

CABINET MEETING 2nd July 2020

**STATEMENTS FROM PUBLIC
AND COUNCILLORS**

1. David Redgewell
2. Councillor Eleanor Jackson

QUESTIONS AND ANSWERS - COUNCILLORS

M	01	Question from:	Councillor June Player
<p>When is Westmoreland Ward going to get Residents Parking Zones?</p> <p>We have been requesting this for a number of years now and common sense tells us that this is a scheme that needs to be undertaken before the introduction of Low Traffic Neighbourhoods, more Cycle Lanes and the Clean Air Zone. The latest Council AECOM Parking Stress and Occupancy Survey clearly demonstrates how Westmoreland Ward more than any other Ward suffers with serious parking problems and issues.</p> <p>The residents of Westmoreland Ward deserve better.</p>			
Answer from:			Councillor Joanna Wright
<p><i>We are currently reviewing both low traffic neighbourhoods and residents' parking across the whole city, including how Residents Parking Zones operate now and whether new zones are needed. We're also looking at how best to use the zones to support our wider transport strategy to reduce shorter car journeys and encourage more walking, cycling and public transport. This will mean looking at the criteria we use to decide where the zones go. The review is thorough and wide-ranging and we hope to be able to share the outcomes as soon as possible.</i></p>			
M	02	Question from:	Councillor Vic Pritchard
<p>In press releases about Covid19 financial challenges it is noted that the Council has received a £10 million grant from Government and is hopeful further funding from National Government will be announced in the coming weeks.</p> <p>As the emphasis has to be on 'hopeful' what contingency measures does the Council have should this 'hope' not materialise beyond political blame?</p>			

Answer from:	Councillor Richard Samuel
<i>The financial recovery plan as set out in the Cabinet report shows how the 2020/21 forecast outturn after recovery measures can be funded without any further government grant. At this stage, this is the prudent approach to take in advance of further financial support from Government, the contingency measure is that Council reserve has been earmarked which will not be drawn down with additional grant funding.</i>	
M 03	Question from: Councillor Karen Warrington
Although the Pandemic and subsequent Lockdown has had a significant positive impact on Climate Change and the environment, including wildlife, as the economy recovers what assurances can you give us that you will endeavour to maintain that positive impact and what is the Impact of the deficit on the Climate Emergency budget?	
Answer from:	Councillor Sarah Warren
<i>We are setting up a new Economic & Community Renewal Programme which is designed to do exactly that. The programme has green recovery at its heart and will ensure that the opportunities to build on positive behaviour change are taken along with the opportunities for economic and social renewal and resilience that action on the three Council net zero carbon 2030 priorities provide. We have not made reductions in the budgets that support the corporate activity and will look to build on this by pulling together resources from across the Council departments. The Leader and I will be running a webinar on Climate Emergency on 13 July. We are also participating in the UK100 Resilient Recovery Task Force.</i>	
M 04	Question from: Councillor Paul Myers
What budgetary forecasting assumptions and contingency planning has been prepared to fund the costs of any potential local outbreak of Covid19 – particularly given that the response would largely be the responsibility of this Council to coordinate under the recently prepared public health plan?	
Answer from:	Councillor Richard Samuel

The Covid-19 revenue grant has been utilised to add capacity to strengthen the local response to Covid-19, this has been managed through the B&NES emergency planning process and work with the Local Resilience Forum. In addition, the Council is developing its local outbreak management plan to commit the £0.85m test and trace grant focussing on co-ordination, testing, tracing and prevention measures.

M 05 **Question from:** Councillor Paul Myers

There is a general assumption that as the weather gets colder, we could potentially face a major national resurgence of the Covid19 virus as we enter the autumn and winter of 2020 and into the spring of 2021. What budgeting assumptions have been made within the Recovery Plan to prepare for another prolonged national lockdown and even greater losses/a significant delay in recovery of the projected Council's business revenues. How would the Administration anticipate funding this situation given that Council reserves will by then have already been significantly drawn down?

Answer from: Councillor Richard Samuel

We have been prudent in our assessment of the financial risk on our revenue budgets in 2020/21, particularly the impact on income which accounts for extended periods of the national lockdown. For example, in our Heritage Services forecast we are anticipating gross revenue income of c£3.5m compared to £23m generated last year. We are confident that our modelling and reported revenue pressure takes into account further risk.

M 06 **Question from:** Councillor Paul May

How many staff have been furloughed during the Lockdown?

