

Portishead Town Council Summons & Notice: Full Council meeting 19.30 Wednesday 16th March 2022

This was a hybrid meeting



Members present:

Councillor Patricia Sterndale (Chairman)
Councillor Paul Gardner (Vice Chairman)
Councillor Ben Aldridge
Councillor Bob Bull
Councillor Bob Cartwright
Councillor Janet Davey
Councillor Nicola Holland (online due to C19)
Councillor Paul Churchill
Councillor Polly Shepperdson (online until 20.00 then in the room)
Councillor Sue Mason
Councillor Tanya Slatter
Councillor Tim Snaden

Others present:

Residents (including 5 in the room)

TC41.452: Apologies for absence (Town Clerk)

Councillor Caroline Goddard
Councillor Tina Mason

TC21.453: Declaration of Councillors' interests and requests for dispensations (Chairman)

- Councillors Slatter and Aldridge: TC21.459
- Chairman: TC21.472

TC21.454: Chair's verbal report:

- The Folk Hall Heritage Centre rescheduled opening is 8th April 2022 after the original date was cancelled due to the storm.
- Update on the draft Neighbourhood Plan:
 - The current draft with is with the Councillors currently to review
 - Then there will be a 6-week consultation period; online and with events on 16th and 23rd April at the Folk Hall.
 - Feedback will be reviewed, and Plan amended. Then sent to North Somerset Council for approval.
- Police Council Tax increase:
 - Following a public survey there will be a £10 increase to Band D properties' Council Tax
 - The Chairman to the Police Commissioner to ask for more police presence in Portishead and is waiting for a reply.
- Slade Road playing fields consultation results and next steps:
 - NSC owned land: 93% requested the land be remove from housing development list in the Local Plan. The Chairman wrote to North Somerset Council to request this. The response said several Councils had made similar requests and will be reviewed together. Councillor Holland also wrote to NSC recommending green use of the land.
 - Council owned land: 2/3rds requested green leisure use, 1/3rd said leave it as it is. The Council has started feasibility checks for woodland leisure use.
- Bus services public meeting:
 - Around 170 residents attended the meeting in Somerset Hall. With a further 30 online. First Bus and North Somerset Council Transport Officers also attended and agreed to look at the timetable and Cribbs Causeway service. The next meeting is planned for 21st April with NSC, First Bus and Stagecoach.
- Golf course update:
 - On 21st March the COVID-19 law changed allowing property courts to reopen, more information will follow.
- Pilot Community Hub update (Councillor Churchill):

- The Council is using Government funding (channelled through NSC) for a 6-month pilot Community Hub trial.
- The Portishead Wellness Partnership is supporting by identifying key service delivery providers.
- The Beacon Hub is hosting the pilot in the High Street.
- Service providers attended an open day and some sessions have been booked
- The Steering Group is currently finalising how to support new and growing community groups.
- Resident question: what grant, who's money? Councillor Churchill repeated it is Government funding.
- Merlin Park Pump Track update (Councillor Aldridge):
 - Full discussion was at the March Community Matters meeting.
 - The consultation was designed to gauge opinions on the idea at Merlin Park.
 - Consultation was online and 600 leaflets delivered
 - Total responses views were mixed, but Merlin Park postcodes' responses mainly do not support proposal.
 - The Council has agreed to look at alternative locations and bring back to a future Council meeting.
 - There is very little land available.
- North Somerset Council Portishead Lake Grounds Management Plan (Vice Chairman):
 - NSC has pledged £200,000 for the Great Lakes investment (lakes in Weston, Clevedon and Portishead).
 - A Management Plan for Portishead Lake Grounds is being written for the next 5 years, this will be brought to a future meeting.
 - The Lake Management Committee is restarting, and Councillor Snaden will chair, with community groups to be invited.
 - The small lake is now having a monthly clean up by NSC.
 - Next steps are accessibility improvements, resurfacing and picnic tables.
 - NSC may provide funding for the Council to take the play area.
 - The café / toilets / boat storage buildings are being considered with a feasibility study led by NSC. The Council has matched a £10,000 NSC fund.
 - NSC is looking at options to dredge the large lake.

