

**204th ORDINARY MEETING OF
PORTISHEAD & NORTH WESTON TOWN COUNCIL
14 APRIL 2010**

PRESENT Councillor Pasley – in the Chair

Councillors Cameron, Mrs Cruse, Hazelton, Howells, Mrs Knight (Vice Chairman), Mrs Lord, McMurray, Mrs Mason, Miers, Parker, Miss Stanley, Terry, Walker, Mrs Way, Walters, and Wright(*).

(*Councillor Wright joined the meeting at 8.22pm)

Mr M Dolton – Clerk of the Council

The Chairman welcomed Cllr David Jolley, NSC Member for West Ward who was seated in the public seating area.

APOLOGIES Councillor Cruse.

There were 12 members of the public and press present at the meeting.

At this point the Chairman asked that Councillor Mrs Cruse convey to Councillor Martyn Cruse the best wishes of all members and staff of the Council, for a speedy return to full health following his recent planned hospitalisation.

1781 DECLARATIONS OF INTEREST

Councillors Mrs Knight, McMurray and Pasley stated that any views they expressed on matters to also be considered at North Somerset Council would be provisional and based on the facts currently known. They would be exercising their rights to reconsider the matter afresh when the matter went before North Somerset Council.

Councillors Mrs Cruse and Hazelton:-

- Personal Interest in Minute No. RW931 (Youth Centre)
Reason – Town Council representatives on the Youth Club management committee.

Councillor Terry:-

- Personal Interest in Minute No. RW931 (Youth Centre)
Reason – North Somerset Council representative on the Youth Club management committee.

- Personal Interest in minute No. RW932 (Allotments)
Reason – member and officer of the Portishead Allotments Association.

Councillors Mrs. Mason, Miers, and Mrs. Way:-

- Personal interest in Minute No. RW935 and RW 936 (Redcliffe Bay Hall)
Reason - Town Council representatives on the Redcliffe Bay Hall management committee.

Councillor Howells:-

- Personal Interest in Agenda Item 10 – Planning Committee Report – Planning application No 10/P/0371/F – Land at Old Mill Road, Portishead
Reason – Active member of the Portishead Railway Group

Councillors Mrs. Cruse and Miss Stanley:-

- Personal Interest in Minute No RW930 (Redcliffe Bay Fuel Tanks) (and Planning Committee report relating to the same)
Reason – association with representative present at the recreation and Works Committee meeting and author of letters seeking Town Council action.

Councillor Walters:-

- Personal Interest In Agenda Item 8 – Communications Working Party Report – Public Art Website
Reason – member of the Public Art Steering Group (now inactive)

Clerk's Note : Mr Dolton, The Clerk, reminded members that he was not subject to the Code of Conduct for councillors, but in the interests of openness he declared an interest in item RW933 (Footpath – Watch House Place)
Reason – resident until 29th March 2010 at the address of the elector who had brought the matter to attention of Councillor Parker. Mr Dolton stated that he would not participate in any way if the item was discussed.

1782 PUBLIC PARTICIPATION

There were 3 members of the public wishing to address the meeting. The Chairman reminded speakers that the meeting was for Town Council matters only and that any issues concerning North Somerset Council or its members should be addressed at another place.

Mrs Annette Hennessy a resident of Albert Road, Portishead addressed the meeting. Mrs Hennessy commented that she felt the arrangements for consultation and participation by residents relating to the deferred motion

before the Council this evening about whether or not the Chairman should be referred to as 'Town Mayor' in future, were inadequate. She stated that no detail had been provided as to how such consultation would take place, that anyone wishing to comment via the website needed an email address to be able to do so, and that she had only seen a very small return slip in a local paper. Mrs Hennessy suggested that members of the Council may wish to consider deferring the matter further. She further commented that there was no need for the consideration of mayor regalia and that any person appointed as mayor should be elected by the people, not the Council. Mrs Hennessy stated that there were many outstanding issues to resolve within the town, such as the library, youth centre, roads, parking, and a teenage shelter, and that there were many very positive activities within the community led by people who are not members of the Council. Mrs Hennessy summarised in closing by stating that there are many wrongs to put right in the town first before considering the appointment of a person in the title of Town Mayor. – The Chairman thanked Mrs Hennessy for her contribution.

