

Minutes

of the Meeting of

The Council

Tuesday, 8 November 2022

New Council Chamber - Town Hall

Meeting Commenced: 6.00 pm

Meeting Concluded: 10.04 pm

Councillors:

Karin Haverson (Chairman)

Wendy Griggs (Vice-Chairman)

Mark Aplin

Nigel Ashton

Mike Bird

Steve Bridger

Peter Bryant

Mark Canniford

Ashley Cartman

John Cato

Caritas Charles

Caroline Cherry

James Clayton

Sarah Codling

Andy Cole

Peter Crew

John Crockford-Hawley

Ciaran Cronnelly

Catherine Gibbons

Steve Hogg

Nicola Holland

Huw James

Patrick Keating

John Ley-Morgan

Stuart McQuillan

Phil Neve

Ian Parker

Robert Payne

Marcia Pepperall

Bridget Petty

Lisa Pilgrim

Terry Porter

David Shopland

Timothy Snaden

Mike Solomon

James Tonkin
Richard Tucker
Richard Westwood
Roz Willis

Apologies: Councillors: Mike Bell, Mark Crosby, Ann Harley, David Hitchins, Ruth Jacobs and Geoffrey Richardson.

Absent: Councillors: Caroline Goddard and Hugh Gregor.

Officers in attendance: Jo Walker (Chief Executive), Amy Webb (Director of Corporate Services), Sheila Smith (Director of Children's Services), Hayley Verrico (Interim Director, Adults' Support and Safeguarding), Nicholas Brain (Assistant Director Legal & Governance and Monitoring Officer), Gemma Dando (Assistant Director - Neighbourhood Management), James Willcock (MetroWest Phase 1 Project Manager), Mike Riggall (Information and ICT Security Manager), Alex Hearn (Assistant Director, Placemaking and Growth), Jenny Ford (Head of Development) and Bethany Swann (Young Director).

Partaking via Microsoft Teams: Councillors: Gill Bute, Sandra Hearne and Don Davies

Officers: Matt Lenny (Director of Public Health) Peter King (Senior Project Manager) Hazel Brinton (Committee Services Manager)

**COU Chairperson's Welcome
54**

The Chairperson welcomed everyone to the face-to-face meeting and noted that those councillors attending via Teams would not be in attendance formally or able to vote.

The Chairperson informed members of her intention to move agenda item 8 to agenda item 6 and agenda item 20 to agenda item 12.

**COU Public Participation, petitions, and deputations (Standing Orders 2 (vi) and
55 17)**

John Murray addressed the council on matters relating to the Nailsea and Tickenham football club ground at Fryth Way, Nailsea which formed part of the land being considered by the council for housing development. He informed members that the club had invested over £250k in facilities in recent years and that the ground had been designated as a Site of Special Scientific Interest. He added that the club had signed a long lease with the council which included conditions attached to the break clause. Members were informed that the club was a community asset as well as a football club which raised funds via community and charity events.

The Chairperson thanked Mr Murray for his comments and added that they would be considered in the council's deliberations.

**COU Declaration of Disclosable Pecuniary Interest (Standing Order 37)
56**

None declared.

COU Minutes 12 July 2022
57

Resolved: that the minutes of the meeting of 12 July 2022 be approved as a correct record.

COU Outcomes and recommendations from development sites consultation
58

Councillor Canniford presented the report. He advised members that the consultation on which the report was based was on the council's own land and bringing it forward for development for homes and jobs. He stressed that the consultation carried out by the council was as a landowner and not as the local planning authority.

He noted that the council as landowner had more flexibility in influencing the type and affordability of homes that could be built in comparison to that which was developer-led. He added that all local ward members and parish and town councils has been consulted as part of the process and acknowledged that there was strong opposition to some sites which was recognised in the report's recommendations.

He offered his thanks to officers and the people of North Somerset who had contributed to the consultation and highlighted in response to the public speaker that section 3.26 of the report noted that no development could take place at Fryth Way unless the equivalent or better facilities could be provided in close proximity to the existing site.

Motion: a motion to amend the report's recommendations was moved by Councillor Charles and seconded by Councillor Shopland that the only future consultation on the Downside site in Portishead would be with the town council on the purchase of site for amenity use at amenity rates and not for development.

