

BATH AND NORTH EAST SOMERSET

CABINET

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

Thursday, 5th November, 2020

Present:

Councillor Dine Romero	Council Leader and Liberal Democrat Group Leader
Councillor Rob Appleyard	Cabinet Member for Adult Services
Councillor Tim Ball	Cabinet Member for Housing, Planning, and Economic Development
Councillor Neil Butters	Cabinet Member for Transport Services
Councillor Paul Crossley	Cabinet Member for Community Services
Councillor Kevin Guy	Cabinet Member for Children's Services
Councillor Richard Samuel	Deputy Council Leader and Cabinet Member for Resources
Councillor Sarah Warren	Cabinet Member for Climate Emergency and Neighbourhood Services
Councillor David Wood	Cabinet Member for Climate Emergency and Neighbourhood Services
Councillor Joanna Wright	Cabinet Member for Transport Services

53 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting by explaining that this meeting is being held under The Local Authorities and Police and Crime Panels (Coronavirus)(Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020. The Council has agreed a protocol to cover virtual meetings and this meeting would operate in line with that protocol. The meeting has the same status and validity as a meeting held in the Guildhall.

The Chair also reminded everyone that today was the first day of the new lockdown and urged everyone to follow the lockdown rules, stay at home (when possible) and by doing so protect the NHS and save lives.

54 APOLOGIES FOR ABSENCE

There were no apologies for absence.

55 DECLARATIONS OF INTEREST

There were none.

56 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

The Chair informed the meeting that agenda item 11 'Government invitation to Somerset to submit locally led proposals for unitary local government' would be considered under Constitution 'Part 4 B (Access to Information Procedure Rules) - Urgency Rule 15.

57 QUESTIONS FROM PUBLIC AND COUNCILLORS

There were 12 questions from Councillors.

[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.]

58 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

David Redgewell in a statement [*a copy of which is attached to the Minutes as Appendix 2 and on the Council's website*] addressed the issues around bus travel around West of England Combined Authority during COVID19 pandemic.

59 MINUTES OF PREVIOUS CABINET MEETING

RESOLVED that the minutes of the meeting held on Thursday 8th October 2020 be confirmed as a correct record and signed by the Chair.

60 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

There were none.

61 MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

There were none.

62 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

The Cabinet agreed to note the report.

63 RULE 15 GOVERNMENT INVITATION TO SOMERSET TO SUBMIT LOCALLY LED PROPOSALS FOR UNITARY LOCAL GOVERNMENT

Councillor Dine Romero introduced this report by saying that she has received a letter from the Secretary of State for housing Communities and Local Government on the 9th October, asking if the Council would want to submit a locally led proposal for unitary local government with all of, or part of Somerset. In May 2018 Somerset County Council announced its intention to explore a model of government which might deliver better services in Somerset. Earlier discussions included the districts within Somerset County Council's borders, as well as with North Somerset, and Bath and North East Somerset. The administration of the Council had commissioned advice in 2018, so that it could objectively take part in those early discussions. That advice concluded that there were significant risks to the Council's ability to deliver its strategic priorities, noting that the proposed financial impact, along with the ability of Bath the North East Somerset, to be able to develop policies and interventions

specific to its socio-economic environment were likely to be hampered. Also, any benefits were deemed to be insignificant compared to the scale of risk arising from the proposal.

Councillor Romero continued by saying that she did not believe that situation had changed. The Council did not formally take part in discussions, nor was the Council involved in the business plans drawn up and submitted by Somerset County Council, nor those submitted by the four District Councils within Somerset County Council. Councillor Romero didn't believe that at this time the Council would have anything to gain by submitting a late extra option for government to consider. The Council did have a question of North Somerset's request to join WECA that would need to be fully addressed. This would have some obvious benefits as it would consolidate the economic area as this was a region that the Council has already worked within. Councillor Romero added that in her view this request would need to be resolved more urgently than creating a new unitary with untried partners. The Council would need to continue to act as a separate local unitary authority, and continue to cooperate with all public sector partners, including neighbouring Councils, to offer the best services to local residents and visitors.

Councillor Dine Romero moved the recommendations.

Councillor Richard Samuel seconded the motion by saying that the history of County based reorganisations around the country has not been a happy one over the years. The cost of these reorganisations has been higher than hoped at the point proposals were put forward and agreed by the government. These reorganisations consume an enormous amount of time in the public sector, not just for the Councils involved but also for partners who work with the Councils, and at this particular point in time, when all Councils were trying to work with colleagues in the National Health Service to help tackle the COVID19 pandemic, this was a costly and entirely unnecessary distraction. Councillor Samuel agreed with the Leader that the Council should build on previous partnerships.

