

**MINUTES OF THE 297th ORDINARY MEETING OF
PORTISHEAD TOWN COUNCIL
17th JANUARY 2018 7.30pm**

PRESENT Councillor: Mitchell (Vice Chairman of the Council) – in the Chair

Councillors: - Burden, Cameron, Clark, R. Cruse, Koops, Lord, Mason, Pasley and Oyns

Mrs. J. Duffy, Clerk, RFO & Proper Officer to the Council

There were approximately 23 members of the public, one member of the press and one North Somerset Councillor.

2924 APOLOGIES (Agenda item 1.)

There were 4 apologies for absence. Councillors: Cottrell, M. Cruse, Huffadine-Cooper and Councillor Terry has an approved apology due to ill health.

2925 DECLARATIONS OF INTEREST (Agenda item 2.)

There were 5 declarations of interest recorded in the Declaration of Interest Register.

Cllr. Lord, R. Cruse and Pasley declared personal and pecuniary interests with granted dispensation for matters relating to Portishead Youth Centre as they are all Trustees.

Cllr. Oyns & Pasley stated that any views expressed on matters to also be considered at North Somerset Council (NSC) would be provisional and based on the facts currently known. They would be exercising their right to reconsider the matter afresh when the matter went before North Somerset Council.

2926 PUBLIC PARTICIPATION (Agenda item .3)

There were 14 members of the public in attendance who wished to address the meeting: -

- Ms Barbara Bennett spoke about Bristol Road playing fields and asked a number of questions.
 1. Portishead Town Council doesn't own Gordano School fields yet the school has not agreed to this proposal and it will be in competition with their own community sports trust.
 2. Who would own the proposed facility, who would run it?
 3. Who would pay its ongoing costs?
 4. What would happen if it proved to be loss making?
 5. Where is the business plan for the scheme?

6. How would the football club in its straightened circumstances be able to afford to rent such a facility?
 7. The feasibility of putting a fishing lake next to a main rhyne without attenuation ponds to filter the water?
- Ms Lin Morrisey spoke about Bristol Road playing fields and the connections with Mr. John Pyle and the Lenton Lane Group. She queried the comment that the Lenton Lane Group would professionally manage the football club. She asked a number of questions.
 1. Why would an outsider take on such an important role (managing the football club) and at whose invitation?
 2. Has the Council voted for this?
 3. Are the rest of the Town Council members happy with this arrangement?
 4. Are the Council happy to be dominated by one for two individuals?
 - Mr. Paul Maltby spoke about Portishead Golf Course footpaths and thanked Mrs Davey and Mrs Townsend for all their work. Mr. Maltby referred to Cllr. Cameron's statement made at last month's Council meeting and also a Freedom of Information request with regard to official complaints made to the police, regarding criminal behaviour.
 - Mrs. Janet Davey spoke about the two Golf Course footpaths, thanking Mrs. Townsend, her group of volunteers and Ms. Courtney, who started the process in November 2013. Mrs. Davey also expressed her concern with regard to Portishead's unspent S.106 monies particularly for improvements to public transport, the High Street and the Marina. She asked the Council to confirm the date the High Street survey was carried out, what was decided and when will the work take place.
 - Mr. John Dixon spoke about future development in Portishead and commented that it was not welcome, though more employment is welcome. He also spoke about the Portishead railway, junction 19 of the M5 and the poor bus service running between Bristol and Weston via Portishead.
 - Mrs Annette Hennessy spoke about the previous month's Town Council meeting and the minutes of that meeting. She expressed the view that a Town Councillor was misleading the public. She went on to talk about the Football Club, the skate park, a FOI request, and the way the Town Council vetoed spending money on a speed activation sign for Avon Way.
 - Ms Tanya Slater spoke about the previous month's WASP's presentation and thanked their committee for all their hard work. She went on to talk about how she has voted in the past and also about the Slade Road play area as a potential wheels and skate park, and comments made in the past with regard to Planning Permission.
 - Mr. Ken Smith spoke about building contractors and their lack of investment in Portishead, particularly with regard to the trainline and the safety railings around the Marina.

