

BATH AND NORTH EAST SOMERSET

CABINET

These minutes are draft until confirmed as a correct record at the next meeting.

Thursday, 8th February, 2024

Present:

Councillor Kevin Guy (Ch)	Leader of the Council, LD Group Leader, Member Advocate for Armed Forces and Veterans
Councillor Alison Born	Cabinet Member for Adult Services
Councillor Mark Elliott	Cabinet Member for Resources
Councillor Paul May	Cabinet Member for Children's Services
Councillor Matt McCabe	Cabinet Member for Built Environment and Sustainable Development
Councillor Manda Rigby	Cabinet Member for Highways
Councillor Paul Roper	Cabinet Member for Economic and Cultural Sustainable Development
Councillor Sarah Warren	Deputy Council Leader (statutory) and Cabinet Member for Climate Emergency and Sustainable Travel
Councillor David Wood	Deputy Council Leader (non-statutory) and Cabinet Member for Council Priorities & Delivery

59 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting.

60 EMERGENCY EVACUATION PROCEDURE

The Senior Democratic Services Officer read out the emergency evacuation procedure.

61 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Tim Ball.

62 DECLARATIONS OF INTEREST

It was noted that the Monitoring Officer has granted the following dispensations to enable Members present to participate in the debate and to vote on item 14 (Budget and Council Tax 2023/24 and Financial Outlook).

- Cllr Sarah Warren – dispensation granted due to a family member being in receipt of an Education Health and Care Plan (EHCP).
- General dispensation for all Councillors who pay Council Tax.

A copy of the dispensations are attached as an appendix to these minutes.

63 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

64 QUESTIONS FROM PUBLIC AND COUNCILLORS

There were 14 questions from Councillors and 36 questions from members of the public.

[Copies of the questions and responses, including supplementary questions and responses if any, have been placed on the Minute book as Appendix 1 and are available on the Council's website.]

65 STATEMENTS OR PETITIONS FROM PUBLIC OR COUNCILLORS

Members of the public and Councillors made statements as follows:

- Chad Allen – English Ivy and Liveable Neighbourhoods. Mr Allen expressed concern about the damage caused to buildings by English Ivy and also the damage to the eco-system. He also spoke against the liveable neighbourhood proposals for the city centre.
- Kari Erickson – Liveable Neighbourhoods. Ms Erickson spoke against the liveable neighbourhood scheme in her area. She did not feel that there had been adequate consultation. She also stated that it would make it difficult for people to access their own homes and would cause extra journeys which was particularly difficult for parents of young children.
- Roanne Wooten (Strategic Partnerships Director Julian House) – Budget Cuts *(a copy of the statement is attached as an appendix to these minutes)*
- Becki Sarll – Budget Cuts. Ms Sarll expressed concern at the proposed cuts to grants to voluntary services such as those provided by Julian House. She outlined the difficulties experienced by people who do not have a fixed address. Julian House provides assistance to these vulnerable people to help them with paperwork, access to food banks, shower facilities, healthcare and fire safety.
- Becky Brooks – 3SG – Council Budget *(a copy of the statement is attached as an appendix to these minutes)*
- Kate Morton – Bath Mind/3SG – Council Budget *(a copy of the statement is attached as an appendix to these minutes)*
- David Redgewell – Public Transport Network. Mr Redgewell stressed the importance of maintaining local bus services. He pointed out that some of the most disadvantaged people in areas such as Midsomer Norton and Radstock now have no access to a bus service. He stated that the Westlink contract needed to be redrawn. He suggested that B&NES Council could contract bus services in conjunction with Somerset or Wiltshire Councils.
- Cllr Shaun Hughes – Council Budget. Cllr Hughes spoke against the introduction of parking charges in Midsomer Norton. He stated that there has been a lack of investment in this area over a number of years and that B&NES needs to carry out a comprehensive parking survey. He commented that

emissions-based parking charges affect the poorest people disproportionately as they cannot afford to replace their vehicles.

- Cllr Michael Auton – Council Budget for 2024-25 – Proposed Parking Charges in Midsomer Norton. *(a copy of the statement is attached as an appendix to these minutes)*
- Cllr Eleanor Jackson – Budget Impact on the poorest in our community *(a copy of the statement is attached as an appendix to these minutes)*

66 MINUTES OF PREVIOUS CABINET MEETING - 9TH NOVEMBER 2023

RESOLVED that the minutes of the meeting held on Thursday 9th November 2023 be confirmed as a correct record and signed by the Chair.