Councillor Samuel concluded by saying that this proposal did not seem to be a great deal for BANES residents. Nevertheless, the Council have taken this proposal seriously, and in reaching the recommendations have considered carefully the possibilities.

Councillor David Wood agreed with the comments made by the Leader and Councillor Samuel and added that the Council had to consider what was the best for its residents. Councillor Wood felt that entering into unitary local government with Somerset would be a poor outcome for the residents of BANES, and for those reasons he would be voting for the recommendation of the Leader.

RESOLVED (unanimously) that the Cabinet agreed to:

- 1) Consider this report and recommend to Council that it does not submit a proposal for local government reorganisation in Somerset, and
- 2) Indicate its intention to continue to act as a separate local unitary authority council (Bath & North East Somerset Council) but continue to co-operate with all public sector partners (including neighbouring councils) to offer the best services it can to its local residents and visitors.

64 AMENDMENT TO POLICY ON HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING STANDARDS FOR DRIVERS, VEHICLES AND OPERATORS

Councillor Paul Crossley introduced this report by saying that this was about aligning Taxi policy with Clean Air Zone (CAZ) policy. The Council has received £9.4m from the Government to help taxis, coaches, buses and all commercial vehicles meet the requirements for clean air standards. The report outlined the ways the funding would be used and so far there were 600 expressions of interest. All of BANES taxi operators have been contacted by the Council to alert them to this offer. Also, Councillor Crossley hoped that all of the local business and traders would take on this offer. Anyone that applied would be fitted with a telematic device in order to check if they were eligible in meeting terms and conditions of the government grant.

Councillor Paul Crossley moved the recommendations.

Councillor Sarah Warren seconded the motion by saying that she was pleased that the policy requires vehicles to have nitrogen dioxide emissions compliant with CAZ, barring some exemptions, as set out in the report. Everyone can check the compliance of their vehicles with the DVLA vehicle checker, which can be accessed by the Council's CAZ web page, and they can then contact the Council's CAZ team to establish whether they might be eligible for grants or loans. Councillor Warren also said that the CAZ was an important public health measure that would improve air quality in the city and that she hoped that all taxi drivers would look into upgrading their vehicles.

RESOLVED (unanimously) that the Cabinet agreed to:

- 1) Adopt the proposed amendment to the Policy which provides that all vehicles licensed by the Council must be (as a minimum) compliant with the terms of the Clean Air Zone and meet with its emission standards, unless they are eligible for exemptions as detailed in the CAZ scheme.
- 2) Note that drivers using vehicles eligible for exemptions under and in accordance with the CAZ scheme will be exempted from enforcement action under the Policy

65 YOUTH JUSTICE PLAN 2020-21

Councillor Kevin Guy introduced this report by saying that the Council had a statutory duty to, in consultation with a police probation and health services (as named in the Crime & Disorder Act 1998), publish annual Justice Plan setting out agreed actions to help prevent offending, and reoffending as a lead partner in the multi-agency arrangement. Due to the pandemic the Youth Justice Board of England and Wales advised that there was no requirement to submit a plan to them this year, and therefore no national framework has been completed. However, the Youth Offending Service Management Board has agreed to prepare shorter pack. Councillor Guy added that the rate of children coming into the justice system for the first time continued to reduce in B&NES and the rate of custodial sentencing remains low in the area. There were still some concerns about the rates of reoffending by a minority of children, which was addressed through the continuation of involvement in a wider multi agency work to address criminal exploitation of young people. This was currently being explored through active involvement in the local criminal justice board.

Councillor Guy concluded by saying that the cross-party Children and Young People's PDS Panel endorsed the Plan at their meeting on the 3rd November 2020.

Councillor Kevin Guy moved the recommendations.

Councillor Rob Appleyard seconded the motion by thanking Councillor Guy and the relevant officers for bringing this Plan even though that it wasn't a requirement for this year and continue to keep the focus on the work they were doing. Councillor Appleyard highlighted one of the figures in the Plan which was about reduction of first-time offenders; since 2015 the number of first-time youth offenders has been reduced by around 75%.

RESOLVED (unanimously) that the Cabinet agreed to recommend approval of the Youth Justice Plan to Full Council.