- Mr. Geoff Hardman raised a number of questions.
 1. CCTV costs are overspent by £2,000 in this financial year, as this cost is static why the increase?
 2. What are 'Special Expenses' and why do they have a budget of £33,200?
 3. Can the Town Council advise under which heading of Reserve the skate park comes under and what is the budget for 2018/19?

Mr. Hardman also spoke about the court injunction against tanks 14 and 15 at Redcliffe Bay Fuel Depot (RBFDD) and an enforcement order promised on 1st December 2017. He also asked about the lack of a NSC consultation with regard to the road widening of Wyndham Way.

He requested that water is available for the public during Council meetings and lastly suggested alternative wording for the agenda item regarding future development in Portishead.

Cllr. Koops responded to Mr Hardman's comments about tanks 14 and 15 at RBFDD on Down Road. The anniversary of the lack of consent is 7 years this month. NSC have been requested to take action and enforcement on those tanks. Waterside Park Residents' Association have been promised since October 31st 2016 that an enforcement might take place. NSC does have an inhouse enforcement officer. They have had three dates all of which have passed. The Residents' Association are now extremely frustrated as they have had no action in seven years.

Cllr. Lord responded to Mr. Hardman's queries stating that CCTV is over budget due to billing issues with North Somerset Council undercharging the council for 2016/2017. The additional payment has fallen within the current financial year. The Town Council has also purchased an additional CCTV camera for the Folk Hall.

Cllr. Lord explained that Special Expenses is the charge that North Somerset Council levies against the residents of Portishead for the upkeep of areas like the Lake Grounds, Kilkenny Fields and other play areas they own. Up until now the levy has been charged to individual residents and next year the Town Council will pay Special Expenses as Nailsea and Weston-super-Mare currently do. This will not cost residents anymore. The benefits of adopting this new system include the Town Council's ability to take up any issues over the quality of the work carried out by the contractor with North Somerset Council.

- Jonathan Mock spoke about taking a moral stance against future development in Portishead until infrastructure improved. He referred to his address being read out in public and asked why and under what legal footing this was done. He asked the Chairman for an assurance that residents who speak out against the broader issues of development at meetings can do so without having their privacy compromised.

Cllr. Burden responded to Mr. Mock. He said that he has no further intention of entering into email correspondence. He referred to the 1990 Town and Country Planning Act, stating objectors to planning applications cannot be taken into account if they are anonymous. He went on to say that if people wish to try and influence councillors, they should make themselves available to discussion. At a planning meeting prior to this Cllr. Clark actually raised the point. He wanted to address the proposed motion with Mr Mock and couldn't find his details.

Mr Mock responded he said that he was afraid what had happened was a mis-communication. Cllr. Clark thought that he had asked to have a meeting with him about the proposal but in fact he hadn't.

- Mr. Gardiner spoke about independent councillors and flat pack democracy.
- Mrs. Ann Townsend spoke about access onto public open spaces. They have been advised that the NSC Footpath Officer Elaine Bowman has recommended that both paths across Portishead Golf Course are adopted. She thanked those members of the Town Council who supported the footpaths, those that attended the interviews, signed petitions and wrote to their MP. Permanent access will be decided by NSC Public Rights of Way Committee on 24th January.

Cllr. Burden thanked the group that put all this evidence together. He explained that a judicial committee will be making the decision on the 24th January. This will not be the final stage, which will be making an order. There is a possibility for that order to be challenged. If that order is challenged there will then be a public enquiry into the matter.

- Mrs. Sandy Tebbutt spoke about an upcoming article for Posset Pieces and requested information on peoples' lives in Portishead, buildings etc. All profits from the publication go towards retaining local heritage.
- Mr. Stoffel spoke about Parking Enforcement Officers ticketing vehicles in the Parish Wharf car park and whether the fines go towards the car parks upkeep. He also talked about a bus being unable drive along Newfoundland Way due to a car blocking the route.

