

CLEVEDON TOWN COUNCIL

Minutes of the 429th meeting of COUNCIL held in The Council Office, 44 Old Street, Clevedon at 7.30pm on Wednesday 8th August 2012

PRESENT: Chairman – Cllr J Middleton
 Councillors, A Cotton, C. Francis-Pester, B. Garner, J. Geldart, A. Giles-Townsend, B Hatch, C. Hall, G. Hill, L. Knott, L. Little, P. McNeill, T Morgan J. Norton-Sealey, N Pennycott, A. Shopland, D. Shopland, C Wring
 Town Clerk - Ms P Heath; Deputy Town Clerk – Mrs Johnson

7.30pm INFORMAL BUSINESS

PRAYERS: Voluntary prayers were said before the start of the meeting by Major William Slade.

7.32 pm INFORMAL BUSINESS

Over 40 members of the public attended the Council meeting with 6 residents electing to speak on the parking regulation proposals by NSC being considered by the Town Council 3 of who were representing larger groups.

Mr D Hendy – representing Clevedon Chamber of Trade and Business in Hill Road, Alexandra Road, Copse Road and Beach Area. A petition had been circulated around the business and business owners in that area all were opposed to the introduction of On-Street parking meters and charges.

- The charges would hinder any growth in business in the area especially in the current economic climate
- Customers would choose the out of town shopping areas with free parking.
- Staff members would need to pay to go to work thereby providing an increased burden on their limited budgets
- Would cause business to have an increased wages bill compensating staff members
- Or having to replace staff that could or would no longer continue to work with the increased costs.
- Dr Liam Fox, MP for Clevedon has already indicated his objection to NSC proposals understanding the burden it would place on business.
- Mary Portas had stated in her 'High Street Review' that free parking was essential to the survival of the 'High Street'.

Clevedon Chamber of Trade has joined with Portishead and Nailsea Chambers in opposing the NSC parking regulations proposals. The business did ask that the current regulations in placed are enforced

Mrs Linda Richards - Representing the residents in the neighbourhood of Copse Road/Alexandra Road/ Hill Road. A Petition with over 5000 names had been obtained objecting to the proposals.

- Indication had been received from local Estate Agents and Letting Agents that the value of the homes could be reduced by up to 10%.
- The proposals suggest that residents should purchase a permit which would be an indirect tax.
- If the permit holder cannot park in their allotted road because of no room they will have to pay again to park in an adjacent road.
- Friends and family would have to pay when they visit which could reduce the frequency and affect desire to visit

- Those residents requiring carers would suffer as the carer would have to pay thereby reducing the number of visits and for many of the housebound residents this is their only connection with another human being.
- Any household requiring work or traders visiting will increase the cost to cover the parking charges.
- There are several Churches in the area of the proposed charges the congregation of which will have to pay to go to church or attend any service such as a wedding.

Malcolm Simmonds – has two businesses on the sea front which has a strong draw on passing trade this will be affected as the parking charges and will drive away visitors to the town.

Tony Stewart – a resident of Clevedon. The Victorian and individuality of Clevedon would be ruined if visitors are forced away from visiting the town. The residents have a tolerant attitude to parking but this will be lost with the introduction of parking permits.

Gillian Webster – Secretary of InClevedon, representing traders in Triangle area.

- The Traders do not want any charges but would be happy to see the enforcement of the current regulations.
- The introduction of charges will push customers away to use the out of town free parking shops.

Brian Hayward and Jill Hayward – residents in Hill Road area. They would support the enforcement of the current regulations but not the introduction of new charges. There are two areas of Hill Road the lower end which is shops and residents and the upper end which is residents only. Although parking is difficult the enforcement of the current regulations would keep a more fluid movement of traffic and customers in the area. If the regent's car park is being used for filming why can it not be used afterwards as a car park?

The Members of the Public were thanked for their input.

12/240 APOLOGIES FOR ABSENCE

Apologies were received from Councillor C. Bussey (work commitment) Cllr C Blades (family commitments)

RESOLVED: That Council **ACCEPTS** the apologies and reasons given for absence.