Answer from: Councillor Richard Samuel

Under the Coronavirus Job Retention Scheme, all UK employers with a PAYE scheme are able to access support to continue paying part of their employees' salary for those that would otherwise have been laid off during this crisis. This applies to employees who have been asked to stop working, but who are being kept on the payroll, otherwise described as 'furloughed workers' backdated to 1 March.

As at 30 June, the council has furloughed 290 staff in total - 189 with permanent positions and 101 with casual positions furloughed in total (staff in Heritage and those who work with schools)

M	07	Question from:	Councillor Paul May
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Your recovery plan makes no direct reference to consultation with the trade unions about the recovery plan. How many staff will be made redundant and what protections are you building in for the BAME community we employ?

Answer from:	Councillor Richard Samuel
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The Council shared the details of the financial recovery plans with trades union representatives (Unison, Unite, GMB and schools unions) before they were published and the Chief Executive and Director of HR&OD met with those representatives on Monday 22 June to discuss these in detail and to listen to feedback. We do not anticipate having any redundancies.

We have carried out an equality impact assessment against the financial recovery plan as a whole and we undertake an equality impact assessment for each service restructure – considering the impacts on race as a protected characteristic and looking to mitigate that impact where possible.

The Council has detailed risk assessments in place for all staff during Covid-19 and have included special provision for BME staff as part of these. We are also currently looking to extend support specifically for BME staff with a BME led community-based charity.

M	08	Question from:	Councillor Paul May
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Within your recovery plan will you carry out a fair zero-based budget approach to value assess services that will be cut, stopped or protected?

Answer from:	Councillor Richard Samuel
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No. Due to the timescale pressures and urgency to manage costs, the recovery plans focus on in year one-off measures without altering the 2020/21 budget. When the recurrent impact on the Councils budget is understood in more detail, a thorough review of

resource allocation will be carried out for the future years budget setting process.

M **09** **Question from:** Councillor Paul May

Thank you for confirming that the S114 idea has been dropped.
Within the recovery plan I remain concerned that the references to the commercial estate seem non-specific and whilst the commercial market place is depressed can you confirm no action will be taken to dispose of properties the council owns on behalf of the residents in Bath or elsewhere in Banes at less than pre-Covid valuations?

Answer from: Councillor Richard Samuel

In the event the Council cannot balance its budget and fund its deficit a S114 notice will be a concern for the Council.

The 2020/21 financial recovery plan has not incorporated any new property disposals.

M **10** **Question from:** Councillor Grant Johnson

In response to a question asked at the last meeting of cabinet, I was informed that the Council was “opening negotiations with the Midsomer Norton gas generator plant developer, in seeking a more sustainable model than the current proposal of a standby gas generator.” Where have we got to with these negotiations and will the current development still be going ahead?

Answer from: Councillor Tim Ball

The Leader and I have met with the developer in order to investigate alternative options and mitigations. I am pleased to report that the discussions were very positive and the developer is considering next steps.

M **11** **Question from:** Councillor Grant Johnson

On the 29th of May 2019 I asked our equalities team about the paintings that are on display in the Council Chamber and questioned whether these were a fair representation of Bath & North East Somerset Council.

In response to this, I was told by the equalities team that they would do the following:

- A. Ask the facilities team at the Guildhall for input on how the current selection was made and if there was any possibility of change to make the paintings displayed more representative of our current community/elected members.
- B. They would look into rotating or introducing new art when there is decoration in progress.

As we all know, the Guildhall has undergone a large renovation over the last year and I was wondering what, if anything, had been done to address my concerns for the way this Council chooses to represent itself?

Answer from:

Councillor Paul Crossley

The fifteen portraits in the Council Chamber belong to the Council's collection curated by the Victoria Art Gallery. A list of the portraits is given below. They are all glazed for protection and are periodically condition-checked for damage or deterioration, usually by volunteers from the Friends of the Victoria Art Gallery.

The selection exhibited was made many years ago and pre-dates the formation of Bath & North East Somerset Council in 1996. It reflects the nature of the public collection and the prominent public figures recorded in it rather than the preferences of the present or past administrations. The criterion was that all the portraits depict former Councillors, Aldermen and Mayors of Bath. Most, like their setting in the chosen decorative scheme, are appropriate to the High Victorian nature of the Chamber which dates to 1896. The earliest portraits date to 1728, the latest to 1974.

The south wing of the Guildhall which contains the Council Chamber has always been the seat of local government and, until 1989, the magistrates courts. This is reflected in the curved frieze of figures on the outside of the building representing Administration and Justice. (The frieze on the north wing, which contained the art and technical school, depicts Arts, Science and Learning. The adjacent Victoria Art Gallery was built shortly afterwards).

