

Minutes

of the Meeting of

The Council

Tuesday, 9 January 2024

New Council Chamber - Town Hall

Meeting Commenced: 6.00 pm

Meeting Concluded: 9.00 pm

Councillors:

Wendy Griggs (Chairperson)
Peter Crew (Vice-Chairperson)

Marc Aplin
Mike Bell
Mike Bird
Steve Bridger
Peter Burden
Mark Canniford
Ashley Cartman
Annabelle Chard
Caritas Charles
James Clayton
Andy Cole
Jemma Coles
Ciaran Cronnelly
Stuart Davies
Thomas Daw
Oliver Ellis
Catherine Gibbons
Jenna Ho Marris
Nicola Holland
Clare Hunt
Patrick Keating
Sue Mason
Hugh Malyan
Stuart McQuillan
Tom Nicholson
Ian Parker
Robert Payne
Marcia Pepperall
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
Martin Williams
Hannah Young

Apologies: Councillors: Nigel Ashton, Peter Bryant and John Crockford-Hawley.

Absent: Councillor: Christopher Blades.

Officers in attendance: Jo Walker (Chief Executive), Nicholas Brain (Assistant Director Legal & Governance and Monitoring Officer), Claire Shiels (Director Children's Services), Amy Webb (Director of Corporate Services), James Willcock (MetroWest Phase1 Project Manager) and Jenny Ford (Head of Development).

Partaking via Microsoft Teams:

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

COU 100 Chairperson's Welcome

The Chairperson welcomed everyone to the meeting which was being livestreamed and would be available to view within 48 hours on the North Somerset Council website.

She reminded members that only those present in the Chamber would be able to vote but any members joining on Teams would be able to take part in the debate.

COU 101 Public Participation: David Flossman, resident - conflict in Gaza

David Flossman addressed members on the conflict in Gaza and asked members to support the motion before Council calling for a ceasefire.

COU 102 Public Participation: Gareth Hiscock, resident - council treatment of deceased estates

Gareth Hiscock spoke on the subject of the council's treatment of deceased residents' properties and the policy of applying a rate of 100% council tax to properties left empty after a death once the 6-month grace period after grant of probate has expired. He contrasted this with the application of a 25% discount for sole occupants whilst they were alive and requested that the policy be reviewed.

COU 103 Public participation: Amanda Barrett, residents - Biodiversity and the EPIC planning application at Long Ashton

Amanda Barrett addressed members on the subject of biodiversity and the EPIC planning application at Long Ashton. She commented on the impact of the application on the village of Long Ashton, biodiversity and the green belt and asked that the council reject the planning application.

COU 104 Public participation: Tom Leimdorfer, resident - conflict in Gaza

Tom Leimdorfer spoke on the matter of the conflict in Gaza and asked the Council to support the later motion on Gaza and call for an immediate ceasefire, the release of hostages, the free flow of humanitarian aid and the possibility of a peaceful solution to the conflict.

COU 105 Public participation: Harvey Lilley - resident - EPIC planning application in Long Ashton

Harvey Lilley addressed members on the subject of the EPIC planning application in Long Ashton and the outcome of a meeting held recently in Long Ashton Village Hall. He asked the council to reject the planning application given the harm the development would have on the green belt and biodiversity and that it was not supported by the Local Plan.

COU 106 Public participation: Daniel Adams - business ratepayer - Clevedon BID

Daniel Adams spoke on the subject of the Clevedon BID and the impact of North Somerset Council's vote on the outcome. He asked that the council review the process before the ballot, during the ballot and after the ballot as Clevedon businesses had asked that the council abstain from voting. He asked that the levy was not enforced on those businesses which did not wish to pay it.

COU 107 Public participation: Cathy Liddiard - resident - conflict between Israel and Hamas

Cathy Liddiard addressed the Council on the matter of the conflict between Israel and Hamas and asked the Council to do what it was able to end the cycle of violence.

COU 108 Public participation - Amanda Barrett on the behalf of Jenny Hyndman - resident - biodiversity in the Long Ashton area

Amanda Barrett spoke on behalf of Jenny Hyndman, a trustee of the Long Ashton Nature and Community Environment Trust on the subject of biodiversity and the impact of climate change including the use of brownfield sites for development over green belt sites in respect of the EPIC planning application.