12/241 DECLARATIONS OF INTEREST

The following declarations were made:

Cllr D Shopland a pecuniary interest in respect of the Nailsea/Clevedon footpath

Cllr A Shopland a pecuniary interest in respect of the Nailsea/Clevedon footpath

Cllr C Wring a personal interest re the Flower Show.

Proposed, seconded and agreed to move agenda item 13 the "Parking Proposals" to be heard next

12/242 RECEIVE INFORMATION FROM NSC ON THE PARKING PROPOSALS AND MAKE RESPONSE TO SPED COMMITTEE OF NSC.

A copy of the proposals had been circulated to all members prior to the previous Council meeting and had been discussed at the Transport and Highways Committee Meeting.

A request had been made for information on the costing of the proposal for this meeting; the response from NSC had been circulated with the agenda and was noted by the Members. Cllr Garner reported that Cllr Colin Webb the Chairman of the SPED working group had been unable to attend tonight's Council's meeting. Cllr Blades, the Vice Chairman of the SPED working group and a town councillor, had sent a statement to be read to the members; this was read by the Town Clerk. Members discussed at length the comments made in the public session, also comments made to them and the Council over the previous few weeks since the documentation had been received by the Council:-

- There had been attempts in the past to introduced charges but these had been abandoned.
- The Traders who attended the meetings with the Town Council plus other business related bodies wanted to see the encouragement of more movement within the car parks and also the enforcement of the current regulations to ensure vehicles do not park all day in short stay areas.
- Nailsea TC pays to maintain free car parking areas at a cost of approximately £60K
- Although Weston-super-Mare has already had on-street parking charges imposed it was noted that the economic structure of the tourism aspects of the towns were different with Weston being more of the amusements and attractions sea side town compared to Clevedon's coastal town image.
- The NSC letter and the radio interview by Cllr AP Rees indicate that this is not a revenue raising initiative so what is the driving force for the proposals.
- The NSC response shows that the enforcement of the current regulations will remain with the police; it is the failure of this enforcement that is causing concern by business and residents alike.
- If the proposals were agreed the parking would be forced into residential areas to the detriment of the local residents as indicated in the public session.

Proposed by Cllr Shopland, seconded by Cllr Hall and **RESOLVED** by 18 votes to 0 that this council in the general interest of the people of Clevedon rejects the North Somerset Council's proposal to introduced parking charges in Clevedon and informs North Somerset Council that Clevedon Town Council will resist any move to impose such measures.

Clevedon Town Council requests every Clevedon North Somerset Councillor to use the mandate given by the Public to fight the proposal at North Somerset Council level where the ultimate decision will be taken.

Proposed, seconded and agreed to move agenda item 15 Motion by Cllr Shopland to be heard next

12/243 RECEIVE MOTION FROM CLLR SHOPLAND THAT A NEW STANDING ORDER BE CREATED

“That all mobile phones shall be switched off during all meetings of the Council, unless dispensation has been obtained from the Chairman

Members noted that this was formalising the voluntary code which had been in existence for many years. Members commented that it was discourteous to have the phone on during the meeting and that it was accepted practice across the country to turn phones off or to silent. In response to a question it was explained that phones could be left on silent/vibration during the meeting in an emergency situation with the Chairman's permission.

The motion was agreed by 13 votes to 3

Cllr Hatch requested permission to leave her phone on silent in case family members needed to contact her; this was agreed.

12/244 THE MINUTES OF TOWN COUNCIL MEETING

RESOLVED: That the Minutes of the Council meeting held on 13th June 2012 were approved as a correct record and signed by the Chairman

12/245 THE CHAIRMAN'S COMMUNICATIONS – FOR INFORMATION ONLY**12/245.1 Resignation of Ms Walker**

The Chairman informed members that he had received Cllr Walkers resignation on personal grounds.

12/246 THE TOWN CLERKS REPORT AS PER THE ATTACHED LIST

Members noted the Town Clerks report as circulated with the agenda.

The following newsletters and reports have been received and are available from the office.

LCR Summer 2012

DIS – copies of which were emailed to Councillors – hard copy attached for those Councillors without email addresses,

786, 787, 788, 789

12/247 MINUTES OF THE COMMITTEE MEETINGS**12/247.1 PLANNING 6TH JUNE 2012**

Minutes of the Planning Committee meeting were presented and **AGREED**.