These minutes summarise what was said during public participation and were views expressed by the speaker, not the Town Council.

2927 REPORTS TO COUNCIL (Agenda item .4)

There were no reports from organisations.

2928 CONFIRMATION OF MINUTES (Agenda item .6)

The following recommendation was made:

The Minutes of the 296th Ordinary Meeting of Portishead Town Council held on 13th December 2017 are confirmed as a correct record. The Minutes were duly signed by the Chairman.

A vote was taken with all in favour.

2929 BUDGET WORKING PARTY (Agenda item .6)

Cllr. Lord ran through the Budget papers and invited the members to comment on tables A2 and A3. Cllr. Lord proposed that table A2 and A3 are approved without change.

The meeting briefly discussed whether the CCTV system was value for money. It was agreed that the matter could be reviewed during the forth-coming financial year.

Cllr. Lord explained that it has been the usual practice of the Town Council to review the 'Earmarked Reserves' in June following the posting of the year end figures. Table C1 was approved without change.

Cllr. Lord referred to table B1 'Other Expenditure Considerations'. The working party has been considering the office refit, the war memorial project to take funds from the Major Community Projects Earmarked Reserve and the skatepark from an unspecified Earmarked Reserve. The meeting discussed whether there was enough information available at this time to be able to allocate a sum of money to these projects.

Cllr. Lord ran through table A1 and referred to the commitment in Earmarked Reserves for Portishead Pool Trust of £15,000.

Cllr. R. Cruse proposed that there should be no increase on the Precept other than the additional Special Expenses element that the Town Council has taken on, making a Band D requirement of £28.20. The precept requirement for Portishead Town Council is offset with a transfer from General Reserves of £42,292, making a Precept figure of £294,355 with a resulting precept per Band D household of £28.20, making a change of £3.20 on the previous financial year's banding. Cllr. Lord warned the meeting that the General Reserves would fall below the 3 to 6 months buffer recommended by the Auditor.

A vote of thanks was given to Councillors Lord on the budget and M. Cruse for reconciliation checks.

The following recommendation was made:

<p>The precept requirement for Portishead Town Council is offset with a transfer from General Reserves of £42,929 making a Precept figure of £294,355 with a resulting precept per Band D household of £28.20.</p>
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<p>The Budget Working Party paper is approved.</p>
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A vote was taken with all in favour.

2930 MOTION TO COUNCIL – DEVELOPMENT IN PORTISHEAD Cllrs. Clark and Lord (Agenda item .7)

Portishead Town Council believes that further developments in the town will be damaging to the community unless there have been significant improvements to our infrastructure. Such improvements include the re-opening of a passenger

railway service as well as additional educational and medical facilities. Single building plots may be supported but the conversion of retail and employment land will not be supported by the Town Council.

The meeting discussed a modified motion tabled by Cllr. Burden.

Portishead Town Council believes that further significant residential development in the Town will be damaging to the community unless there is significant improvements to our infrastructure. Such improvements should include the re-opening of the passenger railway service. We also call on the Planning Authority to use all its powers to protect the employment and retail areas within the Town from changes of use.

The meeting discussed the wording in detail. Cllr. Lord drafted a new motion which was tabled.

The following recommendation was made:

Portishead Town Council believes that further significant residential development in the Town will be damaging to the community unless there is a significant improvement to our infrastructure. Such improvements should include the re-opening of the passenger railway service and the resilience of the road network to junction 19 M5, as well as education and medical facilities. The Town Council will continue to support appropriate development, but inappropriate conversions of retail and employment land to residential purposes and changes of use of empty office blocks to housing will be strongly opposed. We call upon the planning authority to use all its powers to protect such planning designations, including making Article 4 Directives.

A vote was taken with all in favour.