The amendment to the motion was debated by members. During the debate, members were informed that Portishead's housing stock had increased by the largest amount (60%) in the district over the last 20 years without any corresponding increase in supportive infrastructure. It was felt that the site should be removed from the plan on the basis of its environmental value and to protect it for the use by Portishead residents.

Members also noted however, that the report stated that nothing would happen without further consultation. Additionally, this was an issue that all parishes were facing and that planning for growth needed to be considered from a district wide perspective and not from individual parish viewpoints. It was highlighted that members needed to have faith in the process which involved ongoing consultation with ward members and local communities.

Named Vote requested under Standing Order 23

For the motion: (13)

Marc Aplin, Nigel Ashton, Peter Bryant, John Cato, Caritas Charles, Sarah Codling, Andy Cole, Nicola Holland, Marcia Pepperall, Lisa Pilgrim, David Shopland, Tim Snaden, Roz Willis

Against the Motion (21):

Steve Bridger, Mark Canniford, Ashley Cartman, Caroline Cherry, James Clayton, Peter Crew, John Crockford-Hawley, Ciaran Cronnelly, Catherine Gibbons, Wendy Griggs, Karin Haverson, Steve Hogg, Huw James, Patrick Keating, Stuart McQuillan, Phil Neve, Robert Payne, Bridget Petty, Mike Solomon, James Tonkin, Richard Westwood

Abstentions (5)

Mike Bird, John Ley-Morgan, Ian Parker, Terry Porter, Richard Tucker

The amendment to the motion was lost.

Members then debated the substantive motion in the report making reference to the following points: that further meaningful consultation on all sites and options discussions were held; that requests to remove sites from the scope of development be considered; how would the relocation of Nailsea Football Club be funded should this be necessary; that residents were attached to local green spaces and that past agreements in relation to these should be honoured; that further site specific consultations would be undertaken to understand concerns and try to overcome objections where possible; that as owner of the sites in question, the council had greater freedom to find imaginative solutions to the housing crisis which meant that 3,000 residents were seeking social or affordable housing; there was concern that reports being brought to council were now so large that the detail was being lost; that the focus of new housing should be on those supporting sustainability, low carbon impact and reduced car usage and that clear parameters needed to be laid out for residents in any future consultations.

In response to members' questions, Councillor Canniford confirmed that no decisions on any of the sites referred to in recommendation 3(ii) had been taken as yet, that a further report would be coming to members regarding Castlewood in January 2023 and that any costs relating to the moving of Nailsea Football Club would be funded from development revenues.

Motion: moved by Councillor Canniford and seconded by Councillor Solomon and

Resolved: that

1. Council noted the outcomes of the consultation on development sites held April – June 2022, including the detailed information about response numbers and reasons for supporting or opposing development that are detailed in Appendix A to the report
2. Council re-endorsed the agreed objectives for the Development Strategy and Programme, as set out in paragraph 3.12. of the report
3. Council agreed recommendations in relation to individual sites as follows:
 - i. Weston Town Centre sites / Parklands phases 2 & 3 / Castlewood: to continue work to promote and bring

these sites forward for development with a focus on maximising affordable housing and sustainability / low carbon development.

- ii. Churchill Avenue (Clevedon) / Oldmixon Recreation Ground (Weston) / Downside (Portishead) / Fryth Way (Nailsea) / Hutton Moor (Weston) / West Leigh (Backwell) / Hangstone Quarry (Clevedon): agreed that officers should engage further with ward members and local communities to explore issues and options in more detail, including options for partial development of sites, 100% affordable, self-build or community-led housing, and/or Town/Parish Council purchase of land.
- iii. Eastermead Farm (Banwell) / Grange Farm (Hutton) / Youngwood Lane (Nailsea): agreed that the council as landowner commence work to promote these sites for consideration through the Local Plan allocations process, and where appropriate enter into discussions with adjacent or interested landowners/developers interested in joint master planning, promotion or development of sites.
- iv. Car parks: agreed that work be undertaken with highways colleagues to identify any car parks that may potentially be suitable for development, where those car parks are underutilised, or where they may be suitable for development above parking.

4. Council noted discussions on the possible disposal of the Nailsea library site, as set out in paragraph 3.30 of the report.