67 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

No single member items were requisitioned to Cabinet.

68 MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

Cllr Robin Moss, Chair of the Corporate Policy Development and Scrutiny Panel, presented feedback from the PDS Panels in relation to the 2024/25 budget proposals. In particular he stressed the importance of considering the downstream effect of budget cuts to third sector funding. He also pointed out that the Corporate PDS Panel would be scrutinising the income from the corporate estate in comparison with peers. He acknowledged the challenging financial circumstances that local authorities currently find themselves in.

The Chair also drew attention to the draft minute from the Children, Adults, Health and Wellbeing PDS Panel in respect of the Community Resource Centres consultation which had been circulated to Cabinet Members for their consideration.

69 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

The Cabinet agreed to note the report.

70 THE OUTCOME AND RECOMMENDATIONS FOLLOWING A CONSULTATION ON THE FUTURE DELIVERY MODEL FOR THE COUNCIL'S THREE COMMUNITY RESOURCE CENTRES

Cllr Alison Born introduced the report, moved the officer recommendation, and made the following points:

- The report demonstrates our commitment to support the most vulnerable groups in our community, to make the best possible use of council resources and to use those resources where they can add the most value and where the market has failed.
- Our goal is to provide services locally whenever possible, which means that fewer people will be sent out of area. Providing services locally offers the advantages of maintaining links with family and friends, reduces costs

and makes it easier for us to stay in touch and monitor how placements are going.

- Scrutiny colleagues supported the feasibility study for change of the use of Charlton House, but some opposed the deregistration proposal. As these proposals are linked, these two positions are incompatible.
- When the Council took back control of the three care homes – Charlton House, Cleeve Court and Coombe Leigh - it increased staffing levels, invested in pay, training, equipment and in the fabric of the buildings. As a consequence, the costs of running the services have increased considerably and now exceed the costs of comparable services in the local market.
- B&NES has a buoyant care home market with a good choice of provision. The areas that are less well provided for are specialist dementia care and services for young people with degenerative conditions and physical dependences. A lot of people who have more complex needs are now sent out of area because we do not have enough specialist education or care services.
- The costs of delivering care through in-house services is justified if they provide more specialist care. Therefore, it made sense to review whether we were making best use of these facilities and providing value for money for the council and residents.
- A review was carried out in the summer of 2023, it focused on gaps in local provision, recruitment, affordability, and value for money.
- A number of proposals were then consulted on. The council received a total of 45 responses to the consultation. Over half (53%) of responses were positive towards the overall proposals for the community resource centres, nearly a third (31%) disagreed and 16% were unsure.
- Suitable new places will be found nearby for the small number of residents for whom we will not be able to offer care and there will be no change to the costs paid by any resident who is funding their own care.
- The recommended changes will enable us to optimise the use of these three council owned buildings which are of high quality and are purpose built. The proposed changes will allow us to target the use of these facilities on the areas of greatest need. The changes will also deliver much needed efficiencies and quality improvements in both adults' and children's services.

Cllr Paul May seconded the motion and made the following points:

- Charlton House has a long history in Keynsham not only for its patients but its nearby elderly residents. Before any steps are taken, the needs of the remaining residents living in the home are of first importance.
- If agreed, the proposed residential school for young people with complex needs will be an exciting opportunity to provide a facility that we are very short of in BANES. This would be a SEND and care facility for our local young people, who currently have to travel outside of the BANES area to other providers, which is also more expensive.
- Charlton House has bedrooms, two lounges, kitchens, offices, and meeting rooms. These facilities need to be assessed with changes being made and the funding from the DFE is already in place.
- We are not only thinking about residential spaces for children but also respite facilities and continuing to work with the local community.

- Such new facilities will help families, kinship care for the children as well as less out of area travelling for the children.
- The needs of the residents must take priority and the council will work closely with the current residents and their families/representatives to find suitable alternative placements. Any staff affected by this change will be offered other roles within the council. Once this has happened, then we have the opportunity to move forward with designing, planning and providing the new school in a sensitive way.
- The new provision to help children with some of the most challenging needs and disabilities in our community will be a real asset to the council and local area.