2931 TO DISCUSS SUGGESTIONS FOR CHANGES TO PUBLIC PARTICIPATION AT COUNCIL MEETINGS (Agenda item .8)

The meeting briefly discussed the lilac papers and the positive move to address the public's queries and questions. It was suggested that the lilac papers are trialled for a further three months. Following the three-month trial, any further suggestions from the public can be considered.

The following recommendation was made:

Portishead Town Council will review Public Participation and the Clerks report on Public Participation at the April Town Council meeting.

A vote was taken with all in favour.

2932 TO DISCUSS SUGGESTIONS FOR THE MARKING OF THE CENTENARY OF WORLD WAR I IN PORTISHEAD – Cllr Cameron (Agenda item .9)

Cllr. Cameron spoke about the Memorial Working Party. He informed the meeting that they have now met a couple of times and reviewed various sites around the town. They are aware that there is not a lot of time to complete this project. Grants applications are being investigated, landlord's permission and quotes for a memorial sought. The Working Party is looking into the possibility of a Bandstand for the town. The Town Orderly has cleared the area around the Memorial Flagpole.

The meeting briefly discussed the public appeal for funds. It was agreed that this item should be added to the Recreation and Works Committee Agenda.

Clerk's note: The meeting agreed to change the order of the agenda.

2933 TO RECEIVE AN UPDATE ON BRISTOL ROAD PLAYING FIELDS (Agenda item .14)

Cllr. Mitchell confirmed that he has no update on the Bristol Road Playing Field. The Town Council awaits a formal proposal from the Football Club. The Council will engage with the community when a formal proposal is received.

2934 CLERK'S REPORT (Agenda item .10)

The Clerk's report had been previously circulated to members.

- **JD01/2018: SCHEDULE OF PAYMENTS AND BANK RECONCILIATION / CASH STATEMENT FOR THE MONTH OF DECEMBER 2017**

The Schedule of Payments for the month of December 2017 and bank reconciliation were noted.

- **JD02/2018: QUARTERLY FINANCIAL MANAGEMENT REPORT 3RD**

The 3rd Quarter Financial Management Report was noted.

- **JD03/2018: ACTIVITIES/PROJECTS PROGRESS UPDATE**

The Activities/Projects progress report for December/January was noted.

- **JD04/2018: RESPONSES TO PUBLIC PARTICIPATION DECEMBER 2017**

The responses to public participation were noted.

2935 PLANNING AND REGULATORY COMMITTEE (Agenda item .14)

The minutes of the Planning and Regulatory Committee Meeting held on 3rd January 2018 had been previously circulated to members.

Cllr. Burden ran through the minutes of the Planning and Regulatory Committee.

PL591 SECTION 2 – PLANNING MATTERS (RECOMMENDATIONS TO TOWN COUNCIL)

5. OTHER PLANNING MATTERS

5.1 LATE PLANNING APPLICATIONS & CONSULTATIONS

17/P/5297/FUH 11 GARDNER ROAD, PORTISHEAD, BS20 7ER
Demolish existing rear sun room, proposed rear extension at lower floor level.

The following recommendation was made:

No comment

A vote was taken with all in favour.

17/P/5160/TPO 9 NOREWOOD GROVE, PORTISHEAD
1 x ash - reduce crown by approx. 3-3.5m; 1 x sycamore - reduce crown by 2.5-3m

The following recommendation was made:

No comment

A vote was taken with all in favour.

17/P/5474/TPO 132A SLADE ROAD, PORTISHEAD, BS20 6BB
Horse Chestnut (T3) - reduce by 1.5m to previous pruning points and remove deadwood

The following recommendation was made:

No recommendation made

A vote was taken with all in favour.

**17/P/5446/TPO ST JOSEPHS CHURCH, WEST HILL,
PORTISHEAD**
Tree 1 - shorten three horizontal limbs by 2 - 2.75m; Tree 5 - shorten four lateral limbs by 2.1 - 2.75m

The following recommendation was made:

No comment

A vote was taken with all in favour.

