

# Minutes

of the Meeting of

## The Council

**Tuesday, 14 November 2023**

New Council Chamber

Meeting Commenced: 6.00 pm

Meeting Concluded: 7.57 pm

### **Councillors:**

Peter Crew (Vice-Chairperson)

Marc Aplin  
Nigel Ashton  
Mike Bell  
Mike Bird  
Christopher Blades  
Steve Bridger  
Peter Bryant  
Peter Burden  
Mark Canniford  
Ashley Cartman  
Annabelle Chard  
Andy Cole  
Jemma Coles  
John Crockford-Hawley  
Ciaran Cronnelly  
Stuart Davies  
Oliver Ellis  
Catherine Gibbons  
Jenna Ho Marris  
Nicola Holland  
Clare Hunt  
Patrick Keating  
Sue Mason  
Hugh Malyan  
Stuart McQuillan  
Ian Parker  
Robert Payne  
Bridget Petty  
Lisa Pilgrim  
Terry Porter  
Michael Pryke  
David Shopland  
Luke Smith

Timothy Snaden  
Mike Solomon  
Dan Thomas  
Helen Thornton  
Joe Tristram  
Richard Tucker  
Annemieke Waite  
Roger Whitfield  
Hannah Young

**Apologies:** Councillors: Wendy Griggs (Chairperson) Caritas Charles, James Clayton, Tom Nicholson, Marcia Pepperall and Martin Williams.

**Officers in attendance:** Jo Walker (Chief Executive), Nicholas Brain (Assistant Director Legal & Governance and Monitoring Officer), Amy Webb (Director of Corporate Services), Hayley Verrico (Director of Adult Social Services) and Carolyn Fair.

**Partaking via Microsoft Teams:**

Officers: Lucy Shomali (Director of Place) and Hazel Brinton (Committee Services Manager).

**COU Vice-Chairperson's Welcome**

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The Vice-Chairperson welcomed everyone to the meeting which was being livestreamed. He noted there was an option for members to join via Teams and whilst they could participate in the debate, they would not be able to vote nor counted for attendance purposes.

**COU Public Participation: Robert Thackeray, local resident - overgrown shared footpaths**

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Robert Thackeray addressed the Council on shared cycle and footpaths which had become unusable due to overgrown vegetation. He noted particularly the shared pathway approaching the Junction 21 roundabout which meant that cyclists were obliged to use the road instead of the cycle path. Overgrowth on shared pathways was forcing cyclists, those with pushchairs and pedestrians to share narrow spaces and asked that he be contacted about the council's plans to maintain the pathways.

The Vice-Chairperson thanked Mr Thackeray for his address and referred it for action to the relevant Executive Members.

**COU Public Participation: Rebecca Robinson, local resident, school crossing in Banwell**

79

Rebecca Robinson addressed members on danger to children posed by the road located by Banwell Primary School due to the volume of traffic, size of vehicles and frustrated drivers and the poor visibility of the crossing outside of the school for both drivers and pedestrians. She presented a petition of 196 signatures to the council asking for a flashing school sign warning of the presence of a school.

The Vice-Chairperson thanked Ms Robinson for her address, received the petition and added that it would go forward to officers and the Executive Member.

**COU 80 Public Participation: Alan Rice, local resident - standard of private rented accommodation**

Alan Rice addressed the Council on the matter of tenants' complaints about poor standard of rented accommodation which could result in the eviction of the tenant in some cases. He asked the council to look into the process of issuing "Informal Complaint Agreements" rather than "Emergency Works Notices" to landlords and tenants and the outcomes as a result of this. He also asked that the council set up a pathway for tenants living in poor accommodation that brought together Building Standards, Homeless Prevention and Home Choice.

**COU 81 Declaration of Disclosable Pecuniary Interest (Standing Order 37)**

Councillor Ellis declared an interest in the Avon Fire Authority report as an employee of the authority and would absent himself at this point of the meeting.

Council Chard declared a Disclosable Pecuniary Interest in Taxi Licensing Policy and would absent herself from the meeting at this point.

**COU 82 Minutes**

**Resolved:** that the minutes of the meeting of 19 September be approved as a correct record.

**COU 83 Banwell Bypass Gateway Decision Stage 2**

Councillor Bell presented the report to members noting that the July report to Council had agreed the additional funding required as part of the council's Capital Programme. He informed members that the agreement with Homes England required a two-stage delivery programme with an informal break clause and the council was now at that point. Stage 1 had been largely completed and the report sought approval to go to Stage 2. He noted that final confirmation of the Compulsory Purchase Orders were awaited, and he anticipated this would be completed shortly.