TC21.455: North Somerset Councillors' verbal reports:

- Councillor Snaden:
 - NSC is not challenging the Airport planning decisions as there are not sufficient grounds, Councillor Snaden is unhappy about that.
 - If residents pay A-D banded Council Tax by direct debit, they may receive a Government funded rebate to support rising living costs. Other residents will be contacted about the fund.
 - There is an urgent plea for landlords to provide affordable housing. NSC will provide its letting service for free, currently over 110 families are looking for homes.
- Councillor Holland:
 - Has spoken to NSC Councillor Cartman re. Slade Road playing fields and has been advised to wait for the Local Plan consultation.

TC21.456: Decision item: Recommendation to provide Councillor Tina Mason, Councillor Caroline Goddard, and Councillor Polly Shepperdson with dispensations in relation to Section 85(1) of the Local Government Act 1972 as they have been unable to attend some Council or Committee meetings in person due to health reasons or COVID-19 restrictions (Chairman):

- Statement from the Chairman:
 - "Our Standing Orders state: 'Councillors who miss six consecutive months of any full Council or Committee meetings of which they are a member must have the reason approved by Full Council within the six-month period. The Council can also extend the 6-month period with good reason under this clause'. This reflects the legislation in the Local Government Act 1972.
 - From the start of the COVID-19 period from late March 2021, to keep serving our residents, we have operated in fully online or hybrid meeting mode. Online meetings were authorised as part of the UK Government Covid Emergency legislation.
 - The change in the law which allowed Councils in England to meet online in fact ended on May 7th 2021.

- It was our honest belief as a Council, that online attendance was sufficient to satisfy the legal requirement for meeting attendance
- We were only advised that this was not the case by SLCC (Society of Local Council Clerks) as recently as February 2nd 2022. Up until then, guidance from SLCC was only about not being able to vote if you were online and even that advice was not consistent. This online meeting attendance issue is still the subject of legal debate and is a dilemma faced by a very large number of councils in England some of whom are actively pursuing legal clarification. Interestingly, both the Scottish and Welsh Governments have already passed legislation to allow for remote meetings.
- During the COVID-19 period, we also have to remember that Government 'work from home' guidance due to COVID-19 did not end until June 21st 2021. It was then reapplied from December 12th 2021 until January 20th 2022. It was therefore reasonable to assume that anyone who was uncomfortable attending meetings in person during those periods when home working was advised, could justifiably claim that an online attendance qualified as attendance for the purposes of satisfying the law. It is clearly better to run the council efficiently using online or hybrid meetings than not at all. Our priority has always been to fulfil our obligations, contrasted with many Parish and Town Councils that stopped functioning for periods during Covid or even ending up delegating all decisions to their clerk.
- The three Councillors cited in the motion failed to attend a meeting in person for a six-month period for genuine reasons of ill health. However, all have attended online during the same period.
- As a Council, we have not provided the necessary dispensation within the six-month period specified by the Local Government Act and our Standing Orders.
- Statement from the Clerk: The Exceptional circumstances brought about by COVID-19 during the last 2 years has impacted the way the Council has had to work to continue to deliver its services. However, Officers have concerns that the proposed decision item would fall outside of current legislation and would strongly advise the Council that this decision is deferred whilst clarification of the legal position is obtained.
- Chairman proposed to defer the Decision Item whilst clarification of the legal position is obtained.
- Vote on the amended Decision:
 - Councillor Aldridge abstained; all other Councillor approved

TC21.457: Public participation:

- Fiona Cope, Citizens Advice Network (CANS) gave a presentation (slides are available on the Council website):
 - COVID-19 affected the numbers of service users.
 - The team continued to provide targeted face to face support for those who couldn't join online.
 - CANS is keen to set up drop-in service at the Community Hub.
 - The team is spending more time with each person as enquiries are more complex.
 - Most frequent issues for Portishead residents:
 - debt advice, people are unable to make ends meet, cost of living crisis, fuel cap – 50% fuel poverty increase expected
 - housing, the backlog of housing repossession has now been lifted.
 - Less volunteers as people returned to work and normal life, so investing in paid staff.
 - People will struggle financially in future months / years, summer will help with fuel costs, but getting ready for winter, helping people access support.
 - Partnership working focus to share advice via Hubs (lighthouses), other partners to develop virtual Hub with virtual referrals / phone signposting & social prescribing across North Somerset.
 - Money advice is a West of England project, which has had some commissioning issues so CANS has lost the opportunity, but is planning to overcome this.
 - The Council's funding supports all services, helping the team to provide comprehensive service delivery.
 - Discussion:
 - Councillor Sue Mason: Why no mention of Clevedon & District Foodbank in the slides? On NS stats, number of foodbank parcels, is that just Weston?
 - Fiona CANS works with Clevedon Foodbank. Weston is mentioned specifically as CANS delivers some support services for Weston FB funded

by Trestle Trust. It's a pilot project and she hopes to do the same with Clevedon / Portishead in the future. She will check range of foodbank parcels stat.