The Gallery's collection includes a limited number of portraits. All were collected in the period when the city of Bath was the extent of

the Gallery's collecting area. Many already hang in the Guildhall meeting rooms, with some displayed at the Gallery and a few at the Pump Room. Unfortunately, the collection contains no portrait of Helen Hope, the first woman councillor in Bath, nor of Kathleen Harper the first woman appointed as Mayor in 1950, nor of any of the numerous other woman Mayors since. Since 1996 when Bath & North East Somerset was created as a unitary authority, no portraits of Chairs of Council from any part of the district have been accessioned into the Gallery's collection. The most recent mayoral portrait in the Gallery's collection is that of Alleyne Berry and this already Hangs in the Chamber.

As the question indicates, redecoration of the Chamber would be the best time to effect changes, as walls behind paintings do not discolour in the way that the surrounding paint does. Even if suitable replacements could be found, they are unlikely to be of the same size so fixing holes would need filling and making good, new ones drilling and the section of wall repainting. Some of the present portraits are fitted with picture lights and new fittings may be needed to fit them to the frames of imported portraits, which would also need to be glazed. As yet no estimates for these works have been prepared.

It should be noted that more modern works, whether portraits or landscapes, would be out of keeping with the period decorative context of the Chamber. They could also prejudice the suitability of the room as a film location, an activity that earns the Council much-needed revenue. In 2019 one day's filming for McDonald and Dodds (ITV) earned £840 while the use of the Chamber and other rooms in the Guildhall for Bridgerton (Netflix) yielded £8,566 in income.

As with all the Guildhall's meeting rooms, and probably most other council chambers around the country, the display of portraits remains static, although there is no reason why that should remain the case On occasions such as Heritage Open Days and Museums Week, public access to the Council Chamber is arranged when existing bookings permit. The practice of periodically rotating works of art in the public collection is principally enacted at the Victoria Art Gallery, while loans to museums elsewhere, such as those to Chippenham, Barnsley and Kistefos (Norway) in 2019, further extend the opportunity for exposure of the collection to public view. In the Guildhall the publicly accessible ground-floor space outside the Chair of Council's Office, is already used to exhibit the work of local art groups on a rotational basis.

As a way forward, officers will investigate options for making the display of portraits in the Council Chamber more representative of the authority and of public life in the 20th and 21st centuries.

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Portraits in the Council Chamber:

John Stone (1818-1899) by Alexander Stanhope Forbes. Served on Council for a short period, then as Town Clerk from 1860 to 1888

(BATVG 1900.31)

Henry Harrington (1727-1816) by Thomas Beach. Born at Kelston; doctor and musician in Bath; Mayor in 1793 (BATVG 1942.175)

Cedric Chivers (1854-1929) by William Orpen. A bookbinder in Bath; credited with introducing the card index into English business life and public libraries; Mayor six times between 1922 and 1928 (BATVG 1984.46)

Francis Allen (1818-1869) by William Duffield. A barrister in Bath; Mayor in 1852-3 (BATVG 1984.17)

Philip George (1750-1822), artist unknown; Deputy Town Clerk 1777-1800, Town Clerk 1800-1817 (BATVG 1984.57)

Frederick Dowding (1795-1861) by Edwin Long; a solicitor in Bath; Mayor in 1849; instrumental in passing the Bath Act for paving and lighting the city (BATVG 1984.31)

Alleyne Berry OBE (1904-1989) by Martin Fisher; a surveyor in Bath; served 37 years on Council; Mayor in 1952; the first contemporary portrait to be hung in the Chamber and the first of anyone wearing glasses (BATVG 1984.18)

Eight portraits by Johan Van Diest surviving from a collection of 30 portraits of city councillors commissioned in 1728 by Field Marshal Wade who lived in Abbey Church Yard. These portraits would have hung in the Council Chamber of the former Guild Hall that stood in the market-place at the lower end of High Street before the present Guildhall was built. The Atwoods were a family of plumbers and glaziers in Bath.

