

## Minutes

of the Meeting of

## The Council

### Tuesday, 21 February 2023

New Council Chamber - Town Hall

Meeting Commenced: 6.00 pm

Meeting Concluded: 8.19 pm

#### Councillors:

Karin Haverson (Chairperson)

Wendy Griggs (Vice-Chairperson)

Nigel Ashton

Mike Bell

Steve Bridger

Peter Bryant

Gill Bute

Mark Canniford

Ashley Cartman

John Cato

Caritas Charles

Caroline Cherry

James Clayton

Andy Cole

Peter Crew

Ciaran Cronnelly

Donald Davies

Catherine Gibbons

Hugh Gregor

Ann Harley

Sandra Hearne

Steve Hogg

Huw James

John Ley-Morgan

Stuart McQuillan

Phil Neve

Robert Payne

Bridget Petty

Lisa Pilgrim

Terry Porter

Geoffrey Richardson

Timothy Snaden

Mike Solomon

James Tonkin

Richard Tucker

Richard Westwood

**Apologies:** Councillors: Mike Bird, Sarah Codling, Mark Crosby, Caroline Goddard, Nicola Holland, David Shopland and Roz Willis.

**Absent:** Councillors Mark Aplin, David Hitchins, Ruth Jacobs and Patrick Keating.

**Officers in attendance:** Jo Walker (Chief Executive), Amy Webb (Director of Corporate Services), Nicholas Brain (Assistant Director Legal & Governance and Monitoring Officer) and Mike Riggall (Information and ICT Security Manager).

**Partaking via Microsoft Teams:** Councillors: John Crockford-Hawley, Ian Parker, Marcia Pepperall

Officers: Becky Hopkins (Assistant Director, Children's Services) and Hazel Brinton (Committee Services Manager)

**COU Chairperson's Welcome  
105**

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.

**COU Public Participation, petitions, and deputations (Standing Orders 2 (vi) and 17)  
106**

The Chairperson invited Joe Tristram to speak on the subject of the bus franchise scheme which involved local authorities suspending deregulated bus services and take on the running of the services themselves.

Mr Tristram recognised the benefits to bus services users that the Bus Service Improvement Plan would bring but asked that North Somerset Council consider taking over the bus franchise so that the council would be in charge of bus services that were important to the lives of local people but also a significant area of concern regarding the local area's CO<sub>2</sub> output.

The Chairperson thanked Mr Tristram for his statement.

**COU Declaration of Disclosable Pecuniary Interest (Standing Order 37)  
107**

None declared.

**COU Minutes  
108**

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

A minor amendment changing "Executive Member" to Councillor Porter was noted at Question 7, paragraph 4 of the Appendix.

**COU Reports and matters referred from the Executive, 8 February 2023 EXE 75  
109 Medium Term Financial Plan (MTFP) 2023-2027 (Agenda Item 5 (1) ) and Revenue Budget Update 2023/24 and Council Tax Setting 2023/24 (Agenda Item 6)**

With the agreement of the Chairperson, Councillor Cartman presented the Executive finance references and the council tax setting reports en bloc, that is: Treasury Management Strategy 2023/24; Capital Strategy 2023-2028 and Capital Budget 2023/24; Medium Term Financial Plan (MTFP) 2023-2027 and Revenue Budget Update 2023/24 and Council Tax Setting 2023/24. It was noted that a named vote would be required on the budget decision and that an update report had been published containing the precept demand from outside bodies not available at the time of the publication of the original report.

In presenting the Executive references and reports, Councillor Cartman expressed his thanks to officers and members for the work on the budget. He acknowledged that progress had been made over the previous four years, but much remained to be done. He added that the budget was based on the guiding principles of the council – “Open, Fairer, Greener” – and advised that it resulted from cross-party collaboration and compromise.

The collaboration was reflected in the long budget setting process and in the context of local government financial constraints. Difficult decisions had been made and had been changed in response to consultation. Councillor Cartman stated that the council’s aim was to protect services for its most vulnerable residents, achieve efficiencies where possible and deliver good value for money for the local taxpayer. He added that the proposal to raise the council tax by 4.99% was in line with neighbouring authorities.

He highlighted that for the first time the council’s next expenditure was budgeted to be in excess of £200m due to increasing costs and demand pressures but £10m efficiency savings were proposed. He added that the council had an ambitious capital programme for the following year which included the Bus Service Improvement Plan, the re-opening of the Portishead rail line, green initiatives and schools’ expansion. He noted the council’s success in winning over £100m of inward investment.