- Mrs Morrissey:
 - Asked for progress report on Marina Gardens, as it would help with the housing issue.
 - Vice Chairman: Alliance Homes is working on building and plans to move people in June 22.
 - Asked about parking
 - Vice Chairman: Being monitored by Alliance Homes and mitigation will be made with NSC & the Council support.
 - Asked if Portishead residents receive priority.
 - Vice Chairman: this is not possible for legally reasons. Alliance is using the NSC list of housing needs, it is a complex process.
- Mx Porter:
 - Asked who is going to act as Clerk
 - Chairman: The new Locum is present and will cover part-time until Clerk recruited, he is Matt Ryan.
- Mr Mock:
 - Glad to see the online meeting.
 - Unhappy about NSC rewilding plans and hedgerow management. In particular a hedge cut along Harbour Rd in connection with Metrowest during the March bird breeding season. Also happy about NSC communication.
 - Slade Rd fields should not be built on. NSC rewilding strategy no good. Paul G – spoke to NSC.
 - Chairman: Email sent to District Councillors 29th November 2021 to say cutting would be done but no details.
 - Communication needs to be improved.
 - Vice Chairman: asked how many people had contacted about this hedge.
 - Answer 12.
 - Vice Chairman: unhappy with the communication. Thanked people for coming tonight. Portishead should declare independence.
- Mx Porter: Town Councillors who are also District Councillors should improve comms.
 - Councillor Holland: there is slow process, other towns have same problems. NSC had ecologist onsite to check each site, vegetation must be cleared to allow DCO to start work. Otherwise, will be autumn.
- Mr Sperring:
 - Process should have been – meeting with Metrowest, organised by the Council with local groups in November, which could have provided bird info for specific hedges.
 - Summer birds now have nowhere to go as birds displaced by removing hedge.
 - Could have monitored hedge with notice and trimmed it when needed.
 - Thick vegetation absorbed car pollution on this busy road.
 - Need to work together better and communication needs to improve.
 - Also, problems with rewilding e.g. plastic left in open spaces.
 - The Council needs to take control of parks and green spaces with a budget and be answerable to local people.
 - The Chairman and Councillor Aldridge agreed.
- Mr Maltby:
 - Planned to speak on the 1st item.
 - Doesn't agree that the resolution was deferred.
 - Asked that the 3 Councillors mentioned are not given access to information.
 - Clerk: Nothing will change until the legal advice is sought.
- Mr Smith:
 - Pleased so many Councillors have attended I person.
 - Upset about condition of path by Botellinos and requested NSC Councillors to pick this up.
 - Vice Chairman did not think the path is an issue.
 - Unfortunate Merlin Park Pump Track has been stopped as leisure improvements needed.

- Councillors Slatter and Aldridge repeated that only the location has stopped and discussed alternative sites.
- Mrs Porter: although the path makes some mess, it will compact and is a good surface for wheelchairs.
- Claimed Councillor Slatter had trolled him and demanded an apology.
- Concerned about high cost of setting up an independent Council.
- Requested that the railway track go back to nature.

TC21.458: Information item: An update on Fairtrade Portishead (Councillor Sue Mason)

- A report is available on the Council website with the agenda
- Councillor Sue Mason has been involved in all events bar 1.

TC21.459: Decision item: Recommendation to approve up to £50,000 additional funds to support the Lake Grounds Skate Park project from the 22-23 budget on the condition that this is equally matched by the Wheels & Skate Park Community Group's fundraising campaign (Vice Chairman):

- This will bring the cumulative total of Council contribution to £60,000
- An update report is available on the Council website with the agenda
- Current crowd funding total is £12,400, also possible match funding from NSC
- Discussion:
 - Councillor Cartwright: asked source of remaining budget.
 - Vice Chairman: Skate Park potential cost around £300,000 & VAT. Looking at other grants and sources of funding. There is a plan to raise funds.
 - Councillor Slatter: community consultation shows a need for the site, which helps when applying for grants.
- Vote on recommendation
 - Councillors Slatter & Aldridge abstained; all others approved

