt session, be excluded from the meeting during consideration of the following item of

business on the ground that its consideration will involve the disclosure of exempt information as defined in Section 100I of the Local Government Act 1972.



# Public Summary of the Exempt Minutes

of the Meeting of

## The Council

**Tuesday, 22nd September 2020**

held via Microsoft Teams

Exempt Session Commenced: 7:20 pm Exempt Session Concluded: 8:25 pm

The Head of Legal and Democratic Services confirmed the livestream had been turned off and the meeting was now in closed session. He reminded members of the need for complete confidentiality during the meeting and of their confidentiality obligations which extended beyond the meeting, and covered any decision Council may make.

Having declared that she would be unable to maintain confidentiality given the need to provide parental supervision, Councillor Codling left the meeting.

The Chairman proposed a short comfort break before continuing with the meeting.

[The meeting adjourned at 7.20 pm and re-convened at 7.35 pm]

### **COU Waste Options Report (Exempt Item) (Agenda Item 20)**

**115**

Councillor Petty presented the report. She thanked officers for the report and the extensive briefings held in advance of this meeting to give members opportunity to discuss and ask questions on the proposals. She outlined the background to the report and the recommendation to end the current commercial contract with Biffa and establish a wholly council-owned company to run the services from April next year. She suggested the proposals would improve the current service to residents and provide the flexibility required to respond to the future needs of the area. She stressed the importance of ensuring residents had confidence that the council would continue to provide effective recycling and waste services, and that staff transferring across to the new company would be supported through the transition process.

In discussing the report and the options for the future delivery of the services members expressed support for the recommendations as set out.

**Motion:** Moved by Councillor Petty, seconded by Councillor Solomon and

**Resolved:** that the recommendations as set out in the exempt report be approved and adopted.

At the conclusion of the vote, and at the invitation of the Chairman, the Head of Legal and Democratic Services further explained the obligation of confidentiality extending beyond the meeting and also covering the Council decision that had been made. Only formal Council releases should be made and any approaches received from the media should be referred to the press office. With reference to social media accounts, an information pack would be provided to councillors by the communications team to give guidance on what posts could be made following the Council decision.

---

Chairman

---

## Appendix 1

### North Somerset Council Council Meeting, 22 September 2020 Question Time (Agenda Item 14)

#### 1. Questions from Cllr Cato to Cllr Petty, Executive Member for Climate Emergency and Environment

“With respect to the climate emergency declaration in Feb 2019, this council has made a commitment to being a net zero area by 2030. I am concerned as I think we have to do more to ensure we are on track to achieve that. For example, issues such as CO2e emissions from housing and transport need to be rapidly addressed, and indeed none of the papers I have received to date have meaningful clear metrics detailing how any given project is taking us towards or away from our net zero target. This makes it difficult/impossible for members to assess the impact of any project and properly inform the decisions we make.

I am aware much good work has been ongoing.

I wish to enquire:

- what progress has been made in establishing meaningful metrics to assess our performance towards this goal?
- what progress has been made towards the goal already?
- what can/must each member and this council do to help ensure we reach that goal?
- what, if anything, do we need from central government to support us (and the country) in achieving this and how might we progress this?
- may we have a report to the next council meeting on these matters?”

Cllr Petty gave an oral response at the meeting in relation to progress made and what each member could do to help ensure the goal was achieved, and undertook to provide a full response to councillors in writing after the meeting (full response included below):

“1. what progress has been made in establishing meaningful metrics to assess our performance towards this goal?

The council now has methods for annual reporting of emissions on a council operations and area wide basis.

Each council decision document contains a section for reporting against climate emergency goals. Currently North Somerset doesn't have a uniform method for quantifying this for all decisions. However, using the same method for each would not necessarily give adequate results and often a high quality qualitative assessment is the best method to use.

2. what progress has been made towards the goal already?

In terms of measured emissions:

In order to meet Tyndall Centre Carbon Budgets targets, emissions for North Somerset should be reducing by approximately 14% each year. The council's own operations target includes scope 1 and 2 and these emissions reduced by 38% between the 2018/19 and 2019/20 financial years. However, this reduction was in a

large part due to purchasing a renewable energy tariff part-way through that period. The raw figure for these years (without taking into account purchasing renewable energy) is that for Scope 1 and 2, emissions fell by 7%, and for Scope 1, 2 and 3 combined emissions fell by 2%.

For the area, we do not have data yet for 2019 – the year in which we declared a climate emergency – this relies on nationally published data on energy consumption and road traffic. A complete dataset for 2019 won't be available until June 2021, although provision data can be calculated using energy consumption figures released in December 2020. In the latest two years (2017 and 2018), emissions have fallen each year by 3% since the previous year.

In terms of progress:

(Not an exhaustive list) Since February 2019, we have published the strategy and action plan and appointed a climate emergency project manager. We have developed a method of annual reporting on emissions. We are currently in the final stages of an action prioritisation exercise, which will identify recommendations for next year's budget. We have bid for and won (expecting more information this week I believe), emergency active travel funds from central government to reallocate road space to active transport. We have consulted on the Challenges document for the Local Plan which had a strong climate focus. We are developing a new procurement process and all major projects are now involving the climate emergency project manager at the earliest stages. From October we will be rolling out Carbon Literacy training across the council which will equip officers with more climate emergency awareness and give them the green light to bring climate actions into their services. We are currently working on programmes to improve energy efficiency in public buildings across North Somerset.

3. what can/must each member and this council do to help ensure we reach that goal?

Each member of this council should make every effort to attend the climate action planning day on the 15th October (Invites have been sent but ask if you need information). This is the launch event for Carbon Literacy training across the council and will equip members with a more in depth understand of the issues faced by their constituents in the coming years and how they can use their role as a councillor to support them.

Question decisions that are made and papers that are brought in front of you – is this option improving the situation or causing more harm? Is it as good as it can be? Think long term when making decisions – is this the best thing to do right now and in the future?

4. what, if anything, do we need from central government to support us (and the country) in achieving this and how might we progress this?

Support the Climate and Ecology Bill

Lobby for the following:

- More power for local government on planning policy
- Greater level of spatial detail in Climate Change Committee recommendations
- More funding for building retrofits – education, advice and implementation
- Decarbonisation of transport detail expected out soon – although how much detail there will be of what is required and possible from local government will be seen.

5. may we have a report to the next council meeting on these matters?

Reports are due every 6 months. The last one was delayed due to Covid so if the next is to come out 6 months after that, it should be January 2021. We will have a lot more to update them on if we wait for January than if we report next month.”