Mrs Sandy Tebbutt the Chairman of the 'Portishead in Bloom' group addressed the meeting to provide an update on the activities of the group in the past month. She detailed that the activities had included : the planting and opening of the Lions Club 40th anniversary rose bed at which the Chairman of this Council had officiated, 15 volunteers had taken part in a litter clearance in Wyndham Way, an unkempt flower bed in Woodhill Road owned by North Somerset Council had now been planted up by the group at a cost of £100, the raised beds at the Trinity Primary School had been dug over by volunteers as they had become too difficult for the children to manage without such help, some 35 volunteers had turned out to assist with the planting of over 700 heathers at the West Hill triangle site, and there had been an excellent response to the group's 'sponsor a basket' scheme. In all, there had been 182 volunteer hours donated by members of the group in the past month.

The Chairman thanked Mrs Tebbutt for her attendance and update, and asked that she convey to all concerned the sincere thanks of the Council for the excellent work they continue to perform to make Portishead such a beautiful place to live.

Mr Kenneth Smith a resident of Down Road, Portishead addressed the meeting. Mr Smith stated that he wished to make an open and public apology to North Somerset Councillor David Jolley who was present in the public seating at the meeting. Mr Smith commented that in the consideration by North Somerset Council of the recent skatepark site provision, he was the only district councillor to vote in alignment with the views of the residents of Portishead. He stated that he had been critical of Councillor Jolley in the past, and wished to reiterate his apology for that wrong.

1783 CONFIRMATION OF MINUTES

The Minutes of the 203rd Ordinary Meeting of Portishead and North Weston Town Council held on 10 March 2010 were presented to the meeting.

RESOLVED that

The Minutes of the 203rd Ordinary Meeting of Portishead and North Weston Town Council held on 10 March 2010 be confirmed as correct and signed by the Chairman.

1784 SCHEDULE OF PAYMENTS AND BANK RECONCILIATION / CASH STATEMENT FOR THE MONTH OF MARCH 2010

Members considered the report of the Clerk. The Clerk responded to questions from members clarifying matters of detail on some items.

RESOLVED that

The schedule of payments and bank reconciliation / cash statement for the month of March 2010 is approved.

The schedule is attached to and forms part of these minutes

1785 DEFERRED MOTION (From 10 February 2010) BY COUNCILLOR MRS KNIGHT RELATING TO TITLE OF MAYOR

Councillor Mrs. Knight spoke of the efforts made by the Council to consult with residents via posters, articles in the newspapers, and on websites. In view of the very limited response received, in excess of 30 comments, she then moved, in accordance with Standing Order Paragraph 12.12 of the Council, for leave of members to withdraw her motion.

Members voted and carried the proposal thereby giving consent for Councillor Mrs. Knight's motion to be withdrawn.

RESOLVED that

The motion proposed by Councillor Mrs. Knight in February 2010 relating to the naming of the Chairman as Town Mayor, and deferred to this meeting, is withdrawn.

1786 AMENDMENT TO STANDING ORDERS / FINANCIAL REGULATIONS

Members had received the report of the Clerk. Discussion and decision on this item had been adjourned from the meeting of 10th March 2010 as required by Standing Orders.

Proposal (1) :- Councillor Walters proposed that members resolve to amend Standing Orders and Financial Regulations as recommended in the Clerk's report, with the following alterations to wording:-

Amend Paragraph 4.2.1. To read:-

The Committee will consist of 7 members : The Chairman and Vice Chairman of Council, and usually the Chairman of Recreation and Works Committee, The Chairman of Planning Committee, the Immediate Past Chairman, and two other members. The membership will be appointed at the Annual Meeting of the Town Council.

The quorum of this committee will be three members.