COU 109 Declaration of Disclosable Pecuniary Interest (Standing Order 37)

None declared.

COU 110 Minutes

Resolved: that the minutes of the meeting of 11 November 2023 be approved as a correct record.

Councillor Waite addressed members and advised that after the request of the meeting on 11 November, she had written to the Environment Agency in December with a list of questions and asked for a full update by the end of January on the issues. Feedback would be provided at the next Council meeting.

COU Chairperson's announcements

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The Chairperson apologised for her not being able to attend the last Council meeting and thanked the Vice Chairperson, Councillor Crew, for chairing in her absence.

She extended a welcome to the recently elected member for Wrington, Councillor Thomas Daw.

COU MetroWest Phase 1

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Councillor Bell presented the report to members noting that the council expected to submit the full business case to the Department for Transport in February 2024. A further report would be brought back to Council in the summer of 2024 with a view to funding being finalised and allowing construction to begin in August 2024. He thanked all those involved with supporting the project.

Members welcomed the report and hoped for a speedy delivery of the project.

Motion: moved by Councillor Bell and seconded by Councillor Whitfield and

Resolved: that the Council

1. Delegated authority for the Leader Councillor Bell (Executive Member for Major Infrastructure Projects) to finalise and submit the project Full Business Case to the Department for Transport, on the following basis:
 - a) the submission of the Full Business Case would not commit the Council to allocate any additional funding and would not increase the Council's financial commitments beyond what had previously been authorised by Council.
 - b) the total capital funding was £152.01m and was tabled in the finance section 5.7 to 5.9 of the report
 - c) the Department for Transport would continue to act as the project sponsor and would own all the capital delivery risk, for any future cost escalation. Any increase in the final estimated capital outturn cost of £152.01 million leading up to the submission of the Full Business Case would be dealt with as a request to the Department for Transport for funding as part of the submission.
 - d) the Department for Transport would fund the operational costs including mobilisation costs, for the Portishead Line passenger train service, operating costs for Portishead and Pill stations, and would hold all financial liabilities relating to the operation of the train service,
 - e) following approval of the Full Business Case by the Department for

Transport (anticipated by late May 2024), the Department for Transport would instruct Network Rail to deliver the project. Network Rail would deliver all the railway scope of works and the re-alignment of Quays Avenue in Portishead. Network Rail would in turn contract North Somerset Council & the West of England Combined Authority to deliver minor scope including works to highway bridges, minor highway works, land assembly and use of Development Consent Order powers, minor ecology works and project management resources, and

- f) following approval of the Full Business Case by the Department for Transport a further report would be brought back to Council (in summer 2024) seeking authorisation to release the unspent capital funding tabled in the finance section 5.7 to 5.9 of the report, to Network Rail (or the Department for Transport). The report would also seek authorisation to enter into a funding agreement with Network Rail for the scope set out in e) above and to award contracts for the delivery of the scope set out in e).
2. Delegated authority for the Leader Councillor Bell (Executive Member for Major Infrastructure Projects) to enter into an addendum to the existing Funding Agreement between Network Rail and North Somerset Council (where North Somerset Council is a sub-contractor to Network Rail), for the delivery of scope during the transitional period after submission of the Full Business Case and up to the award of construction contracts (the period from March to August 2024). The estimated cost of the North Somerset Council scope is £0.827 million for the five-month period, for which North Somerset Council would be reimbursed by Network Rail for all costs incurred.

COU 113 Development Commissioning Plans and Updates

Councillor Canniford presented the report to members which provided an update on the delivery of the council's Development Strategy as approved by the Council in February 2019 and further reported in November 2022. He noted that the report made recommendations as to the future programme of development sites to be delivered and how these should be prioritised and that the Downside site in Portishead would be removed from the programme to allow for a discussion with Portishead Town Council to create an open green space. He added that the council could pull out of the arrangement at any point should it not be comfortable with any part of the process.