Councillor Bell highlighted details of the report to members and explained that the contract was a "target cost" contract where the contractor would be paid for the actual cost of the works and a percentage fee. It also had a "pain/gain" mechanism which incentivised the contractor to deliver to the actual cost of the works and within the target budget. This would encourage all parties to work collaboratively and share risks and rewards. He added that the report was a significant milestone in the project as if agreed, it could then proceed to the construction phase. He proposed an amendment to the second recommendation which was to include "subject to the Deed of Variation being finalised and signed".

In debating the report, members expressed their thanks to the project team in reaching this phase of the project as a number of authorities had exited their Housing Infrastructure Fund agreements with Homes England due to funding issues. They noted the cross party and cross administration support for the

project during a number of years and highlighted the work of ward members who had balanced the competing needs and views of residents, Additionally, the influence of the public on the scheme design was highlighted.

**Motion:** moved by Councillor Bell and seconded by Councillor Canniford and

**Resolved:**

1. To award the stage 2 New Engineering Contract (NEC) Option C Engineering and Construction Contract (ECC) for the detailed design and construction of Banwell bypass and all associated infrastructure to Alun Griffiths Contractor Ltd (AGCL) Company number 01493003

2. To approve the project team to progress with stage 2 of the contract between NSC (North Somerset Council) and Homes England subject to the Deed of Variation being finalised and signed.

## **COU 84 Youth Justice Committee Report**

Councillor Gibbons invited the officer and author of the report, Mike Rees, to present it to members. She noted it was his last report to Council as he was retiring and thanked him for his work on the plan before members and his work in driving this area forwards over many years.

Mr Rees introduced the report and the Youth Justice Plan and explained that the Crime and Disorder Act 1998 placed a duty on local authorities with social services and education responsibilities to ensure the availability of appropriate youth justice services in its area and required other bodies to cooperate in ensuring service provision. The Act also required the preparation of an annual Youth Justice Plan. Mr Rees explained that the Youth Offending and Prevention Service was established in April 2000 and had developed to provide a range of services to prevent offending and reoffending and address the needs of victims.

He went on to highlight areas of the report and details of the Plan to members and noted the challenges in sustaining the range of services given available funding but that North Somerset Council could take encouragement from the strong position of the Youth Offending Service in the range and quality of services offered as a part of children's services whilst recognising the challenge to sustain this.

In discussing the report, members noted Mr Rees' passion and knowledge of the topic of youth justice and that he was regarded as pre-eminent in his role. They added that the community and council would miss his expertise and warmly applauded his contribution.

**Motion:** moved by Councillor Gibbons and seconded by Councillor Petty and

**Resolved:** that the Council approved and adopted the Youth Justice Partnership Plan 01/04/23 – 31/03/24 and agreed to submit the Plan to the Youth Justice Board.

## **COU Corporate Parenting Report**

**85**

Councillor Gibbons gave a verbal update to members on the role of Corporate Parenting and how all members were a corporate parent. She noted that the next Corporate Parenting Panel would take place on 23 November to which all members were invited and updated members on information on the current numbers of children in care, aspects of their care and key challenges they were facing including finding sufficient placements for children coming into care and the recruitment of foster carers and social workers. She updated members on the recent Care Leavers' week including the positive impact of obtaining free bus travel for care leavers across the region.

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

**86**

In introducing his motion, Councillor Shopland asked that alternate wording he had agreed with Cllr Burden be moved as the motion in the hope of not requiring an amendment debate:

**Motion:** Moved by Councillor Shopland and seconded by Councillor Burden

"In the light of rising sea levels and recent storms, that this council write to the Environment Agency expressing our concern with the Agency's lack of routine maintenance on structures and waterways. And that we ask the council representative on the Regional Flood and Coastal Defence Committee to report to the next Council on the important works in the district that the Agency will no longer fund."

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

In discussing the motion, members expressed their concern over rising sea levels and the impact on the North Somerset area. It was also suggested that the appropriate Policy and Scrutiny Panel responsible for Climate Change, or possibly a working group thereof, be tasked with preparing a report around flooding risks for North Somerset Council, and that consideration be given to writing to appropriate bodies regarding funding for flood risks.