Part 1 items.

P/12/316 NSC SITES AND POLICIES DEVELOPMENT PLAN DOCUMENT

RESOLVED: TO RECOMMEND COUNCIL formally ratify the document previously submitted to NSC.

AGREED

The Committee Chairman invited questions or comments on Part 2 items. Cllr Hall was added to attendees.

12/247.2 PLANNING 20TH JUNE 2012

Minutes of the Planning Committee meeting were presented and **AGREED**.

There were no Part 1 items. The Committee Chairman invited questions or comments on Part 2 items there were none

12/247.3 TRANSPORT & HIGHWAYS COMMITTEE – 27TH JUNE 2012

Minutes of the Transport & Highways Committee meeting were presented to the meeting, and **AGREED**. There were no Part 1 items. The Committee Chairman invited questions or comments on Part 2 items.

The Committee Chairman was asked a question on 2 items not on the minutes. Holly Lane it was confirmed that a Road Traffic Order to install double yellow lines was progressing through the legal process.

Coastal Path this was part of North Somerset responsibility and would be cleared later in the year. It was noted that NSC hedge and byways clearance and spraying was well behind the scheduled programme due to the extremely wet weather.

TH 12/181 Chapel Hill – the Committee was requested again to ensure all aspects of the scheme and effect on the surrounding area was discussed before a recommendation was made to NSC. A copy of NSC response would be given to the next Committee meeting

TH12/183 School crossing patrols – a copy of the response to the information request would be given to the next committee meeting. It was noted that there had been a long term difficulty in recruiting staff for the school crossing patrol.

TH 12/182 it was noted that this crossing had been agreed after a long campaign previously supported by the Town Council.

12/247.4 FINANCE AND GENERAL POLICY – 4TH JULY 2012

Minutes of the Finance & General Policy Committee meeting were presented to the meeting and **AGREED**.

PART 1

[FGP 12/250 Proposed by Cllr Hill, seconded by Cllr Morgan and **RECOMMENDED** that Clevedon Town Council adopts the amended code of conduct as circulated at the Council meeting on 8th August.]

AGREED

[FGP 12/251 AGREE AND RECOMMEND THE NEW REGISTER OF INTEREST FORMS

It was explained to Members the requirements under the Localism Act for a new register of interest to be completed by all members for interests which are detailed in the code of conduct. The new register also covers the Members ~~wife~~ spouse, or partner or anyone they are living with as ~~wife~~ spouse or partner. North Somerset is producing a draft form which unfortunately was not available for this meeting. The basic form will be universal to all Councils in England. In response to a question it was explained that failure to complete or failure to disclose pecuniary interest will be a criminal offence and could result in a fine and a ban from being a Councillor.

The new form will be circulated to Councillors prior to the August Council meeting and must be completed and signed within 28 days of the Council adopting the Code of Conduct at the August meeting].

It was noted that the word ‘wife’ should be changed to ‘spouse’ in the above minute

It was confirmed that land relates to land and buildings.

[FGP 12/252 A copy of proposed changes to standing orders had been circulated with the agenda. Proposed by Cllr Francis-Pester, seconded by Cllr Hill and **RECOMMENDED** to adopt the changes to the standing orders as circulated.

1. Meetings

(ee). All members shall sit on at least 1 standing committee of the Council; Standing Committees do not include any Council designated sub-committees.

3. Proper Officer

Viii add to “...and shall update and keep a record on the Council’s web site”

[viii Retain a copy of every councillor’s register of interests and any changes to it and keep copies of the same available for inspection]

7. Code of Conduct – to comply with the new law

Remove words “a revised statutory code of conduct is expected to come into force in 2010”

Remove sub section c and d and replace with

C) A member who has disclosed a pecuniary interest either as

i) part of the register of interest,

or

ii) to the monitoring officer within the previous 28 days and is subject of a pending notice,

or

iii) Whose pecuniary interest is declared at the meeting -

shall leave the room and may not participate, or participate further in any discussions of the matter at the meeting or participate in any vote, or further vote, taken on the matter at the meeting, unless dispensation has been sort and obtained subject to section 33 of the Localism Act 2011 or as amended thereafter.