COU Climate change action plan and progress report

59

As per the Chairperson's announcement at minute COU54, this item was moved from item 8 on the agenda.

Councillor Petty introduced her report and gave a presentation on the council's Climate Emergency Action Plan. She highlighted to members some of the work that officers, members and community groups had been working on but stated that a national programme was required to deliver the required real and rapid change in terms of housing. Officers had been encouraging communities to participate in the Big Green Week 2022 held at locations throughout North Somerset. She added that there was still significant work to carry out if the council was to reach its net zero target by 2030. Her presentation touched on the breakdown of the sources of greenhouse emissions within North Somerset which indicated that a credible public transport system would be necessary to reduce the district's emissions still further. The council had been supporting schools and leisure centres with advice on how to lower their emissions and the updated Strategy and Action Plan included updated themes demonstrating what action and why the council was carrying out to work towards net zero. She advised members that all directorates had their own themed action plans and that North Somerset Council

was the only council in the south west to have been awarded the Silver Carbon Literacy Award having trained 15% of its workforce in carbon literacy.

During the debate on the report, the following points were raised; what local and meaningful actions could be taken and the funds available to support these; the matter of bus service provision including the use of community buses; opportunities to explore partnership working; what the carbon budget actually meant and how this should be incorporated into all council reports; concerns over the specific actions and improvements required to reach net zero as a council and district by 2030 with an emphasis on the requirement for bigger, more ambitious and more urgent actions; concerns over the moors in the district and their capacity to support carbon reduction; the need to collaborate with local stakeholders; the need to educate and listen to young people including reconvening the Youth Parliament to discuss ideas; the requirement for developed nations to support developing nations in reducing carbon emissions and what contact had been made with local MPs to gain their support in lobbying central government.

Councillor Petty thanked members for their passionate contributions to the debate and acknowledged there was likely to be a global migration problem due to flooding as a result of climate change.

Motion: proposed by Council Petty and seconded by Councillor Bridger and

Resolved: that

Members approved the updated Climate Emergency Strategy and Action Plan (subject to final editorial amendments by officers), and:

- i. Re-confirmed their commitment to achieving net zero carbon by 2030 through the actions described.
- ii. Noted the Action Plan information on carbon emissions and progress on existing projects to tackle climate change, which were also summarised in the report.
- iii. Endorsed the development of a Climate Performance dashboard that will be used to monitor progress on the Action Plan.
- iv. Requested that the Executive Member write to the new prime minister and relevant minister to:
 - a. Confirm the council's commitment in local government to action on climate change.
 - b. Reiterate the council's opposition to fracking and urge the government to reverse their recent decisions on this issue.
 - c. Seek that they take seriously the role of central government in properly funding a transition away from fossil fuels and
 - d. Request increased, longer-term funding for other actions to enable a low carbon economy and healthy community.

Councillor Hogg presented the report noting that the proposal had been widely scrutinised by members to this point. He thanked officers for their in depth briefing and added that the council's existing services had been compared across 38 local authorities to come up with the most cost effective and minimal risk option. He informed members that the council's current contract was coming to an end at the end of the next financial year and there was no option to extend. He highlighted that the Department for Transport had granted the council £5m in funding which was topped up by £2.5m in borrowings to bridge the gap allowing the council to cover its statutory highways duties and investment programme to keep roads in the same state rather than improve them. The proposal before members aimed to reduce the council's financial exposure to £1.6m of borrowings meaning the council was doing more for less. Synergies between waste collection and cyclical maintenance via the council's own company supported a lower cost and new roles with industry expertise would be brought in house adding to the social value of the proposal. In addition, the council would have more control and oversight over carbon emissions allowing it to align the work with its net zero objectives.

During the debate members voiced a concern over the viability and future sustainability of the structure based as it was, partly on borrowings. However, members were assured that the structure was flexible enough to withstand a lower level of funding as the model meant resources could be flexed. It was highlighted that the decision before members was on the model and not the underlying budget as funding would be part of the future budget discussion. Members noted the excellent members' briefing given to them by officers and the level of scrutiny engagement in the decision.