In discussing the Executive reference and Council report, members expressed support for the finance strategy but also noted areas of concern. Questions were raised around the level of council tax increase over the previous four years and concern was expressed over whether sufficient budget had been set aside for children’s and adults’ care services particularly if there was an increase in demand. It was noted that salaries of care sector workers needed to be raised to retain current staff and attract new entrants into the sector in the face of a competitive market for carers. Concern was raised over the lack of contingency which would require the use of one-off reserves or borrowing if demand outstripped the budget. The lack of budget set aside for a contribution to infrastructure required to support new homes was highlighted.

Members raised questions around the depth and breadth of the consultation and engagement carried out with local residents and noted the desire for more cross-party working. They added that whilst the council was an imaginative, ambitious and forward-thinking council, fair and sustainable funding for social care from central government was required together with more power at local level to reflect the choices and decisions of local residents.

Councillor Cartman responded to the points made adding that he hoped for more

consultation, engagement and cross-party working to include all parties in the years to come.

It was noted that Standing Order 22A required a named vote to be taken on the budget decision.

**Motion:** Moved by Councillor Cartman, seconded by Councillor Bridger it was

**Resolved:** That Council:

(1) approved the 2023/24 net revenue budget for North Somerset Council services of £202.766m; and the Council Tax Requirement of £209.699m, being the value including town and parish council precepts, as set out in Appendix 1 to the report

(2) approved the directorate gross income and expenditure budget allocations as detailed in the body of the report and as set out in Appendix 1 to the report

(3) approved the council tax charges for 2023/24 in accordance with the formal Resolution as set out in Appendix 2 to the report:

a. which provides for an average Band D council tax charge in respect of North Somerset Council services for 2023/24 of £1,626.52, plus special expenses, where such charges apply, giving an overall charge of £1,627.38

b. and provides for other major preceptors being, the Avon Fire Authority, the Police and Crime Commissioner for Avon and Somerset and the town and parish councils

This represents an increase for North Somerset Council services of 2.99% on the general level council tax, and a 2% charge in respect of an adult social care precept.

(4) approved the refreshed Pay Policy for 2023/24 in accordance with the details set out in Appendix 5 to the report.

## **COUNCIL TAX RESOLUTION**

### **The Council resolves as follows:**

- 1 It be noted that on 31st January 2023 the Council calculated the Council Tax Base for 2023/24:
  - (a) for the whole Council area as 81,014.7 [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")] and ,
  - (b) for dwellings in those parts of its area to which a Parish precept relates as in the attached Appendix B.
- 2 Calculate that the Council Tax requirement for the Council's own purposes for 2023/24 (excluding Parish precepts and Special Levies) is **£131,841,701**

- 3 That the following amounts be calculated for the year 2023/24 in accordance with Sections 31 to 36 of the Act:

a	Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils <i>(Gross Expenditure)</i>	429,346,616
b	Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act <i>(Gross Income)</i>	290,572,041
c	Being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act). <i>(North Somerset Council Tax Requirement, inc. special expenses, town and parish precepts and special levies)</i>	138,774,576
d	Being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts). <i>(Band D Council Tax for North Somerset Council including an average of special expenses and town and parish precepts)</i>	1,712.96
e	Being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached Appendix C) <i>(Area related expenditure, i.e. town and parish precepts and special expenses)</i>	Precepts 6,932,874.47 Spec Exp 69,410.00 7,002,284.47
f	Being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precepts relates. <i>(The Band "D" amount for North Somerset Council excluding "area" related expenditure, i.e. special expenses and town and parish council precepts)</i>	1,626.52
g	The amount of Special Expenses (expressed in Band D)	0.86
h	The total Relevant Basic Amount for North Somerset Council	1,627.38

- 4 Precepting Authorities

To note that the Police and Crime Commissioner and the Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area, as shown in the table below

Precepting Authority	Valuation Bands							
	A	B	C	D	E	F	G	H
Police & Crime Commissioner	177.47	207.04	236.62	266.20	325.36	384.51	443.67	532.40
Fire Authority	55.30	64.52	73.73	82.95	101.38	119.82	138.25	165.90

- 5 That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the table on the following page, as the amounts of Council Tax for 2023/24 for each part of its area and for each of the categories of dwellings.
- 6 The Council's basic amount of Council Tax for 2023/24 is not determined to be excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.