17/P/5050/FUH 2 HERON GARDENS, PORTISHEAD

Two storey side extension

The following recommendation was made:

No objection

A vote was taken with all in favour.

**17/P/5132/FUH THE MOORINGS, BELTON ROAD,
PORTISHEAD**

Single Storey side extension to enlarge kitchen

The following recommendation was made:

No objection

A vote was taken with all in favour.

17/P/5480/TPO 130 HILLSIDE ROAD, PORTISHEAD

Crown lift 4x maple by up to 8m by removing sub-lateral limbs.

The following recommendation was made:

No comment

A vote was taken with all in favour.

**17/P/5516/TPO CHAPLAINS WOOD, NORE ROAD,
PORTISHEAD, BS20 8GA**

T581 beech and T582 beech - crown reduce by approximately 3m;
T619 ash - crown reduce by approximately 4m over property

The following recommendation was made:

No comment

A vote was taken with all in favour.

17/P/5513/TPO 12 FIRCLIFF PARK, PORTISHEAD

T1 sycamore - Reduce spread of tree to the south over neighbours
property by approx. 4m, primarily by reducing major limb

The following recommendation was made:

No recommendation was made

A vote was taken with all in favour.

17/P/5159/FUH 1 MENDIP ROAD, PORTISHEAD

Extension to existing outbuilding to create porch. Rear glazed veranda.

The following recommendation was made:

No objection subject to no valid objections from neighbours

A vote was taken with all in favour.

5.4 ROAD NAMING

The following recommendation was made:

Portishead Town Council agreed to name the new road Folio Close.

A vote was taken with the majority in favour.

5.5.1 RECYCLING CENTRE, VALLEY ROAD

Members felt that whilst it is not in the parish of Portishead it would support Weston-in-Gordano.

The following recommendation was made:

Portishead Town Council writes in support of Weston-in-Gordano's request to North Somerset Council asking for a review of the road/signs on Valley Road (from its junction with B3124 to the roundabout at the entrance of Police HQ) be undertaken.

A vote was taken with all in favour.

5.6 NEIGHBOURHOOD PLANNING

The meeting discussed the Planning and Regulatory Committee's recommendation to setup a Working Party. It was agreed that a working party made up of Councillors Burden, Mitchell, Mason and Koops forms and reports back to the next Council meeting.

The following recommendation was made:

Portishead Town Council forms a Working Party to investigate and explore the possibilities of producing a Neighbourhood Plan for Portishead and how it engages with residents of Portishead in establishing whether the plan would be viable.

A vote was taken with the majority in favour.

5.7 NSC CONSULTATION – REVIEW OF HOUSING CONDITIONS IN THE PRIVATE RENTED SECTOR IN NORTH SOMERSET

The following recommendation was made:

Portishead Town Council makes no comment.

5.8 FIRST WEST OF ENGLAND STAKEHOLDER SURVEY

The following recommendation was made:

Portishead Town Council writes to James Freeman (Managing Director – First) giving dates of future Planning meetings that he could attend to engage with and update the Town Council.

A vote was taken with all in favour.

The minutes of the Planning and Regulatory Committee held on 3rd January 2018 are confirmed as a true record of the meeting and form part of these minutes.

2936 STAFFING AND FINANCE COMMITTEE (Agenda item .12)

The minutes of the Staffing and Finance Committee Meeting held on 10th January were tabled at the meeting.

Cllr. Lord ran through the minutes of the Staffing and Finance Committee.

SECTION 'A' – NON-CONFIDENTIAL ITEMS

SF439 To Receive a Copy of the Council's Financial Management Report: Quarter 3 (1st October 2017 – 31st December 2017) (Agenda item.4)

This item had already been discussed and approved earlier in the meeting.

SF440 To Receive an Update on Investments (Agenda item .5)

Cllr. Lord explained the background to the delay in re-investing the matured funds.

The following recommendation was made:

The Investment Working Party has invested the matured fund with Lloyds at a rate of 0.8% due to mature on 30 th November 2018 and the
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Lloyds Bond maturing in February will be invested with the Clydesdale Bank for 12 months with an interest rate of 0.8%.