- *Ralph Allen (1693-1764) Mayor in 1742 (BATVG 1984.9)*
- *Thomas Atwood senior (d.1732) Mayor in 1728 (BATVG 1984.10)*
- *Thomas Atwood junior (1709-1770) Mayor in 1753, 1760 and 1769 (BATVG 1984.11)*
- *James Atwood (d.1760) Mayor in 1734 and 1748 (BATVG 1984.12)*
- *Unknown councillor (BATVG 1984.13)*
- *Henry Atwood (d.1763) Mayor in 1741, 1750 and 1758 (BATVG 1984.14)*
- *William Chapman (d.1729) Mayor in 1727 (BATVG 1984.15)*

- *Richard Ford (1665-1733) Mayor in 1713 and 1730 (BATVG 1986.1)*

Supplementary Question:

Your response talks a lot about both historical and current factors that have shaped the way we see our Council Chamber today. In the novel *Persuasion*, Jane Austen's character Anne Elliot says, "Men have had every advantage of us in telling their own story. Education has been theirs in so much higher a degree; the pen has been in their hands." Do you believe your answer to be a perfect example of the kind of persistent structural inequality that has not only tarnished this council since before Jane Austen's time, but still tarnishes it today?

Answer from:

Councillor Paul Crossley

No. I think that you are looking only at art in the Council Chamber. If you look in the broader context in advance, before the leaks started coming in over the entry by the Leader's office, we had the wedding day party which was two young ladies. We have Harry Patch outside the Chamber, which is a modern image. So, there is a continual changeover of art, around all the places that we display them, and as we redecorate, and refurbish them we do review at that point, what goes on and the images we want, and changes have been made before you brought up this interesting points to about diversity.

Supplementary Question:

In your answer you mention that the period decoration in the Council Chamber earned us £9,406 in 2019, due to it being used as a film location. You also mention that the addition of any modern images, which are more in keeping with our equality standards, would prejudice the ascetics of the room. Does the cabinet not agree that the only prejudice being displayed here is that of a Council which appears to care more about a small amount of revenue than it does the equality of its citizens?

Answer from:

Councillor Paul Crossley

The fact that we only get direct income of £9,000 plus is actually marginal compared to the benefit that we get as an authority when our facilities are shown on primetime TV, in very popular locations in very popular series, not just in UK but around the world. So, the impact of the filming in Bath goes way beyond the direct revenue that Council earns, and this helps support many places and venues

around Bath and North East Somerset. We have to have a look at a balance of pictures and images in the Guildhall, and it is certainly true that we are currently in the process of looking at the images that are in the Guildhall Chamber. But, as part of that process, we would be looking for things that are in keeping with the decor of the Council Chamber. So, I don't think we would be having for instance, a piece of Modern Art in the Chamber. Instead, we might have different images and different portraits. What the citizens want from us is use great assets, gaining revenue for them so that they get good value from the Council Tax that we collect, and that is the best way that we could ensure the quality of all our systems, by providing good services and good facilities.

M

12

Question from:

Councillor Eleanor Jackson

Will the Cabinet Members re-consider the decision to remove practically all the parking from Fortescue Road and The Street, Radstock? The concession of disabled bays being retained is also problematic because they are at the furthest possible point from the surgery. I appreciate that the government's safety measures are important, but if enforced this will be at the cost of several Westfield owned businesses going under. Has an Equalities assessment been done, given how important these food shops, takeaways and the hardware shop have been to the elderly and carless during the Emergency?

Answer from:

Councillor Joanna Wright

The original proposal for suspension of a number of parking spaces & use of barriers to widen footway was put forward as an option by Officers in light of the requirement to provide social distancing schemes in locations where local shops or other facilities had the potential to generate footfall.

However, as ward members did not support the proposals and a meeting held by Town Council resulted in objections from businesses to the proposals, along with the fact that officers have observed only low pedestrian numbers and no issues with social distancing the proposals have been removed. However, road safety posters will be offered and installed as necessary.

Supplementary Question:

In BANES, particularly in Radstock in Westfield where I know the actual figures, there's quite a few pedestrian safety issues so I would like to ask whether Cabinet Member would consider reviewing the crossings on the Frome Road and general measures to make things

safer for people to walk instead of come by car? And, if Cabinet Member could do something to get a bridge built across from Nelson Drive to St Nicholas's primary school, so that children have a much safer way to walk to school?

Answer from:

Councillor Joanna Wright

Thank you for your supplementary question. I would very much like to look into the detail of your questions, and I will provide an answer to you in 5 clear working days.

M 13

Question from:

Councillor Robin Moss

Homeless people have been offered accommodation over the Covid-19 crisis period. What steps are being taken to make sure they do not have to return to the streets?