Motion: Moved by Councillor Hogg and seconded by Councillor Griggs and

Resolved:

1. To progress the highway reactive and cyclical maintenance work package via direct contract award under teckal exemptions to North Somerset Environment Company for an initial term of 7 years commencing 1 April 2024.
2. To deliver highway surfacing, surface dressing and all other elements of the highway maintenance and investment works packages through frameworks and dynamic purchasing systems from 1st April 2024, and to commence competitive tender processes for the delivery of the remaining highway services in early 2023 for:
 - Single Provider Framework – Surfacing
 - Single Provider Framework – Surface Dressing
 - Dynamic Purchasing System – 3 lots, Civils, Structures and Surface Treatments

COU 61 MetroWest Phase 1 Update - governance and funding agreements

Councillor Bridger presented the report to members noting that it was an update report with delegations to enable delivery to be progressed once the Development Consent Order had been passed. He reminded members of the background to the project which had been in the pipeline for many years adding that since the

report to Council in July 2022, additional capital funding had been agreed by project partners allowing the project to resume. He highlighted to members that the Department for Transport (DfT) had now agreed to make up the shortfall in funds and take on the delivery risk. Additionally, the West of England Combined Authority too had approved an increase of £10m in its funding.

Councillor Bridger informed members that an updated funding statement had been submitted to the DfT in August and that there was nothing now to prevent the government giving planning consent. The decision was anticipated later in November. The DfT was taking on the delivery risk and would fund delivery costs up to the amount of the full business case, so the funding risk had transferred from the council to the DfT. A funding agreement was also in place with Network Rail and the council and other partners were now subcontractors of Network Rail as a key delivery partner. The council would maintain a sponsorship role over the scope of the project and there was a delegated decision within the recommendation to allow finalisation of the procurement plan. A detailed design would be submitted by December 2023 with a draft full business case led by the council and the full business case was expected to be confirmed in the Spring of 2024. Progress made meant that the project was one step closer for residents and Councillor Bridger thanked officers for their work.

During the debate, members queried why there was a further 18 months before the final business case was signed off. It was confirmed that the DfT required final market prices for construction, so a detailed design was required to obtain these leading to the delay in business case sign off. Members noted that the report mentioned an environment statement but that this was only one aspect of understanding the full carbon cost of the project. They also questioned the Treasury's intentions and whether the council would have to provide future subsidies. Councillor Bridger responded that as the project was so far along, it was less likely to be cancelled now.

Motion: Moved by Councillor Bridger and seconded by Councillor James and

Resolved: that

- 1) The Council noted that since the report to Council of 12th July 2022 that
 - a) the additional £35.58m project capital funding had been confirmed by the project funding partners and the project had therefore resumed.
 - b) the Department for Transport (DfT) confirmed that it will take the project delivery risk going forward via its delivery agent Network Rail
 - c) that the DfT would provide up to £13.80m funding for all project costs up to the submission of the Full Business Case, which was now expected to be in March 2024 and
 - d) that the Development Consent Order decision was expected to be made by mid November 2022 and there were no known impediments for the decision to be made within this timescale.

- 2) The Council delegated authority for the Director of Place advised by the s151 officer and Head of Strategic Procurement to finalise, sign and enter into the Funding Agreement with Network Rail (see draft agreement in appendix 2 to the report) for the defined project scope up to Full Business Case approval at an estimated cost of £3.49m to be funded by the DfT via

Network Rail and

- 3) The Council delegated authority for the Executive Member for Major Infrastructure Projects advised by the Director of Place and Head of Strategic Procurement, to finalise the Procurement Plan (see appendix 4 of the report) in consultation with the West of England Combined Authority (WECA).

COU 62 Reports and matters referred from the Executive - dated 19 October 2022

None.

COU 63 Petitions to be presented by Members (Standing Order No. 16)

None received.

COU 64 Motions by Members (Standing Order No. 14)

In introducing his motion, Councillor Charles added that the motion was not about drivers or front-line staff at First Bus and whilst recognising there had been extenuating circumstances outside of the company's control such as changes to home working, residents were faced with serious issues given the unreliability of bus services including lost schooling and deciding not to sell their cars in support of climate change. He explained the reasons behind the motion including a lack of engagement by the directors even when residents are keen to suggest small improvements; apps that don't work; requests for grant funding although a £500m dividend had been paid to shareholders and a lack of notice to councillors regarding recent cuts to services that were essential to local communities.