A vote was taken with all in favour.

SF443 Governance Polices update - NALC (Agenda item.8)

The following recommendation was made:

The Clerk seeks further model Governance Policies and circulates them to the members of the Staffing and Finance Committee prior to the next meeting of the committee.

Clerk's note: Cllr. R. Cruse left the room at 9.55pm

SF444 To note the NALC legal topic notes on Data Protection Officers & General Data Protection Regulations and Subject Access Requests (Agenda item .9)

The Clerk confirmed that she has been in contact with the Clerks of Clevedon, Nailsea and Weston-super-Mare and they have all agreed to meet on 8th February to discuss the Data Protection Regulations and the Data Protection Officers role.

SF445 Review of the Town Council's Risk Assessment document (Agenda item .10)

The following recommendation was made:

Portishead Town Council adopts the document with the agreed changes.

A vote was taken with all in favour.

SF446 Review of the Town Council's Asset Register (Agenda item .11)

The following recommendation was made:

Portishead Town Council notes the Asset Register.

A vote was taken with all in favour.

SF447 To consider a review of Internal Audit provision (Agenda item .12)

The following recommendation was made:

Portishead Town Council goes out to tender for an Internal Auditor. The Clerk is to report back to Full Council.

A vote was taken with all in favour.

Clerk's note: Cllr. R. Cruse returned to the room 9.57pm

SECTION 'B' – CONFIDENTIAL ITEMS – EXEMPT ITEMS

The following resolution was made:

Pursuant to the provisions of Public Bodies (Admissions to Meetings) Act 1960 (as extended by s100 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.

A vote was taken with all in favour.

SF449 To review salaries (Pay award 1st April 2018) (Agenda item .14)

The Clerk briefed the meeting on the latest information from the Society of Local Council Clerks. The National Employees, who negotiate pay on behalf of UK Councils have offered an uplift of 2%, with a further increase of 2% for the following year. This has yet to be accepted.

SF450 Staffing update (Agenda item .15)

The Clerk informed the meeting that two caretakers have handed in resignation notices; one is retiring while the other wants to concentrate on their main employment.

The Clerk suggested that a small working party with delegated powers is set up to review the two vacancies. The working party will also look at ideas for marking the caretaker's retirement. Cllrs Lord, Mason and Burden offered to sit on the working party.

The following resolution was made:

A working party with delegated powers, made up of Councillors Lord, Mason and Burden reviews the two caretaker vacancies and how to mark the caretaker's retirement.

A vote was taken with all in favour.

The minutes of the Staffing and Finance Committee held on 10th January 2018 were confirmed as a true record of the meeting and form part of these minutes.

2937 MATTERS THE CHAIRMAN WISHES TO PUT BEFORE THE COUNCIL
(Agenda item .13)

The Clerk is in receipt of the TR1 forms for the transfer of the Folk Hall car park from North Somerset Council to Portishead Town Council. The meeting agreed to proceed with the transfer at a cost £1.

The following recommendation was made:

Portishead Town Council agrees to the transfer of the Folk Hall car park from North Somerset Council to the Town Council for the sum of £1.

A vote was taken with all in favour. The Chairman of the meeting Cllr. Mitchell and the Clerk Mrs Joanne Duffy signed the copies of the TR1 form.

The following recommendation was made:

Portishead Town Council notes that Cllr. M. Cruse has confirmed that in accordance with Portishead Town Council's Financial Regulations 2.2 he has reviewed the bank reconciliations for all accounts for the month ended 30 th November 2017 and in his opinion, there are no long outstanding cheques or other anomalous entries in existence.

A vote was taken with all in favour.

The meeting noted the report.

2938 ITEMS FOR THE NEXT MEETING (Agenda item .15)

There were no items submitted for the agenda.

There being no other business the Chairman closed the meeting at 10.10pm.

..... Chairman

14th February 2018