The Clerk / Responsible Financial Officer will attend meetings in an advisory and non-voting capacity.

In 4.2.11 add:-

.....conduct an annual review of statutory Financial Regulations and the administration of VAT and PAYE regulations

This proposal was seconded.

Proposal (2) :- Councillor Mrs. Lord then proposed that in the wording for paragraph 4.2.1., as proposed by Councillor Walters, be amended to delete the 'immediate past Chairman' and include 'three other members'.

This amendment was seconded.

Members briefly discussed the suggested amended proposal with varying views on the desirability and need for such amendment. The amended proposal (Proposal (2)) was put to vote. The majority vote was against the proposal and therefore the amended proposal was lost.

Proposal (3):- Councillor Mrs. Lord then proposed that the quorum of the Committee should be 4, not 3 as stated in Councillor Walter's proposal.

This amendment was seconded.

Members briefly discussed the suggested amended proposal with views expressed on the most appropriate and perceived necessary quorum of

members. The amended proposal (Proposal 3) was put to the vote. The majority vote was against the proposal and the amended proposal was therefore lost.

Proposal (4) :- Councillor Mrs. Lord then proposed that to ensure correct grammar and sequence of reading, the membership detail of the staffing and finance committee should be allocated its own sub paragraph number, prior to a 'remit' sub paragraph, and that the words relating to interview of staff at 42.1.7. Of the Clerk's report be amended to read 'At least one member of the committee, together with the Clerk, to conduct interviews of potential staff'.

This proposal was seconded.

Members briefly discussed this amendment with general agreement, including Councillor Walters as the mover of Proposal (1), that this re-wording was appropriate.

It was therefore moved that the proposal by Councillor Walters (Proposal (1)) including the amendments of Proposal (4) by Councillor Mrs. Lord be put to vote.

Members voted by majority to so resolve.

RESOLVED that

Portishead and North Weston Town Council amend Standing Orders and Financial Regulations be amended as follows:-

(A) DELETE the current paragraphs numbered 42, 42.1, and 42.2 :-

42 STAFFING COMMITTEE

42.1 The remit of the Staffing Committee shall be –

1. *The membership of the Committee to be the Clerk (advisory and non-voting capacity), Chairman, the Vice-Chairman and, normally¹, the Chairman of the Recreation & Works Committee and the Chairman of the Planning Committee.*
 2. *To be responsible for all employment matters.*
 3. *to oversee the job descriptions and terms and conditions of employment of all members of staff, through the Clerk.*
 4. *To oversee the Policies which employers are required to have for their employees e.g. Health and Safety, Equal Opportunities, Bullying and Harassment, Grievance and Discipline, Complaints Procedure.*
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5. *to hold delegated powers for the implementation of the Council's Grievance, Discipline and Complaints Procedures and to conduct formal hearings (not appeals²) which arise under these policies.*

6. *To oversee the Personal Development Review process through the Clerk.*

7. *At least two members of the Committee, normally including the Clerk, to conduct interviews of potential staff.*

42.2 *The Staffing Committee be given delegated authority to fulfil its role in implementing the Council's Grievance, Discipline and Complaints procedures only.*

And **SUBSTITUTE** with new paragraphs 42, 42.1, 42.2, and 42.3 to read:-

42 STAFFING AND FINANCE COMMITTEE

42.1 The Committee will consist of 7 members : The Chairman and Vice Chairman of Council, and usually the Chairman of Recreation and Works Committee, the Chairman of Planning Committee, the Immediate Past Chairman, and two other members. The membership will be appointed at the Annual Meeting of the Town Council.

The quorum of this committee will be three members.

The Clerk / Responsible Financial Officer will attend meetings in an advisory and non-voting capacity.

42.2 The remit of the Staffing and Finance Committee shall be –

1. To be responsible for all employment matters.
2. To oversee the job descriptions and terms and conditions of employment of all members of staff, through the Clerk.
3. To oversee the Policies which employers are required to have for their employees e.g. Health and Safety, Equal Opportunities, Bullying and Harassment, Grievance and Discipline, Complaints Procedure.