#### **Named Vote as required under Standing Order 22A**

**For the Motion (27):** Mike Bell, Steve Bridger, Mark Canniford, Ashley Cartman, John Cato, Caroline Cherry, James Clayton, Ciaran Cronnelly, Don Davies, Catherine Gibbons, Hugh Gregor, Wendy Griggs, Karin Haverson, Sandra Hearne, Steve Hogg, Huw James, John Ley-Morgan, Stuart McQuillan, Phil Neve, Robert Payne, Bridget Petty, Geoffrey Richardson, Timothy Snaden, Mike Solomon, James Tonkin, Richard Tucker, Richard Westwood

**Against the Motion (4):** Nigel Ashton, Peter Bryant, Gill Bute, Lisa Pilgrim

**Abstentions (5):** Caritas Charles, Andy Cole, Peter Crew, Ann Harley, Terry Porter

#### **COU 110 Reports and matters referred from the Executive, 8 February 2023 - EXE 76 Treasury Management Strategy 2023/24 (Agenda item 5(2))**

Councillor Cartman presented the reference from the Executive.

All the finance items were discussed together en bloc (see minute no. COU 109 above).

**Motion:** Moved by Councillor Cartman, seconded by Councillor Bridger it was

**Resolved:** that Council:

- 1) Approved the Treasury Management Strategy for 2023/24, as described throughout the Executive report and shown in Appendix 1 to the report.
- 2) Approved the Prudential Indicators for 2023/24, as shown in Appendix 2 to the

Executive report and

- 3) Approved the Minimum Revenue Provision Statement for 2023/24, as shown in Section 3.5 of the Executive report.

**COU 111 Reports and matters referred from the Executive, 8 February 2023 - EXE 77 Capital Strategy 2023-28 and Capital Budget 2023-24 (Agenda item 5(3))**

Councillor Cartman presented the reference from the Executive.

All the finance items were discussed together en bloc (see minute no. COU 109 above).

**Motion:** Moved by Councillor Cartman, seconded by Councillor Bridger it was

**Resolved:** that the Council:

- (1) Approved the capital strategy 2023/24 to 2027/28 as outlined in the Executive Summary and detailed in Appendix 5 of the Executive report.
- (2) Approved an increase to the capital programme of **£137.554m** for a range of new investments proposals as detailed in Section 4.2, and Appendix 3 of the Executive report, subject to confirmation of grant funding allocations.
- (3) Approved the Commissioning Plan detailed in Appendix 4 of the Executive report for the procurement of the programme delivery plans associated with the Strategic Placemaking Projects (Levelling Up and Cultural Development Fund) outlined in Section 4.2 of the Executive report.
- (4) Delegated authority to the S151 Officer for the approval and increase to the capital programme of up to **£9.614m** for the Strategic Placemaking & Development Programme schemes outlined in Section 4.3 of the Executive report, subject to confirmation of grant funding,
- (5) Delegated authority to the S151 Officer in consultation with the appropriate Executive Member, for the period 30 March 2023 – 31 May 2023, to approve Commissioning and Procurement Plans up to **£8m** for the Strategic Placemaking and Development Programme Schemes outlined in Section 4.3 of the Executive report to ensure delivery of the programme will meet funding timescales and
- (6) Delegated authority to the S151 Officer for the approval of the Commissioning and Procurement Plan for Clevedon school grant funded scheme.

**COU 112 Approval of the making of a Supplemental Compulsory Purchase Order for the Banwell Bypass and Highways Improvements Scheme ("the scheme").**

Councillor Bridger presented the report. He advised that the Compulsory Purchase Order (CPO) process was running in parallel with the planning application process and that this report sought authorisation to use CPO powers to secure the land and rights required to deliver the additional mitigation requested by Natural England to support the local bat populations. He added that negotiations with land owners would

always be the preferred route but the CPO process was required by Homes England in order to draw down the funding at Stage 2. He advised that it was anticipated that the planning application would come to the Planning and Regulatory Committee for determination in March.

Councillor Bridger highlighted the current funding position and noted that the council was working with Homes England to determine the effect of inflationary pressures and higher construction costs on the costs of the scheme but that the authority sought in the report had no material impact on the funding available to the council to deliver it. He expected the resolution for a decision on Stage 2 funding to come later in the summer.

Members were encouraged to attend the meetings of the Place Policy and Scrutiny Panel where further details of this scheme and others related to the Housing Infrastructure Fund were given by officers.