In debating the report, members voiced concerns over alternative arrangements to provide affordable housing if the agreement with Portishead Town Council on the Downside site did not bring forward a deliverable plan although the intention to provide an open green space was fully supported; the development of the Castlewood site and the use of loan funding and the timescales involved in developing the Weston Town Centre sites. They asked that the social and economic receipts of the Weston site development be locked into the decision-making process along with the financial receipts and that the local community in the areas to be developed be engaged to obtain their views on what they wished

to be built.

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

Resolved: that the Council

1. Noted the updates on delivery of the Council's Development Strategy, including progress at Parklands Phase 1, Weston-super-Mare, and The Uplands, Nailsea.
2. Endorsed the proposed prioritisation of development sites as outlined in paragraphs 3.6 – 3.12 of the report.
3. Approved the revisions to the Commissioning Plans for the Dolphin Square and Walliscote Place sites in Weston-super-Mare and Castlewood site in Clevedon as set out in paragraphs 3.16 to 3.49 of the report and noted the draft specifications for the sites as set out at Appendix A of the report.
4. Endorsed the commissioning of Aequus Construction Limited (via Bath & North East Somerset Council) to carry out Stage 1 and potentially Stage 2 development management for the Dolphin Square, Walliscote Place and Castlewood sites, noting that the formal decisions for award of contract of these stages of work are of a level that will be made under delegated Executive Member and/or Officer powers.
5. Approved the associated budget virements to increase the council's gross expenditure budget to recognise the additional expenditure for stage 1 and 2 and an equivalent increase to the gross income budget to recognise the funding from reserves as outlined in paragraph 5.6 of the report.
6. Delegated authority to the Director of Corporate Services (Section 151 Officer), in consultation with relevant Executive Members to approve the submission of funding bids to any value to support development proposals on the sites discussed in the report, should such opportunities arise.

COU Biodiversity and trees Supplementary Planning Document

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Councillor Canniford presented the report noting that it had been 20 years since the last update. The policy recognised the changes in practices and new legislation and separated the council's policies on Biodiversity and trees into two supplementary planning documents. He highlighted other aspects which were found in the published report.

In debating the report, members noted concerns over the council's capacity to oversee and enforce the requirements of the policy and asked that the council was robust in ensuring developers fulfilled their obligations. A request for model planning conditions was made.

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

Resolved: that the Council adopted the Biodiversity Supplementary Document (SPD) be adopted as council policy.

COU 115 Corporate Parenting Report

Councillor Gibbons presented the report and noted that the report focussed on children in foster care. She highlighted aspects of the report to members which included the importance of the role of a corporate parent as well as an overview of where children in North Somerset Council's care lived and the council's Mockingbird fostering scheme.

Resolved: that the report be noted.

COU 116 Petitions to be presented by Members (Standing Order No. 16)

(1) Councillor Gibbons presented a petition from Alliance Homes tenants asking for North Somerset Council's assistance in gaining a commitment from Alliance Homes in soundproofing and maintaining their homes.

The petition was referred to the Assistant Director, Adult Social Services.

(2) Councillor Petty informed members that she had been advised by the solicitor that the petition she wished to present did not fulfil the criteria required by the Council's Constitution so she would hold it over until the later motion on Gaza.

COU 117 Motions by Members (Standing Order No. 14)

In introducing his motion, Councillor Tristram asked that alternate wording he had agreed with Councillor Gibbons be accepted by the meeting and be debated as the motion.

Amendment: the proposed alternate wording was moved by Councillor Gibbons and seconded by Councillor Young and adopted by Councillor Tristram.

Councillor Tristram read out the amended motion:

"This Council:

- Expresses deep sympathy for all those affected by the conflict in Israel and Palestine. To those in the North Somerset area who have been affected by this conflict we offer our support in this difficult time.
- Calls for an immediate release of all hostages and a sustainable ceasefire to allow more aid and the possibility of a peaceful resolution.
- Believes Muslims, Jews and people of all faiths and no faith should feel safe in North Somerset and throughout the world and condemns the increase in antisemitic and Islamophobic abuse and violence.

Council thanks community leaders for the role they are playing in reducing tensions at this sensitive and difficult time.