4. To hold delegated powers for the implementation of the Council's Grievance, Discipline and Complaints Procedures and to conduct formal hearings (not appeals) which arise under these policies.
5. To oversee the Personal Development Review process, through the Clerk.
6. At least one member of the Committee, together with the Clerk, to conduct interviews of potential staff.
7. To receive Quarterly Financial Management Reports from the Clerk and making recommendation to Council.
8. To review the banking arrangements and make recommendations to Council.
9. To be informed of any emergency spending by the Clerk as authorised by Financial Regulations.
10. To conduct an annual review of statutory Financial Regulations and the administration of VAT and PAYE regulations, and make recommendations as necessary.
11. To review the internal audit arrangements of the Council, consider the resultant internal and external audit reports, make recommendations to Council, and oversee any required action.
12. To conduct an annual review of the asset register, and insurance schedule of the Council, having delegated powers to authorise synchronisation when necessary.
13. To receive other ad hoc reports concerning financial matters from the Clerk, and report as necessary to Council.

42.3 The Staffing and Finance Committee is given delegated authority:-

- (i) To fulfil its role in implementing the Council's Grievance, Discipline and Complaints procedures.

- (ii) To approve financial investments of the Council.
 - (iii) To authorise synchronisation of the Council's asset register and insurance schedule when necessary.
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(B) **INSERT** new paragraphs numbered 43, 43.1, 43.2, and 43.3 :-

43. PLANNING COMMITTEE

- 43.1 The Planning Committee shall consider all planning applications received by the Council from the Local Planning Authority for comment, and any other planning related matters.
 - 43.2 In relation to planning applications only, the Committee is given delegated authority to reach decisions on comments to be communicated to the Local Planning Authority.
 - 43.3 The Planning Committee Chairman, or any two members of this Council, at or prior to any meeting of the Planning Committee, may determine that named planning application(s) are to be subject to 'recommendation only' by the committee and then go before the next ordinary meeting of the Town Council for decision on the comment to be made, thereby removing the delegated authority for that / those named application (s).
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(C) FINANCIAL REGULATIONS : **AMEND** Paragraph 5.2

FROM : "5.2 *All invoices for payment shall be examined, verified and certified by the RFO. Before certifying an invoice the RFO shall satisfy herself/herself that the work, goods or services to which the invoice relates have been received, carried out, examined and approved.*"

TO : "5.2 all invoices for payment shall be examined, verified and certified by the RFO. Before certifying an invoice the RFO shall be satisfied that the work, goods or services to which the invoice relates have been received, carried out, examined and approved."

(D) FINANCIAL REGULATIONS : **AMEND** Paragraph 7.1

FROM: "7.1 *all investments shall be in the name of the Council and administered by the RFO in accordance with Council Policy*"

TO: "7.1 all investments shall be in the name of the Council and administered by the RFO in accordance with the delegated powers of the Staffing and Finance Committee"

(E) FINANCIAL REGULATIONS : **DELETE** entire Paragraph 7.2 :-

7.2 *Any surplus cash balance shall be invested on the money market on a monthly basis, the sum invested to be reported to the Council at the earliest opportunity.*

(F) FINANCIAL REGULATIONS: **RENUMBER** Current Paragraph 7.3, to become 7.2.

1787 REPORT OF THE COMMUNICATIONS WORKING PARTY

Members received the report of the Communications Working Party from their meeting held on 17 March 2010.

(a) Councillor Mrs Mason as Chairman of the Working Party spoke to the report summarising the deliberations and proposed the acceptance of Recommendation (1) in the report to members (*That Portishead and North Weston Town Council resolve to adopt the hosting of the Public Art Website with immediate effect*). The proposal was seconded.

Members discussed the matter and noted the background that the Steering Group of the Public Art provision within the new development area of Portishead had now completed their work. The website needs to continue for reference purposes, and therefore be hosted and maintained. The Council had been approached to undertake this, and the cost would be £240 plus VAT per annum, which would be offset for a period of some 18 months by monies available as surplus from the Steering Group.