**Motion:** Moved by Councillor Bridger, seconded by Councillor Crew and

**Resolved:** that Council:

- a) noted that following decision COU37 taken on 12 July 2022 and decision of the Leader of the Council and the Executive Member for Major Infrastructure Projects 22/23 DP241, the Council made the North Somerset Council (Banwell Bypass and Southern Link) (Side Roads) Order 2022 (“**SRO**”), and the North Somerset Council (Banwell Bypass and Southern Link) Compulsory Purchase Order 2022 (“**CPO**”) (together, “**the Orders**”) on 6 October 2022 in order to deliver the Scheme.
- b) approved the area to be the subject of a supplemental compulsory purchase order (“**the Supplemental CPO**”) edged red on the plans at Appendix 1 (“**the Supplemental CPO Plan**”), which identifies the outline area of the additional land and rights to be acquired for the Scheme (“**the Supplemental CPO Land**”) by voluntary acquisition or compulsory purchase;
- c) authorised the making of the Supplemental CPO by the Council under sections 239, 240, 246 and 250 of the Highways Act 1980 in respect of all or part of the Supplemental CPO Land, which includes any land or rights that may be required for environmental enhancement and mitigation, flood compensation, replacement land provision or otherwise needed for the Scheme;
- d) authorised all necessary steps to be taken to secure the making, confirmation and implementation of the Supplemental CPO, including the publication and service of all notices, requisitions for information, statement of reasons and the preparation and presentation of the Council’s case at any public inquiry required to secure confirmation of the Supplemental CPO by the Secretary of State;
- e) noted, and gave due regard in determining whether or not to authorise the making of the Supplemental CPO, the public sector equality duty contained in section 149 of the Equality Act 2010 and the requirements of the Human Rights Act 1998, as detailed further in sections 5 and 11 of this Report;



- f) authorised agreements to be entered into with landowners to secure the withdrawal of objections to the Supplemental CPO and to authorise the Director of Place and the Director of Corporate Services to take all necessary steps to acquire by agreement land and/or rights over the Supplemental CPO Land, subject to any consideration payable being within the Scheme budget as set out in section 7 of this Report;
- g) subject to confirmation of the Supplemental CPO, delegated the authority to the Director of Corporate Services, the Director of Place, and the Assistant Director Legal & Governance and Monitoring Officer to acquire all the land and rights over the Supplemental CPO Land, including service of a general vesting declaration, notice to treat and/or notice of entry, subject to any compensation to be paid being within the Scheme budget as set out in section 7 of this Report;
- h) delegated to the Executive Member for Major Infrastructure, in consultation with the Director of Place, the authority to make any necessary amendments to the Supplemental CPO;
- i) delegated to the Director of Corporate Services, the Director of Place and the Assistant Director Legal & Governance and Monitoring Officer (or the Executive Member for payments of over £500,000) the authority to negotiate and settle all necessary compensation and professional fees (including interim payments) either as agreed with landowners or as determined by the Lands Chamber of the Upper Tribunal in relation to the acquisition of land or rights forming part of the Supplemental CPO Land in accordance with the Land Compensation Act 1961, the Compulsory Purchase Act 1965 and the Land Compensation Act 1973 provisions in force at the relevant time and the body of case law relevant to the assessment of compensation, where any compensation to be paid is within the Scheme budget as set out in section 7 of this Report;
- j) delegated to the Senior Responsible Officer (Alex Fear) the authority to enter into agreements with landowners to secure the withdrawal of objections to the CPO and/or the Supplemental CPO and to negotiate and settle all necessary compensation and professional fees (including interim payments) by agreement with landowners in relation to land interests included in the CPO and/or the Supplemental CPO (for any financial threshold), subject to the delegation being limited to applying only:
  - i. prior to the closing of any public inquiry required for the CPO and/or Supplemental CPO;
  - ii. where the approval of the agreement terms and the compensation value is required on an urgent basis in order to secure the withdrawal of objection(s) to the CPO and/or the Supplemental CPO; and
  - iii. where any compensation to be paid is within the Scheme budget as set out in section 7 of the Report.
- k) authorised the instruction of the Scheme Project Team's legal advisers, Burges Salmon LLP, to prepare and serve such documentation as may be required for the Supplemental CPO.

**COU 113 Adoption of the Revised Travel Plans SPD following public consultation**

Councillor Hogg presented the report and thanked officers for their work on the revised Travel Plan Supplementary Planning Document (SPD). He gave the background to the need for Travel Plans from developers and noted they were required under national policy.

The council's current Travel Plan SPD was 13 years' old and in need of review to keep up with changing requirements including the Climate Emergency Strategic Action Plan. Councillor Hogg noted a number of key changes as highlighted in the report including the use of "Modeshift STARS", an online platform where a Travel Plan could be stored, developed, managed and monitored over time.

In discussing the report, members considered the issues with legacy travel plans and requested that engagement with pedestrians and cyclists be put before that with car users. A query was raised about how to match council resource to fluctuating demand if a developer asked for the council to deliver the required Travel Plan.

**Motion:** Moved by Councillor Hogg, seconded by Councillor McQuillan and

**Resolved:** that the Council adopted the revised Travel Plan Supplementary Planning Document (SPD) following public consultation.