25 Power of well being

Remove; This is no longer applicable as the power has been withdrawn.

31 Allegations of breaches of the code of conduct – due to the new law re monitoring and the abolishing of the Standards board 31 should be removed and replaced with

a *On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to Monitoring Officer at North Somerset Council.*

b *The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council shall take the steps set out below, together with other steps considered necessary, to maintain*

- confidentiality.*
- i. Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.*
 - ii. Ensure that any background papers containing the information set out in standing order 31(a) above are not made public. Ensure that the public and press are excluded from meetings as appropriate.*
 - iii. Ensure that the minutes of meetings preserve confidentiality.*
 - iv. Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.*
- c. Standing order 31(d) above should not be taken to prohibit the Council through the Proper Officer from disclosing information to members and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.*
- d. References in standing order 31 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.*
- e. If a member reasonably believes another member is in breach of the Code of Conduct, that member is under a duty to report the breach to the monitoring officer of North Somerset Council]*

AGREED

The Committee Chairman invited questions or comments on Part 2 items there were none.

12/247.5 PLANNING – 11TH JULY 2012

Minutes of the Planning Committee meeting were presented to the meeting, and **AGREED.**

The Committee Chairman invited questions or comments on Part 2 items; there were none. Cllr Knott to be added to the attendees.

12/247.6 TOWN EVENTS & AMENITIES – 18TH JULY 2012

Minutes of the Town Events & Amenities Committee meeting were presented to the meeting, and **AGREED.**

PART 1

[TEA/12/157 CHRISTMAS LIGHTS 2012/13 RESOLVED: TO RECOMMEND TO COUNCIL acceptance of Quote 1 - £1149.00 to be funded from the TEA Committee budget from the sum brought forward from the previous financial year for improvements to the Christmas lights.]

AGREED

The Committee Chairman invited questions or comments on Part 2 items;

163.1 – this should read “Mission to Seafarers”

163.2 – It was confirmed that the raised beds in Seavale Road were under the responsibility of NSC, Clevedon Town Council having decided not to take over those beds during last year’s discussions. NSC had agreed with Transition Clevedon for them to maintain the beds, this had been reported to the Council at the meeting on 19th March.

12/247.7 ENVIRONMENT & PROPERTY – 25TH JULY 2012

Minutes of the Environment & Property Committee meeting were presented to the meeting, and **AGREED.**

The Committee Chairman invited questions or comments on Part 2 items there were none.

12/247.8 ALLOTMENTS – 23RD JULY 2012

Minutes of the Allotments Committee meeting were presented to the meeting, and **AGREED.**

There being no part 1, The Committee Chairman invited questions or comments on Part 2 items; there were none

12/248 TO RECEIVE MINUTES OF THE SUSTAINABILITY SUB-COMMITTEE HELD ON 18TH JUNE 2012

Minutes of the Sustainability Sub-Committee meeting were presented to the meeting, and **AGREED**.

The Town Clerk responded to questions raised in the absence of the Sub-Committee Chairman.

12/13 Transport - Maps and path work. In response to a question it was confirmed that the project had been agreed and supported by Clevedon Town Council via the Transport & Highways Committee.

Fracking in the Mendips – a response had been received from Bristol Water which indicated some of Clevedon water supply does originate in the Mendips.

Sub-Committee terms of reference had been agreed at the 18th May meeting and ratified by the Council at the 13th June meeting.

12/249 RECEIVE NOTES OF THE MEETING WITH NAILSEA TOWN COUNCIL AND RATIFY THE RECOMMENDATION ON 13TH JULY 2012

Cllr D Shopland & Cllr A Shopland left the meeting having declared a prejudicial interest

Members received and accepted the notes and agreed the recommendation to investigate by 9 votes to 3.

Cllr D Shopland & Cllr A Shopland returned to the meeting.

12/250 AGREE ACCOUNTS FOR PAYMENT PER THE ATTACHED LIST

RESOLVED: that the Council approves the accounts for payment, as per the attached lists

Cllr Geldart requested a list of all purchase ledger suppliers with list of their supplies to be emailed; no other councillor requested the information that would have to be compiled manually.