Motion: moved by Councillor Charles and seconded by Councillor Holland.

"This Council notes

1. That bus services were directly affected by the pandemic with a huge drop in passenger numbers.
2. That unlike many other industries bus providers received financial support through the crisis
3. The effect of Brexit on the workforce and driver led industries has created a shortfall in the number of bus drivers and that fuel costs have damaged public transport providers profit margins.
4. Despite these adverse circumstances First Group have recorded profits in their most recent financial reports.
5. That the deterioration of public transport has been a continuing issue long before recent events.

Council further notes

1. That even though facing severe financial constraints North Somerset have managed to maintain some services out of its own finances.
2. That despite assurances from First we are seeing an increasing deterioration in services with young people frequently missing school and college and others missing work and medical appointments.
3. Communication has been poor between First and the public with ongoing wider public engagement on difficulties non-existent.

4. Public transport is part of the lifeblood of thriving communities. Poor public transport can lead to increased unemployment, pollution, and social and economic isolation.
5. When rail companies have been proven to be riddled with systematic failure governments have intervened. This has not been the case for bus services.

Council Resolves

1. That it has no confidence in the public transport provision operated by first bus.
2. To mandate to leader of the council to write to the government stating our concerns and urge immediate action to ensure a public transport system that is fit for purpose in North Somerset
3. That the leader of the council in their letter to government urges them to legislate for greater local authority control over public transport provision akin to powers already provided to combined authorities such as Greater Manchester.

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

In debating the motion, members commented that they recognised the tireless hours that drivers worked, and they were asking for engagement from the company as they wished to support a local business. Members expressed a desire to see a universal service obligation on public transport companies and a system change as they believed the market as it was currently set up was failing. Members commented that they felt the company was not doing enough to attract additional drivers and that smaller vehicles could be used that did not require a PSV licence.

However, some members had concerns that the wording of the motion would have unintended consequences in transferring the financial risks of bus services to the council as greater control over services would require greater funding. Members voiced the view that an enhanced partnership with a mutually binding set of commitments would be a better approach than the motion as currently set out.

Resolved: that the motion was not approved

COU 65 Corporate Parenting Report

Councillor Gibbons introduced Beth Swann, Young Director, who gave a presentation on best practice in Education, Employment and Training for care leavers; feedback on a regional survey of care leavers; the view from care leavers on support required and the recent visit by Mark Riddell, National Adviser for Care Leavers.

Her presentation highlighted the areas in which care leavers received or would like to receive support such as work experience, internships and courses, workshops, mentors from the council, apprenticeships, a job centre support person, support with CV writing, practical help and help with interview preparation. They were also keen to receive free counselling and ongoing financial help with travel to work.

The presentation informed members of the details of the Local Offer and other opportunities provided by the council such as the Corporate Parenting Panel, Junction 21, the Next Steps Fund and a rent guarantor scheme. Beth asked that members help as corporate parents with such matters as employability skills, CV

writing workshops, offers of work experience and job offers.

Members asked how they could get involved with supporting care leavers and agreed to revisit the list of commitments made pre-pandemic. They were thanked by Councillor Griggs for their work with the task and finish group which was due to produce an outcome sheet.

Beth was warmly thanked by members for her articulate and passionate presentation.

Resolved: to note the recommendations in the Corporate Parenting Report:

Members were asked to:

- consider the content of the presentation made by the council's Young Director during the meeting
- think about how they could contribute as corporate parents to improving services for young people

COU 66 Question Time (Standing Order No.18)

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

COU 67 Matters referred from previous meeting

None.

COU 68 Chairperson's announcements

The Chairperson informed members that there had been a good uptake for places at the Winter Gardens for the Weston Carnival amongst members but that the remaining places had now been offered to the council's foster families and care leavers.

She was looking forward to seeing members who were coming along and issued a reminder that all roads in and out of the town centre would be closed from 6pm on the day.