Members queried why the information could not simply be downloaded onto the Town Council website, to which Councillor Parker responded that the computer language used to write the site was not compatible.

Some members expressed concern that the figures for the number of visits ('hits') to the website was not available, and such information was required to make a judgement relating to cost / benefit.

It was proposed, seconded, and agreed by vote that the decision on this matter be deferred until further information was available relating to the historic number of visits to the website, or, if not available, the future cost of adding technology to the website for this to be achieved.

RESOLVED that

Portishead and North Weston Town Council defer the decision on whether or not to host the Public Art Website until further information is available.

(b) Councillor Mrs. Mason then spoke in relation to the second element of the Working Party Report, relating to the formulation of a new town guide to be published by Twilight Publishing of Portishead, and proposed the acceptance of Recommendation (2) in the report (*That Portishead and North Weston Town Council request Twilight Publishing to produce and publish a Town Guide, at no financial cost to the Council, and liaise with the Town Clerk and members of the Communications Working Party to agree detail of the style, content and distribution of the publication*). The proposal was seconded.

Members discussed the proposal with some members querying the need for this Council to be involved in the provision of such a guide. Concerns were also raised in relation to the business connection created by the potential venture. The Clerk assured members that there would be no relevance to the Financial Regulations of the Council as no contract or payment was to be made, and it was generally agreed that any Town or Parish Council's involvement in such provision was largely historical and accepted nationwide.

It was proposed, seconded, and agreed by vote that the wording within the recommendation should be amended slightly to read '....Council supports....', rather than 'requests'.

RESOLVED that

Portishead and North Weston Town Council supports Twilight Publishing in producing and publishing a Town Guide, at no financial cost to the Council, and liaise with the Town Clerk and members of the Communications Working Party to agree detail of the style, content and distribution of the publication.

1788 RECREATION AND WORKS COMMITTEE

Councillor Mrs Cruse presented the report of the Recreation and Works Committee held on 24 March 2010.

Members briefly discussed Item RW930 – Redcliffe Bay Fuel Tanks. It was proposed, seconded and agreed by vote that the recommendation of the

Committee be amended from 'That North Somerset Council consider.....' To 'That North Somerset Council arrange.....'

Councillor Mrs Lord then updated members on Item RW931 – Portishead Youth Centre. A further meeting had taken place the previous day with herself, Councillor Walters, and the Clerk representing the Town Council, and Councillor C Francis-Pester and Mr P Hall of North Somerset Council. Arrangements had been made for further financial information to be made available and further meetings to take place.

It was then proposed, seconded, and unanimously agreed by vote that the report of the Recreation and Works Committee held on 24 March 2010 be approved subject to the amendment at Item RW930 as above.

RESOLVED that

The report of the Recreation and Works Committee held on 24 March 2010 is approved subject to the following amendment:-

Item RW 930 – Redcliffe Bay Fuel Tanks:-

Portishead and North Weston Town Council write to North Somerset Council and include the following content in the letter:-

- (i) That this Town Council be notified of any request that is made by OPA / MOD for Express Consent to open further tanks on the site, in order that the Town Council may comment and any appropriate action be taken.
- (ii) That, when considering the Bristol Airport Expansion Plans, do North Somerset Council have sufficient detail of how an increased volume of aviation fuel will be stored and transported?, and to communicate that information when it is available to this Town Council.
- (iii) That this Town Council is provided with an immediate update on the progress and current status of the off-site safety report and arrangements, as required within the COMAH regulations.
- (iv) That North Somerset Council arrange, in accordance with COMAH regulations, convening a quarterly meeting between the site operators and local residents, together with nominated members of the Town Council, to be held in the Redcliffe Bay Ward.

The report of the Recreation and Works Committee meeting held on 24 March 2010 is attached to and forms part of these Minutes.

1789 PLANNING COMMITTEE

Councillor Howells presented the report of the Planning Committee held on 07 April 2010.