TC21.460: Decision item: Recommendation to approve the draft Heads of Terms Agreement for the area within the blue fence at the Lake Grounds to include the Skate Park project site and play area and delegate to the Chairman and Clerk to sign the document (Vice Chairman):

- A report is available on the Council website with the agenda
- Vote on recommendation
- HoT before lease, states main principles will be followed by lease – will also come to Council meeting.
- Discussion:
 - Councillor Slatter: questioned inclusion of fence and gate maintenance. Also concerned about yielding up. Also, the Play area needs to be improved.
 - Vice Chairman: some funding will come from NSC with transfer, amount, and terms to be agreed. Suggested taking these points into lease discussion
 - Councillor Cartwright: agreed and asked how much budget required for future years.
 - Vice Chairman: £25,000 in budget for 22-23.
- Vote on recommendation
 - Councillors Slatter & Aldridge abstained; all others approved

TC21.461: Decision item: Recommendation to delegate authority to the Deputy Clerk and Councillor Bull to extend the contract of a temporary Locum Clerk, contracted via a national supplier, for up to an additional 6 weeks, giving the Council time to recruit a replacement Clerk, at a maximum cost of £10,000 from the 2022-23 Council budget and to pay a deposit to the supplier of £5,600 returnable at contract end from the 2021-22 budget (Chairman):

- This will bring the cumulative total up to £25,600 to cover up to 12 weeks (including £5,600 deposit to be returned).
- Discussion:
 - Councillor Aldridge: Unhappy about cost and requirement for deposit.
 - Councillor Bull: yes, it is high cost, but the Council has no choice.
 - Clerk: The deposit should be paid back if bills are paid.
- Vote on recommendation
 - All approved

TC21.462: Decision item: Recommendation to approve a 5-year funding agreement with annual reviews providing £25,000 plus 3% to support inflation costs per year to Citizens Advice North Somerset, starting on 1st April 2022 and delegate to the Chairman and Clerk to sign the document (Councillor Aldridge):

- A report is available on the Council website with the agenda
- Councillor Aldridge and the Clerk met CANS, and Fiona gave a good update this evening.
- COVID-19 has made service difficult, and CANS is fighting hard to reach funding targets.
- At 1 point the team was servicing £7,500 enquiries, now is focused on North Somerset, so less funding but less demand.
- This funding replaces the previous Community Grant application system for CANS.
- Discussion:
 - Councillor Cartwright: due to the lack of volunteers, they need support, and the Hub needs to provide that support.
 - Councillor Aldridge: future Councils can change the agreement legally, but he hopes they won't.
 - Councillor Slatter: asked what funding is spent on and how much do other areas provide. Councillor Aldridge: will come back with a response the questions.
 - Vice Chairman: they have paid staff.
 - Councillor Sue Mason: No Council has said no to CANS in the past. Funding is much needed, and this will be same in future.
 - Councillor Shepperdson: the grant was increased to be inline with other areas. Genuine risk if funding is withdrawn in the future. Need to share stats and relationship with CANS to help future decisions.
 - Councillor Aldridge: an annual review report will be required each October.
- Vote on recommendation
 - All approved

TC21.463: Decision item: Recommendation to approve spending of up to £15,000 from the 22-23 events budget to support Platinum Jubilee events: Beacon lighting and family fun day (Chairman):

- Health & Safety regulations have increased so thanked Councillor Aldridge for hard work.
- 27 stalls booked. Councillor Aldridge: all local businesses (including 1 from Clevedon).
- Vote on recommendation
 - All approved

TC21.464: Decision item: Recommendation to approve a letter to Michael Gove MP, Secretary of State for Housing, Communities and Local Government to support the national campaign calling for a change of law to allow Councillors to vote online at Council meetings, and delegate to the Chairman to sign the letter (Chairman):

- A report is available on the Council website with the agenda.
- A resident has contacted disagreeing with online meetings, the Chairman and Clerk will reply after the meeting.
- Discussion:
 - Councillor Cartwright: this is an old Act, the Internet set up since then, modern society needs to move on with technology.
 - Councillor Sue Mason: disabled Councillors should be mentioned in the letter. Chairman: will amend the letter.
- Vote on recommendation
 - All approved

TC21.465: Decision item: Recommendation to consider and approve the updated Financial Regulations Policy as recommended by the Staffing & Finance Committee (Councillor Bull)

- A report is available on the Council website with the agenda.
- This was discussed at the last Staffing & Finance meeting.
- Vote on recommendation
 - All approved

TC21.466: Decision item: To receive and approve the list of February 22 payments totalling £47,900.82 (Councillor Bull):

- A report is available on the Council website with the agenda.