**COU 114 Public Space Protection Orders - Delegated Authority**

Councillor Solomon presented the report noting that it would allow a quicker reaction to single Public Space Protection Orders (PSPOs) than currently. They would still be subject to public consultation and groups of PSPOs would still come to the Executive for approval.

**Motion:** Moved by Councillor Solomon and seconded by Councillor Griggs and

**Resolved:** that decisions regarding Area Specific Public Space Protection Orders (PSPOs) be delegated to the Executive Member for Neighbourhoods and Community Services.

**COU 115 Petitions to be presented by Members (Standing Order No. 16)**

None.

**COU 116 Motions by Members (Standing Order No. 14)**

None.

**COU 117 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 118 Matters referred from previous meeting.**

None.

**COU 119 Chairperson's announcements**

The Chairperson noted that the meeting would be the last Council meeting for some members and she wanted to reflect on the last four years of the administration. She added that those four years has been unprecedented in the challenges faced including the pandemic, online meetings, working from home, the war in Ukraine and the cost of living crisis. She reflected that some of these challenges had brought about positive changes including the council's policies now taking climate change into account, more walking and cycling and working together with the voluntary sector to set up North Somerset Together.

She added that she was very proud of the rainbow coalition and its achievements and the positive contributions from the opposition. She thanked all members, the Chief Executive, officers and their teams for their support. Members warmly applauded her words.

**COU 120 Leader's announcements**

The Leader extended his sincere thanks to the Chairperson and her predecessors, Councillors Westwood and Shopland and to all those members not seeking re-election for their work and service to their residents and North Somerset.

**COU 121 Chief Executive's announcements**

The Chief Executive thanked all members for their work in supporting the residents of North Somerset and the support extended to officers and herself particularly through the challenges of the previous four years as the council continued to improve outcomes for residents, visitors and businesses.

She expressed thanks for the decades of service from those members standing down at the next election.

**COU 122 Forward Plan dated 31 January 2023**

The Leader presented the Forward Plan.

**Resolved:** that the Forward Plan be noted.

**COU 123 Policy and Scrutiny Panel Report**

Councillor Richardson spoke on behalf of the Chairpersons of the Policy and Scrutiny Panels and thanked them and all members of the panels for their work in challenging and shaping the policies of the Executive.

He thanked Councillor Crosby as the previous Chairperson of the ASH Policy and Scrutiny Panel and all the officers who attended and provided reports.

He added that the joint report summarised the panels' activities over the year and looked forward to future challenges.

**COU 124 Corporate Parenting Report**

Councillor Gibbons presented the report and thanked members who had all been Corporate Parents over the previous years.

She noted particularly the participation of the care experienced young people in the Corporate Parenting Panel and the level of engagement the council had with them thanks to the involvement of the Young Director, Beth Swann. She added that the meetings of the panel were open to all members and that every other meeting involved the young people themselves in discussions with councillors on themes and matters decided by the young people. The panel made a point of listening to them and the council's foster parents. She noted a number of initiatives the council had undertaken to support young people but added that there would continue to be challenges in delivering change due to budget pressures.

**COU 125 Reports and matters referred from the Policy/Overview and Scrutiny Panels other than those dealt with elsewhere on this agenda.**

None.

**COU 126 Reports and matters referred from the other Committees other than those dealt with elsewhere on this agenda.**

None.

**COU 127 Reports and matters referred from other working groups and review panels.**

None.

**COU 128 Reports on joint arrangements and external organisations and questions relating thereto.**

**(1) Avon Fire Authority**

Councillor Davies provided an oral update to the meeting on the setting of the Fire Authority's precept for the following year and the use of reserves to support the budget.

**(2) Avon and Somerset Police and Crime Panel**

Councillor Crew provided an oral update to members on the setting of the budget for the following year and noted that the Chief Constable had given members a report on the work to be done in the following year. The force would be at full establishment by the summer and the Home Office was funding an additional 80 officers. There was a need for more detectives and with the budget increase, the Panel expected to see the Neighbourhood Teams operating fully. The Chief Constable committed to having all teams operationally effective.

Councillor Westwood noted that the work of the panel involved monitoring the work of the Police and Crime Commissioner, not to make decisions on the operation of the police force itself. He added that there was a new commissioner for the area, Mark Shelford who was the national lead on digital and cybercrime.

**COU 129 Revised Draft Municipal Calendar 2023/24**

The Solicitor presented the report noting the date change to the Annual Council Meeting in May.

**COU 130 Urgent business permitted by the Local Government Act 1972 (if any)**

None.

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Chairperson

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