Members did not wish to discuss any specific item of the report.

District Councillors were invited to note an anomaly in relation to the proposed cycle track between Harbour Road and Wyndham Way (10/P/0371/F) in that it appeared to stop short of Wyndham Way.

RESOLVED that

The report of the Planning Committee meeting held on 07 April 2010 is approved.

The report of the Planning Committee meeting held on 07 April 2010 is attached to and forms part of these Minutes.

1790 MATTERS THE CHAIRMAN WISHES TO PUT BEFORE THE COUNCIL

The Chairman informed the meeting that Councillor Mrs Knight would be attending as a representative of the Town Council at a Licensing Committee hearing to be held at North Somerset Council on the 22nd April 2010, which would be considering an application for a food and beverage trailer at Lockside, Portishead, which had been subject of public comment at the last meeting of the Town Council.

- **Correspondence Received :-**

- A letter from North Somerset Mencap acknowledging and thanking the Council for the £300 grant award.
- A letter from Gordano Valley Archers acknowledging and thanking the Council for the £500 grant award.
- A letter from the Cludo Club acknowledging and thanking the Council for the £700 grant award.
- Letter from Area Lighting Officer, North Somerset Council, relating to the intended replacement of street lighting columns in The Garstons to St Mary's Road. (Hard copy already circulated to Ward Councillors)
- A letter from a resident apologising to members of the Council for walking out of the last meeting of the Town Council.

- **Publications and Reports** – The following items have been received and are available in the Town Council Office –
 - A.L.C.A. Newsletter March 2010
 - North Somerset 'What's On' 1 – 25 April 2010
 - Children's Hospice South west – Newsletter Spring / Summer 2010
 - Portishead In Bloom – March Press Release / Newsletter
 - National Youth Agency – 'The Edge' – Issue 28

CONFIDENTIAL ITEM: Prior to discussion on the following item members unanimously resolved that:-

'Pursuant to the provisions of the Public Bodies (Admissions to Meetings) Act 1960 (as extended by S.100 of the Local government Act 1972), the press and public be excluded from the meeting for the following item of business on the grounds that its consideration would involve the disclosure of exempt information as defined in Part 1.'

1791 SPRINGFIELD / COURT FARM

The Chairman invited the Clerk to update members on progress to date on this matter.

The Clerk reminded members of the resolution of this Council passed at the meeting held on the 13th of January 2010 which authorised the Clerk, in consultation with the Chairman and Vice Chairman of the Council and the Chairmen of Committees, to investigate any land that became available for sale within the Court Farm area, seek any necessary professional legal and valuation advice, and incur costs in doing so.

The Clerk informed members that having sought both valuation and legal advice, and liaised with the vendors of the property, it had been ascertained that there will be two main lots for sale by auction on May 10th 2010. The Lot known as 'Lot 2' and named Springfield Farm had been professionally valued on behalf of this Council.

Members discussed the matter, with those members involved in the detail to date together with the Clerk, answering questions to clarify minor matters.

It was proposed and seconded, that in light of the valuation and legal advice obtained, the Council would not be bidding at the auction, but should make a formal 'subject to contract' offer to Bristol City Council to purchase the lot known as Springfield Farm, and, if the offer was not successful, then the

Council would approach the new owners of the land with a view to purchasing the designated amenity land which forms part of Springfield Farm.

Members were informed of the amount of the intended offer and the reasoning behind the calculation of that amount. The amount of the offer is a commercially sensitive matter and therefore not recorded in these minutes.

Members voted on the proposition, with no votes against, and two abstentions. The proposal was therefore carried by majority.

RESOLVED that

Portishead and North Weston Town Council make a 'subject to contract' written offer to Bristol City Council to purchase Springfield Farm Portishead. If the offer is not accepted by Bristol City Council, then upon professional advice received, this Council will not be bidding at auction. When the new owners are known, this Council will approach them with a view to purchasing the designated amenity land which forms part of the farm area.

There being no further business the meeting closed at 9.15pm

Chairman

12th May 2010