Cllr Mark Elliot supported the proposals as they will enable people to remain in the local area which is also financially beneficial. This will provide services that the market is currently not providing.

Cllr Manda Rigby noted that this proposal is a good use of council owned assets and an excellent example of joined up working.

RESOLVED (unanimously):

- (1) To develop Cleeve Court residential home into a centre of excellence for dementia care without nursing.
- (2) To enhance the offer at Combe Lea residential home to enable younger people with more complex needs to remain closer to home.
- (3) To de-register the remaining 10 places in use at Charlton House nursing home and then develop the site to provide a residential school for young people with complex needs.
- (4) To offer community groups/charitable organisations use of the day centre spaces at the community resource centres at a reduced rental rate.
- (5) To commence a full feasibility study in relation to the change of use for Charlton House to a residential school.

71 REVENUE AND REVENUE & CAPITAL BUDGET MONITORING, CASH LIMITS AND VIREMENTS – APRIL TO DECEMBER 2023

Cllr Mark Elliott introduced the report and moved the officer recommendation. He stated that the plans to reduce the budget deficit are working and congratulated officers for their hard work on this. He noted that the Council must still bring the budget into balance by the end of the financial year.

Cllr Paul Roper seconded the motion.

RESOLVED (unanimously):

- (1) To note the 2023/24 revenue budget position (as at the end of December 2023).

- (2) To note the revenue virements listed in Appendix 3(i) of the report.
- (3) To note the capital year-end forecast detailed from paragraph 3.29 of the report.
- (4) To note the changes in the capital programme including capital schemes that have been agreed for full approval under delegation listed in Appendix 4(i) of the report.

72 BUDGET AND COUNCIL TAX 2024/25 AND FINANCIAL OUTLOOK

Cllr Mark Elliott introduced the report, moved the officer recommendation, and made the following points:

- The budget has been one of the most difficult that the council has ever had to pull together. We started from the position a few months ago of a £16.42m funding gap, with massive increases in costs and demand in social care, particularly in children's social care, the cost-of-living crisis meaning increased costs for things like energy and the consequent pressure on wage increases.
- The paper sets out a balanced Revenue budget not just for next financial year, but for the following year as well. The stability provides the council with the ability to plan. This is a fantastic achievement, and I want to thank all of you, and all the officers, for all their hard work over the past few months.
- The government announced that it intended to offer an additional, last-minute, one-off, extra grant for social care in the next financial year. We received details of that grant on Tuesday of this week. It provides roughly an extra £1.5m in one-off social care funding next year. Whilst this is, of course, welcome, it is nothing more than a sticking plaster over the gaping wound that is social care funding. We propose allocating the extra funds into reserves split between Adults' and Children's social care in proportion to the size of their budgets. These funds will then be available to mitigate the risk of overspend in those portfolios in the coming year.
- We recognise the need to adequately fund the care of the most vulnerable in society, and so we are proposing a net increase in the Adult Social Care budget of just under £1.7m and in the Children's Social Care budget of nearly £4m. I want to recognise that, over the public consultation process, and through the PDS Panels, our third sector partners have raised significant concern about the proposed savings to our Community Contracts. Our total spend on these types of contract is around £9.3m, and the contracts haven't been looked at properly for some time – there are something like 77 separate services being commissioned – so it's reasonable to expect that savings can be made. However, I acknowledge the concern that a sudden drop in funding would be damaging and doesn't leave time for those contracts to be properly and carefully reviewed. The budget proposal has, therefore, been adjusted to spread the savings in Adult Social Care over two years, rather than expecting the savings to come all at once. I have written to the 3rd Sector providers to reassure them that we do not wish to impose arbitrary savings on them, we want to work with them to undertake a proper review, and to mutually agree a way forward based on maintaining those services which are preventing increased, more costly, demand coming into statutory social care services further down the line.
- We greatly value the work of the 3rd Sector providers and will work with them, not inflict things on them.