This Council resolves to:

Write to the Prime Minister, Foreign Secretary and North Somerset's two Members of Parliament, stating that the Council supports a sustainable and lasting ceasefire and asking them to do all in their power to work towards a viable two-state solution. We also ask that they recognise, with additional funding, the key role local authorities play in promoting cohesion and understanding throughout their communities by supporting the many voluntary organisations and faith groups who work together to help those affected by this and other conflicts.”

Motion: Moved by Councillor Tristram and seconded by Councillor Petty

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

Amendment: Moved by Councillor Burden and seconded by Councillor Williams

“that the reference to a two-state solution be removed from the motion”

The **Motion**, recorded above as **Amendment**, was **lost**.

Members debated the motion and the content of the addresses on the topic received during public participation. The solicitor gave advice on the constitutional and legal considerations in adopting the motion as amended by Councillor Gibbons and the reason why the petition on the conflict in Gaza as presented could not be accepted by the Council.

Motion: moved by Councillor Bell and seconded by Councillor Petty that the question be now put.

Resolved: that the question be now put.

Following the vote, it was:

Resolved: that the Council

- Expresses deep sympathy for all those affected by the conflict in Israel and Palestine. To those in the North Somerset area who have been affected by this conflict we offer our support in this difficult time.
- Calls for an immediate release of all hostages and a sustainable ceasefire to allow more aid and the possibility of a peaceful resolution.
- Believes Muslims, Jews and people of all faiths and no faith should feel safe in North Somerset and throughout the world and condemns the increase in antisemitic and Islamophobic abuse and violence.

Council thanks community leaders for the role they are playing in reducing tensions at this sensitive and difficult time.

Further, the Council resolved to:

Write to the Prime Minister, Foreign Secretary and North Somerset's two Members of Parliament, stating that the Council supports a sustainable and lasting ceasefire and asking them to do all in their power to work towards a viable two-state solution. We also ask that they recognise, with additional funding, the key role local authorities play in promoting cohesion and understanding throughout their communities by supporting the many voluntary organisations and faith groups who work together to help those affected by this and other conflicts.”

COU 118 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 119 Matters referred from previous meeting

None.

COU 120 Leader's announcements

The Chairperson ruled that agenda item 22 be admitted as urgent business under the Local Government Act 1972 and moved up the agenda due to the management interventions, which the Council was asked to support, requiring immediate implementation.

The Leader presented the Emergency Budget Decision report to members which highlighted the council's in year financial pressures and the actions being undertaken by officers to address the pressures. All members had been briefed recently on the matter and the report aimed to give members the most up to date information and for them to have the opportunity to ask questions. He noted that the council was in an unprecedented position financially. The report set out the mitigations which were being implemented. Councillor Bell noted that there would be inevitable impact on services as a result of decisions. There would be a further all member briefing on 29 January.

In debating the report, members asked whether a list of statutory and discretionary functions could be made available and requested ongoing community engagement with residents. They asked for more detail on the large increase in spending in Children's Services and whether this was due to the costs of out of area placements for children.

Resolved: that the Council noted the increasing pressures on the council's revenue budget and supported the emergency measures that were being put in place by the Corporate Leadership Team to control spending.

COU 121 Chief Executive's announcements

The Chief Executive welcomed Claire Shiels as the council's new Director of Children's Services.

COU 122 Forward Plan dated 3 January 2024

Resolved: that the Forward Plan dated 3 January 2024 be noted.

COU 123 Policy and Scrutiny Panel Report

Item was withdrawn by Councillor Bridger until a later date.

COU 124 Reports and matters referred from the Executive - dated 6 December 2023

None.

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 on joint arrangements and external organisations and questions relating thereto

(1) Avon Fire Authority

No report.

(2) Avon and Somerset Police and Crime Panel

Councillor Crew reported that an increase of £10 in the precept request by the force was anticipated. This would reduce over a four-year period. Recruitment of officers had been challenging but the Weston Neighbourhood Team was now fully manned, and the North team was 2/3rds complete.

(3) West of England Joint Scrutiny Committee

No report as no meeting.

COU 128 Urgent business permitted by the Local Government Act 1972 (if any)

Item minuted under minute number COU120.

Chairperson