Answer from:

Councillor Tim Ball

As part of the Council's response to the Covid-19 crisis the Council, working with partners, assisted 69 rough sleepers to find accommodation, including housing 42 of these directly. The outcomes have been very positive including better engagement with support services and reduced begging. I want to build upon these positive outcomes. As such officers have prepared an action plan to prevent a return to the streets. This includes a number of actions including continuing to provide accommodation to at least the end of the year; prioritising rough sleepers and former sleepers for social housing; continuing to expand our Housing First initiative and finally drafting a bid to MHCLG for extra funding to deliver permanent supported move-on accommodation for rough sleepers.

M 14

Question from:

Councillor Robin Moss

What are the long term plans for the residential homes being 'returned' to B&NES from Curo?

Answer from:

Councillor Rob Appleyard

In answering this question – I have assumed you meant Sirona, not Curo.

B&NES council are working constructively with Sirona, the transferring staff and the residents to ensure a safe and seamless transfer of services into the Council on 1 October 2020.

Once this transfer has been safely achieved the Council is committed to reviewing this provision to develop and update the adult care services model and strategy, of which the Community Resource Centres (CRCs) are a key element. This will also work to ensure that these provisions are the best they can be for the residents and recipients of the extra care services.

The staffing team are positive about joining or returning to the council and are looking forward to developing the extra care and residential services to the benefit of residents and the wider community.

The CRCs once in-housed will offer opportunities to explore our approach to Adult Social Care alongside engagement with existing providers in the market. In the current circumstances appreciating the impact of Covid 19 we are particularly mindful of the need to review market provision carefully and sensitively. Our approach will ensure any services meets the changing needs of those requiring care, balancing residential care requirements alongside supporting people to live independently.

M	15	Question from:	Councillor Robin Moss
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What is the current percentage occupancy rate for care homes in the B&NES area and does the Cabinet Member responsible believe this will achieve financial sustainability for those businesses?

Answer from:	Councillor Rob Appleyard
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As of 26 of June 2020 the occupancy rate for care homes is at 92.46 %. Of the 1403 available places for older people in B&NES, 310 are funded by the council (22% of the market) and the rest by a mix of private funding / other Local Authorities and small percentage funded by the Clinical Commissioning Group (CCG) (less than 1%). Of the 1403 places, 860 are nursing places (18.6% funded by B&NES) and 543 are residential places (27.6% funded by B&NES). The Covid 19 Pandemic has been a difficult and challenging time for care homes. However, they have coped with determination and an on-going commitment to keep their residents safe. At the height of the crisis overall occupancy dropped to 89.38%.

However, we have been actively working with all our homes to support them through this time and it is worth looking at the published

return given to the Department of Health and Social Care (DHSC) noting the many ways B&NES have been able to support care homes and home care providers. <https://beta.bathnes.gov.uk/support-care-homes-bath-north-east-somerset>. The DHSC also identified significant new funds for care providers last month and the first tranche of this funding has been sent on to care providers in the last 2 weeks.

We do expect to see further changes in the market, early indications suggesting that those needing care in the future may prefer to receive care in their own homes rather than in residential/nursing homes. This is furthering an approach that B&NES is already developing, balancing our market shaping responsibilities under the care act alongside our actual market share. We will want to work proactively with the market to enable them to respond to future changes and also ensure that we maintain best value for the council.

Therefore, this will also be part of the wider review to update our local adult care services model and strategy. In addition we will need to be cognisant of related activity in health and social care at a national level planning for the support and sustainable funding for Adult Social Care in the future.

QUESTIONS AND ANSWERS - PUBLIC

P 01	Question from:	James Carlin (3SG)
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After 10 years of austerity, the Covid19 pandemic has shown how essential the VSCE community is to people's wellbeing and ability to be supported. Can we ask the Cabinet how they plan to ensure the most marginalised in our community and the charities that support them are not further impacted?

Answer from:

Councillor Dine Romero

As the question highlights, Covid-19 has brought into sharp relief inequalities in our communities but also the key role of third sector organisations in improving people's lives and supporting our most vulnerable. Our Compassionate Communities Hub has demonstrated how close working across a wide range of organisations can transform how we do this. I and my cabinet colleagues are determined that this approach will continue.

It is also important that we design and develop this in close co-operation with the partners involved. So I am delighted that we now have a Compassionate Communities steering group to take this forward and I look forward to further strengthening our joint working with 3SG and other partners through this.

Getting timely support for our third sector is particularly crucial at the moment and so we have also championed support for charities and community organisations through the Government's Discretionary Grant scheme. To date this has delivered £125,000 of grants to our local community organisations.