It was agreed to refer the Eden Water contract to FGP for discussion..

12/251 APPROVE RETROSPECTIVE ACCOUNTS PAID PER THE ATTACHED LIST

RESOLVED: that the Council approves the retrospective accounts for payment, as per the attached list

12/252 ADOPT THE CODE OF CONDUCT AS CIRCULATED

Proposed by Cllr Francis-Pester, seconded by Cllr Hill and **RESOLVED** by 16 votes to 2 to adopt the Code of Conduct as circulated with the agenda.

In response to a question the Town Clerk informed members that the contents of the code had been agreed in accordance with the detail laid out in the Localism Act 2011 and the localism Act 2011 (Commencement no 6 and Transitional, Savings and Transitory provisions) order 2012. Members were reminded that the adoption of the code was a legal requirement

12/253 ADOPT THE REGISTER OF INTEREST AS CIRCULATED AND NOTE THAT THE FORM IS TO BE SIGNED AND RETURNED BY 5TH SEPTEMBER

Proposed by Cllr Francis-Pester, seconded by Cllr Hall and **RESOLVED** by 15 votes to 3 to adopt the register of interests as circulated with the agenda and in accordance with the requirements under the Localism Act 2011 and the localism Act 2011 (Commencement no 6 and Transitional, Savings and Transitory provisions) order 2012.

Members objected to the inclusion in the register of partners details but understood that this was the legal requirement under the localism Act 2011. Members noted that the type of disclosures had not changed from the 2005 Act only the inclusion of partners interest had changed

12/254 RECEIVE MOTION FROM CLLR SHOPLAND –

“That this Council amends standing order M to include – and that to prevent any misunderstanding or misinterpretation through the issue of incomplete information no councillor attending an ordinary or committee meeting shall communicate details of that meeting in any way with persons not present whilst the meeting is in progress ”

It was explained that this was to clarify an aspect of the standing orders that is a legal requirement as per Public Bodies Act 1960, Local Government Act 1972 and Local Government Act 1985.

Members discussed at length the social media communications such as Facebook and Twitter in comparison to the more traditional written and verbal communications tools already used by the Council and whether they would generate more interest and public participation at meetings. There was concern raised that Members may not wish to have a full and comprehensive discussion on any of the agenda items if aspects of that discussion were broadcast before a final decision was made. Members felt that any tool to engage the Community should be considered but that the ONLY official records of the meeting were the Clerks minutes. Any communication made by Councillors could be misinterpreted as being a council view, and not an individual also all councillor communications are covered by the Code of Conduct even if in a private capacity if relating to Council business. Members were informed that considerable media interest would be generated by the Council’s decision and that radio interviews had already taken place.

The Motion was AGREED by 13 votes to 3 with 1 abstention

The following item was heard under s 2 (1) Public Bodies (Admission to Meetings) Act 1960 due to the confidential financial nature of the business discussed. Members of the Public and Press were required to leave the meeting.

TO RECEIVE AND RATIFY THE CONFIDENTIAL MINUTES OF THE COUNCIL MEETING HELD ON 13TH JUNE 2012

RESOLVED: That the Minutes of the Council meeting held on 13th June 2012 were approved as a correct record and signed by the Chairman

An amendment to the wording of the action was made and agreed by council; the minutes being annotated to show the alterations.

TO RECEIVE AND RATIFY CONFIDENTIAL MINUTES OF COMMITTEE MEETINGS

ENVIRONMENT & PROPERTY DATED 25TH JULY 2012

Minutes of the Environment & Property Committee meeting were presented to the meeting, and **AGREED**.

*Proposed, seconded and **RECOMMENDED** that the Village Hall Trustees represented by Clevedon Town Council shall award the contract of works as detailed for damp proofing and building work.*

AGREED

*Proposed by Cllr Shopland and **RECOMMENDED** that Clevedon Town Council loans from general reserves to the Village Hall Trustees such money required to cover the deficit between rent received and expenses to cover the building cost; the loan to be repaid from future rental income.*

AGREED

Meeting closed at 10.03 pm

APPROVED AS A TRUE RECORD

CHAIRMAN.....

DATE.....