- Despite the general financial doom and gloom, on top of the vital work of protecting the most vulnerable in society, and in contrast to many councils across the country, we have been able not just to tread water, but to really pursue our ambitious manifesto commitments to the people of Bath & North East Somerset.
- This is partly due to the huge success we have seen with the tourist trade in the City of Bath bouncing back to pre-pandemic levels much more quickly than expected. The Roman Baths are performing fantastically, income from things like parking and the Park & Ride services in the city are well up on our expectations, and vacancy levels in the council's commercial property portfolio are well below national averages. This has helped to alleviate some of the huge pressure from other areas.
- In passing this budget proposal we will be able to:
 - protect our spending on Climate Emergency action.
 - increase our Revenue spend on the Clean & Green initiative to make sure it has a solid long term funding base.
 - progress with our plan to build hundreds of new social housing homes.
 - increase our capital spending on Local Highway Improvements providing many more new crossings, highway safety and cycling schemes.
 - progress plans for the new Fashion Museum which will be a major new asset to the city of Bath.
 - Use Community Infrastructure Levy funding to fund 20 community projects.
 - Use money raised from the Clean Air Zone to start the "Scholars Way" cycling and pedestrian route from Combe Down to St Martin's Garden in Odd Down.
- I think we can be very proud of the ambition that this budget sets out, despite the parlous overall state of local government finance. It protects the most vulnerable, delivers on our manifesto commitments, and sets out a firm foundation for the future of the council.

Cllr Sarah Warren seconded the motion and made the following points:

- Local Government is facing challenges in managing intense pressures on budgets from mounting inflation and rising demand for services. The pressures on spending, particularly in social care, are enormous. This means that for those areas of the council's work that are discretionary, such as Green Transformation, it is harder and harder to carve anything at all from the pie.
- In the proposed budget we will sustain levels of funding to support our corporate priority to tackle the climate and ecological emergencies over the course of the current administration. There is good news in that we are just getting to the point of having recruited to the new posts we were awarded in budget setting this time last year, and we are really starting to see the extent of what we will be able to deliver with this new team in post – and in that context we will be increasing our work with communities to raise awareness and support local action for climate and nature.
- We have a strong track record of successful bids to government and external agencies for funding, and as a result we have a healthy programme of work ahead on our Net Zero, Nature Positive goals - looking to reduce carbon emissions from buildings and power, enable real choice of alternatives to the car, and support nature recovery.
- Cllr Warren outlined the proposals for energy, supporting nature and sustainable transport.

- Despite a dire picture nationwide for local government, and amidst extremely difficult decisions that we have had to take across the board of council activities, our officers are to be applauded for finding imaginative ways to continue to fund progress against our corporate priority of tackling the climate and nature emergency, whilst continuing to deliver day to day for our residents.

Cllr Matt McCabe acknowledged the cuts to local government funding. He thanked Cllr Elliott and officers for making a huge effort to address these concerns. He welcomed the work that is taking place to address the concerns of the third sector.

Cllr Kevin Guy made a plea for central Government to reconsider how local government is funded, especially social care.

RESOLVED (unanimously):

(1) To recommend Council to approve:

- The General Fund net revenue budget for 2024/25 of **£135.85m** and the individual service cash limits for 2024/25 as outlined in Annex 1 of the report.
- The savings and income plans outlined in Annex 2(i), funding requirements 2(ii), in conjunction with the Equalities Impact Assessment Report in Annex 3 of the report.
- An increase in Council Tax of 2.99% in 2024/25 (an increase of £49.45 per Band D property or 95p per week).
- An increase of 2% to Council Tax for the Adult Social Care Precept in recognition of the current demands and financial pressures on this service. This is equivalent to an increase of £33.07 on a Band D property (64p per week).
- The movement in reserves outlined in section 5.6 and the adequacy of Un-earmarked Reserves at £12.58m within a risk assessed range requirement of £12.3m - £13.6m.
- To note the Children's Services management plan set out in section 5.2.7 of the report.
- The Efficiency Strategy attached at Annex 4 of the report.
- The Capital Programme for 2024/25 of £71.91m including new and emerging capital bids outlined in Annex 5(i), planned sources of funding in 5.8.3, and notes the programme for 2025/26 to 2028/29 and that any wholly funded projects coming forward during the year will be added to the Capital Programme in line with the Budget Management Scheme.
- The delegation of implementation, subject to consultation where appropriate, of the capital programmes set out in Annex 5(i) to Annex 5(iv)

to the relevant Director in consultation with the appropriate Cabinet Portfolio Holder.