66 REVENUE AND CAPITAL BUDGET MONITORING, CASH LIMITS AND VIREMENTS – APRIL 2020 TO SEPTEMBER 2020

Councillor Richard Samuel introduced the report by thanking the officers on the comprehensive document. The government's announcements between June and September have led to expected improvements in the Council's financial position due to grants that the government had provided. However, the government grants have not covered 100% of Council's extra costs, losses and income. The Council had endured substantial income losses from Heritage Services, parking and commercial estate income, and these losses were substantial and serious and that had to be dealt with. In addition to that, there were other pressures caused by COVID19 pandemic such as these on SEND within Children's Services in an amount of £3.2m this year. That money would not be drawn from the Council's Revenue Budget but from the school's grants. Some of the original savings would not be delivered because of COVID19.

The capital programme has slipped from £113.7m to £93.7m, which was an expected outcome.

Councillor Samuel highlighted pressures on Council Tax and business rates collections funds due to individuals and businesses inability to pay in the way they used to. Some of those losses would be covered by past surpluses in the collection funds and some would be covered elsewhere. In terms of the reserves, the Council may not have to withdraw from reserves as was the suggested in the last monitoring report.

Councillor Samuel took the meeting through the rest of the report, as presented, and added that it was encouraging to see that the strong action that the Council took to stabilise its finances, along with financial assistance from the government, have led to an improved financial position.

Councillor Richard Samuel moved the recommendations.

Councillor Dine Romero seconded the motion by thanking the officers and Councillor Samuel on the comprehensive report and on the work that had been done to ensure that the revenue was forecasted to be on budget, and on the position of capital, cash limits and reserves.

Councillor Paul Crossley welcomed the report and also thanked the officers for the amazing work they have done in responding to the crisis. Councillor Crossley highlighted a few initiatives within his portfolio such as engagement of people with library services which were predominantly web based. Councillor Crossley also

thanked the Heritage Services staff for responding well to challenges during COVID 19 pandemic and to all other services and teams within his portfolio.

Councillor Tim Ball also welcomed the report and thanked all Council staff for responding well during this crisis whilst working in very difficult and stressful circumstances.

Councillor Richard Samuel added that the Council would need to continue to keep sharp focus on its finances, and not become complacent over the next six months.

RESOLVED (unanimously) that the Cabinet agreed:

- 1) To note the 2020/21 revenue budget position (as at the end of September 2020).
- 2) To approve the revenue virement listed for approval in Appendix 3(i) and to note those virements listed for information only.
- 3) To note the capital year-end forecast detailed in paragraph 3.36 of this 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).

67 TREASURY MANAGEMENT MONITORING REPORT TO 30TH SEPTEMBER 2020

Councillor Richard Samuel introduced the report by saying that this was a standard report for the Cabinet to consider. Councillor Samuel highlighted very low returns on investment that have been received, although these were still above what was a very low benchmark. All the indicators that the Council had previously agreed and all of the indicators on Treasury performance were within the target. Councillor Samuel also added that COVID19 restrictions would continue over the next year and would have consequent financial and economic impacts until a mass vaccine is found and distributed to the wider population. The pandemic would not go away quickly which was important to consider in terms of how the Council would invest in the foreseeable future. This was something that would be reflected in the next Council's Budget.

Councillor Richard Samuel moved the recommendations.

Councillor Sarah Warren seconded the motion by saying that the Council was currently actively engaging with the Treasury advisors, with regard to disinvesting 4-8% of Council's Treasury funds that remain indirectly invested in fossil fuels, and that was inevitably a gradual process that would need to balance any financial risks that might result in order to safeguard Council funds at a time of ongoing cuts and COVID19 related losses. However, any risks associated with a greener investment portfolio would need to be weighed relative to the alternatives. Councillor Warren expressed her hope that a future Treasury report would be able to publish a timeframe for disinvestment of Treasury reserves from fossil fuels.

Councillor Samuel added that he would seriously Councillor Warren's points on disinvesting in fossil fuels, but for the moment the Council was in transitional period. Councillor Samuel also said that he was sure that over time this and most of other Councils would move away from fossil fuel investment.

RESOLVED (unanimously) that the Cabinet agreed to:

- 1) The Treasury Management Report to 30th September 2020, prepared in accordance with the CIPFA Treasury Code of Practice, is noted.
- 2) The Treasury Management Indicators to 30th September 2020 are noted.
- 3) This Treasury Management Report and attached appendices are reported to November Council and December Corporate Audit Committee.

The meeting ended at 7.40 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services