Following discussion, it was

**Resolved:** that in the light of rising sea levels and recent storms, this council write to the Environment Agency expressing our concern with the Agency's lack of routine maintenance on structures and waterways. And that we ask the council's representative on the Regional Flood and Coastal Defence Committee to report to the next Council on the important works in the district that the Agency will no longer fund.

## **COU Question Time (Standing Order No.18)**

**87**

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

**COU Vice-Chairperson's announcements**

**88**

On behalf of the Chairperson, the Vice-Chairperson noted that she had hosted the Weston Carnival reception at the Winter Gardens the previous week and over the weekend had attended the Armistice Day and Remembrance Sunday. He added that the Chairperson had requested that members also be reminded of events happening around the world currently.

The Vice-Chairperson noted the death of Lord Cotter, former Member of Parliament for Weston-s-Mare.

**COU Leader's announcements**

**89**

The Leader noted that the Governance Review undertaken four years previously was to be reinvigorated. Councillors Cartman and McQuillan had been asked to look at the governance and decision-making structure of the council and decentralise decision-making opportunities to members and communities across the authority area. He encouraged members to feed into the review with their thoughts.

**COU Chief Executive's announcements**

**90**

The Chief Executive expressed her thanks to Carolyn Fair, Interim Director of Children's Services who would be leaving the council with the appointment of Claire Shiels as the new Director of Children's Services and who would be joining in January.

**COU Forward Plan dated 2 November 2023**

**91**

**Resolved:** that the Forward Plan dated 2 November 2023 be noted.

**COU Policy and Scrutiny Panel Report**

**92**

None.

**COU Reports and matters referred from the Executive - dated 18 October 2023**

**93**

None.

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

**94**

None.

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

**95**

**Licensing Committee 31 October 2023**

**LIC6 Mid-year report for the Administration and Enforcement of all Licensing Regimes**

Councillor Chard left the Chamber before members considered the report.

Councillor Davies introduced the item informing members that the licensing regime was supported by statutory and local policies and the latter were reviewed in line with statutory requirements. Both the Taxi Licensing and Sex Establishment Policies were due for revision. He added that the Licensing Committee had considered the draft revisions in March which was followed by a public consultation process. The Licensing Committee considered the submissions at its meeting in October and having taken note of responses, the final draft of the policy had been agreed and the recommendation from the Licensing Committee was that both revised policies should be adopted by the Council.

**Motion:** moved by Councillor Davies and seconded by Councillor Solomon and

**Resolved:** that the draft Statements of Principles as amended and agreed by the Licensing Committee be adopted.

**COU 96 Reports on joint arrangements and external organisations and questions relating thereto**

**(1) Avon Fire Authority**

Councillor Ellis left the Chamber before members considered the report.

Councillor Malyan asked Councillor Tucker about the implications of the apparent cuts to front line posts within the fire service and the potential increased risk to North Somerset residents. He asked whether the decision would be considered by the AFA Board with a view to reversing it if the budget settlement proved to be better than anticipated.

Councillor Tucker replied that much would depend on whether the Minister allowed the Fire Authority to raise the maximum precept and that the retirement projection would also feed into the equation. He added that the decision would come back to the Authority when the final budget was set early in the new year.

**(2) Police and Crime Panel**

The Vice-Chairperson explained that no report was available as former Councillor Hogg was due to provide one after the September meeting but had resigned as a councillor before providing one.

**(3) West of England Combined Authority**

Councillor Ashton explained that no report was available as North Somerset members had been advised incorrectly, they could not attend the first meeting of the new municipal year; the second meeting had been inquorate and the third due to take place later in the month had been cancelled due to an audit day.

**COU 97 Appointments to Outside Bodies 2023/24 (Council)**

Councillor Bell advised members that after consultation with Group Leaders that Councillor Davies was proposed as the replacement appointee for the Council on the Police and Crime Panel and that the appointment to the Bristol Airport

Consultative Committee would take place after the result of the by-election for Wroughton ward was known with delegation of the appointment to Group Leaders. He further advised that Councillors Thornton and Burden were proposed as appointments to the Local Access Forum after consultation with Group Leaders.

**Resolved:** that the appointments and delegation to Group Leaders as proposed be agreed.

**COU 98 Draft Municipal Calendar 2024/25**

**Resolved:** that the Draft Municipal Calendar for 2024/25 be noted.

**COU 99 Urgent business permitted by the Local Government Act 1972 (if any)**

None.

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Chairperson

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