- Vote on recommendation
 - All approved

TC21.467: Decision item: To receive and approve Bank reconciliation statements for February 22 (Councillor Bull):

- A report is available on the Council website with the agenda.
- Vote on recommendation
 - All approved

TC21.468: Decision item: To receive and consider the summary and detailed Income & Expenditure statements for February 22 (Councillor Bull):

- A report is available on the Council website with the agenda.
- Vote on recommendation
 - All approved

TC21.469: Decision item: Recommendation to give online access to the Deputy Clerk for the Monmouthshire Building Society account (Councillor Bull)

- Vote on recommendation
 - All approved

TC21.470: Decision item: Recommendation to note and confirm that the Precept for 2022-2023 is set as £820,863 (Chairman)

- Councillor Cartwright: £10 additional police cost, and new full time PCSO.
- Vote on recommendation
 - All approved

TC21.471: Information item: To note that the Clerk was asked to sign an additional contract with Chorus Global Ltd and pay £5,364.64 for 1-year's Microsoft 365 licensing and defender software, the payment was made under emergency powers for business continuity reasons (Councillor Bull)

- There was no choice, short notice. The cheapest option was for an annual license.

TC21.472: Decision item: Recommendation to approve a Community Grant of £12,000 from the 22-23 budget to Nailsea District Community Transport and delegate the Deputy Clerk to make the payment (Councillor Aldridge):

- This grant application was received before the 21/22 application window closed
- NSC funding not been finalised, so it's looking to extend 3 months funding, but NDCT has said this is not tenable.
- PTC supported for a few years.
- Other Councils also support, but Clevedon Council has not increased its Precept but stopped funding NDCT. Councils must support this group of volunteers. Proposes talking to Clevedon Council.
- Discussion:
- Councillor Cartwright: has been out with NDCT, valuable to Portishead and surrounding villages. Should support and happy to do any more.
 - Councillor Shepperdson: Suggests writing to the other Council to challenge the funding decision and draw attention to this. The Council is subsidising Clevedon residents. Asked if the service be designed for Portishead residents. Chairman: will contact Clevedon Town Council.
- Vote on the recommendation
 - Chairman: abstained, all approved

Vice Chairman left

TC21.473: Decision item: Recommendation to approve extension of the town's floral display watering contract for a further year up to a cost of £9,860 from the Council's 22-23 budget and delegate the Deputy Clerk to make the payment (Chairman)

- Discussion:
- These local volunteers spend lots of time improving the town.
- Councillor Cartwright: nice to see volunteers painting planters at the moment. Councillor Slatter: reminded all that the Council paid for paint.

- Councillor Shepperdson: questioned the amount. Clerk: The Council previously gave a Community Grant, but this method is more cost effective for the town. Councillor Shepperdson: understood.
- Councillor Davey: recommended to improve community's mental wellbeing.
- Vote on recommendation
 - All approved

TC21.474: Decision item: Recommendation to approve the Council's contribution to the town's floral display of plants and flowers up to a cost of £8,000 from the Council's 22-23 budget and delegate the Deputy Clerk to make the payment (Chairman)

- Vote on recommendation
 - All approved

TC21.475: Decision item: Recommendation to approve the final year of a 3-year insurance policy contract from May 2022 up to £5,000 from the 22-23 budget (Chairman)

- Need to do in advance to cover for June events
- Vote on the recommendation
 - All approved

TC21.476: Information item: To note that the National Joint Council for Local Government Services has agreed the new rates of pay applicable from 1 April 2021 and will be actioned by the Bookkeeper (Councillor Bull).

TC21.477: Decision item: Recommendation to review and approve the minutes of the last Full Council meeting on 19th January 2022 (Chairman)

- Several text errors were picked up and will be amended
- Vote on recommendation to approve with changes made
 - All approved

TC21.478: Date of the next meeting: 20.00 11th May 2022

Chairman: thanked the Clerk and bid goodbye.

Signed Chairman of the Council

Name

Date