COU 69 Leader's announcements

The Leader informed members of White Ribbon Day on 25 November when men and boys wear a white ribbon to highlight a pledge to never take part in, condone or stay silent about violence against women and girls. He added that the Police and Crime Commissioner had informed him that domestic violence rose significantly during the men's football World Cup. He noted that the council was doing significant work in this area including "Safer Street" work led by Councillor Canniford. Funding had been secured for partnership work in this area.

He also informed members about recent online abuse directed at members of North Somerset Council by a small minority of the public. He noted that members expected robust challenge of policies and ideas but more recently the abuse had

crossed the line of what could be considered reasonable. He asked members to call unacceptable behaviour out irrespective of party politics. Previous patterns of behaviour had been and would continue to be reported to the police by the council.

COU 70 Chief Executive's announcements

The Chief Executive announced with sadness that Monica Parker, a Family Support Worker with the council in the Children with Disability Team, had passed away. She would be greatly missed, and heartfelt condolences were sent to her family, friends and colleagues.

The Chairperson added her personal condolences.

COU 71 Political Balance Update

The Assistant Director, Legal & Governance and Monitoring Officer reported that Councillor Shopland had resigned from the Independent Group and was now a member of no political group. He reported that political balance was as follows:

Independent 14: Conservative 13: Liberal Democrat 10: Labour 6: Green 4: No Political Group 3.

COU 72 Forward Plan dated 2 November 2022

The Leader presented the Forward Plan.

Resolved: that the Forward Plan be noted.

COU 73 Policy and Scrutiny Panel Report

None.

COU 74 Heritage Champion Report 2022

Councillor Crockford-Hawley presented his report stating that he did not believe heritage awareness was an add on but rather a “central glue” to community adhesion providing the ability to bring people and businesses together. He believed that there was a duty to identify, preserve, enhance and repurpose that which is cherished.

Resolved: to note the report.

COU 75 Reports and matters referred from the Policy/Overview and Scrutiny Panels other than those dealt with elsewhere on this agenda

Councillor Bridger introduced the new role of Carers' Champion which had been agreed by the Adult Services and Housing Policy and Scrutiny Panel. The role would drive the council's support of carers and its strategy and action plan. Councillor Hearne had agreed to serve as the interim Champion until the Council appointed to the role at the Annual Council Meeting in May 2023. The role highlighted the council's commitment to supporting both formal and informal

carers.

COU 76 Reports and matters referred from the other Committees other than those dealt with elsewhere on this agenda

None.

COU 77 Reports on joint arrangements and external organisations and questions relating thereto

(1) Avon Fire Authority

Written report from Councillors Jacobs and Davies

Resolved; that the report be noted

(2) Avon and Somerset Police and Crime Panel

Written report from Councillor Crew

Councillor Willis asked that the 101 call centre service be provided with the correct Out of Hours number for the council.

Resolved; that the report be noted.

(3) West of England Combined Authority Joint Scrutiny Committee

None

(4) Bristol Water Challenge Panel

Written report from Councillor Richardson

Resolved: that the report be noted.

COU 78 Dispensation Regarding Absence from Meetings under S85 of the Local Government Act 1972

The Assistant Director Legal & Governance presented his report. He noted that a dispensation due to ill-health had been granted for Councillor Crosby for 6 months in May 2022 and whilst he was recovering, a renewal of the dispensation was now required.

The Assistant Director of Legal and Governance reported that he and Councillor Ashton wished to add Councillor Bute to the dispensation as whilst able to attend meetings virtually, she was not able to be present physically in the Chamber due to circumstances subsequently explained by Councillor Ashton.

The Chairperson sent good wishes on behalf of the Council to Councillor Bute for her speedy recovery.

Motion: moved by Councillor Ashton and seconded by Councillor Willis and

Resolved: that the Council waived the requirements of Section 85(1) of the Local Government Act 1972 in respect of Councillors Crosby and Bute due to current health issues and agrees that they receive a dispensation from the requirements

of section 85 for the remainder of the municipal year if required.

**COU
79** **Draft Municipal Calendar 2023/24**

The Assistant Director Legal & Governance and Monitoring Officer presented the report.

Motion: Moved by Councillor Bridger, seconded by Councillor Hogg and

Resolved: that the draft municipal calendar for 2023/24 be approved.

**COU
80** **Urgent business permitted by the Local Government Act 1972 (if any)**

None.

Chairman