- The schedule of asset disposals as set out in section 5.8.2 and delegates the final disposal decision to the Head of Commercial and/or Corporate Estate in consultation with the S151 Officer and appropriate Cabinet Portfolio Holder.
 - The Community Infrastructure Levy (CIL) allocations and amendments outlined in Annex 5(v).
 - The Capital & Investment Strategy attached at Annex 6 of the report.
 - The MRP Policy attached at Annex 7 of the report.
 - The Capital Prudential Indicators outlined in 5.8.7 of the report.
 - The Annual Pay Policy Statement at Annex 8 of the report.
 - The Community Contribution Fund extension outlined section 5.5 of the report.
 - The Council Tax Support Scheme for 2024/25 shown in the following link: <https://beta.bathnes.gov.uk/sites/default/files/2024-01/Bath%20%26%20NE%20Someset%20S13A%20202425%20FINAL.pdf> and referred to in 5.3.5 of the report.
 - The Fees and Charges schedule for 2024/25 at Annex 11 of the report and support its publication following approval of the budget, with delegation to amend individual costs within the schedule in line with market needs, to the Director of Place Management, in consultation with the appropriate Cabinet Portfolio Holder.
 - The additional Social Care Grant of £1,520,318 announced in the final local government finance settlement is allocated to fund a £1,101,302 Adult Social Care contingency and a £419,016 Children's Services contingency for managing in year budget risk. The additional Services Grant of £14,638 is used to increase the corporate inflation contingency to £1.01m.
- (2) To agree that the Council include in its Council Tax setting, the precepts set and approved by other bodies including the local precepts of Town Councils, Parish Councils, and Charter Trustees of the City of Bath, and those of the Fire and Police Authorities.
- (3) To note the S151 Officer's report on the robustness of the proposed budget and the adequacy of the Council's reserves outlined in 5.7 of the report.
- (4) To note the budget consultation responses set out in Annex 10 of the report.

- (5) To authorise the Council's S151 Officer, in consultation with the Portfolio Holder for Resources, to make any necessary changes to the draft budget proposal for submission to Council.

73 TREASURY MANAGEMENT STRATEGY STATEMENT 2024/25

Cllr Mark Elliott introduced the report and moved the officer recommendation.

Cllr Matt McCabe seconded the motion.

RESOLVED (unanimously):

- (1) To recommend the actions proposed within the Treasury Management Strategy Statement (Appendix 1 of the report) to Council.
- (2) To note the Treasury Management Indicators detailed in Appendix 1 of the report and to delegate authority for updating these indicators to the Chief Finance Officer and Cabinet Member for Resources, prior to approval at Full Council on 20th February 2024, in light of any changes to the recommended budget as set out in the budget report elsewhere on the agenda for this meeting.

74 TREASURY MANAGEMENT PERFORMANCE REPORT TO 31ST DECEMBER 2023

Cllr Mark Elliott introduced the report and moved the officer recommendation.

Cllr Matt McCabe seconded the motion.

RESOLVED (unanimously):

- (1) To note the Treasury Management Report to 31st December 2023, prepared in accordance with the CIPFA Treasury Code of Practice.
- (2) To note the Treasury Management Indicators to 31st December 2023.

75 QUARTER 3 2023/24 CORPORATE STRATEGIC PERFORMANCE REPORT

Cllr Dave Wood introduced the report and moved the officer recommendation.

Cllr Manda Rigby seconded the motion and made the following statement:

"I would particularly like to highlight how committed we are, as a Liberal Democrat administration, to reporting back on performance in this way and to progressively making these reports more useful and easier to understand, as this culture is embedded in the council. This means reporting back on more indicators and strategies as time goes on.

I would like to see more reporting back on the practical things the council does – for example, last month, the Highways team produced an excellent video with a selection of stats relating to the incredible volume of work our teams and contractors carried out on the highways last year. For example, almost 21,000 gullies were inspected and almost 18,000 were cleaned.

We have teams delivering fantastic work in every department of the council and these are the sorts of achievements I would like to see brought to the fore.

Sharing updates on how things are going, in a regular and transparent manner, not only means residents can hold the council to account but also underlines to our commitment to giving people a bigger say, as communication needs to go both ways.”

RESOLVED (unanimously): To note progress on the delivery of key aspects of the Council’s service delivery and outcomes of the Council’s key Strategies, details of which are highlighted in section 3.6 and Annex 1 of the report.

The meeting ended at 8.00 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services