

## **BATH AND NORTH EAST SOMERSET**

### **MINUTES OF CORPORATE POLICY DEVELOPMENT AND SCRUTINY PANEL MEETING**

Tuesday, 11th July, 2023

Present:- **Councillors** Robin Moss, Lucy Hodge, Ian Halsall, Hal MacFie, Onkar Saini, Toby Simon, Malcolm Treby and Colin Blackburn

Apologies for absence: Councillors: Oli Henman

#### **1 WELCOME AND INTRODUCTIONS**

The Chair welcomed everyone to the meeting.

#### **2 EMERGENCY EVACUATION PROCEDURE**

The Chair drew attention to the emergency evacuation procedure.

#### **3 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Councillor Oli Henman sent his apologies.

#### **4 DECLARATIONS OF INTEREST**

There were none.

#### **5 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN**

There was none.

#### **6 MINUTES**

The Panel confirmed the minutes of the previous meetings (13<sup>th</sup> March 2023 3<sup>rd</sup> April 2023) as a true record and they were duly signed by the Chair.

#### **7 ITEMS FROM THE PUBLIC OR COUNCILLORS - TO RECEIVE STATEMENTS, PETITIONS OR QUESTIONS RELATING TO THE BUSINESS OF THIS MEETING**

Councillor Eleanor Jackson made a statement in support of the Call in of E3453 - Entry Hill Depot Site (*a copy of this statement is attached to these minutes*).

Councillor Shaun Hughes made a statement in support of the Call in of E3453 - Entry Hill Depot Site (*a copy of this statement is attached to these minutes*).

#### **8 CALL IN - E3453 ENTRY HILL DEPOT SITE**

The Chair invited Councillor Councillors Heijltjes (Call in Lead Councillor Councillor) and Councillor Roper (Cabinet Member for Economic and Cultural Sustainable Development) to address the Panel.

Councillor Heijltjes (Call in Lead Councillor – as substitute for Councillor Wright)

Councillor Heijltjes made a statement explaining the reasons for the call in (*a copy is attached to these minutes*)

Panel members asked the following questions and raised the following points:

Councillor Blackburn referred to the environmental impact assessment which is requested as part of the Call in. He asked how long this would take and what the cost would be. Councillor Jackson commented that this could take up to a year as species have to be observed, she further explained that a snapshot could be taken which meant that it would not take as long as a year. She was not sure on the costs.

Councillor Hodge asked what the constraints were on the site considering the ash. Councillor Heijltjes stated that she was not an expert but as the company plans include some building on the site, other building work would be possible. Councillor Jackson stated that contamination is not a deterrent as long as the proper scientific tests are carried out.

Councillor Halsall stated that the site is allocated for employment in the Local Plan and asked if Councillor Hughes was suggesting that the Council should wait for the Local Plan review. Councillor Hughes stated that he felt that the Council needed to decide on the best use of the site for the Council and community regardless of the timescales. He stated that housing should not be dismissed especially considering the lack of affordable housing in the area. He stated that he struggled to see why the 'red book' valuation was taken. He stated that the site is described as rare and desirable which implies it has a worth and we should get the best price.

Councillor Blackburn asked how residential use versus industrial use compare regarding biodiversity net gain. Councillor Heijltjes stated that she understood that this was not impossible with residential use.

Councillor Roper – Cabinet Member for Economic and Cultural Sustainable Development

Councillor Roper made a statement regarding the decision made by former Councillor Richard Samuel (*a copy is attached to these minutes*).

Panel members asked the following questions and raised the following points:

Councillor Simon stated that the red book valuation for residential use was substantially higher than for industrial use. If asked if this took account of remedial costs. The Cabinet Member stated that the residential valuation excludes any remedial works.

Councillor Simon asked how long the overage liability be would retained. The Cabinet Member stated that draft heads of terms had been agreed and any overage would be in perpetuity.

Councillor Blackburn asked why the site had been empty for so long and not considered in the Local Plan for social housing. The Cabinet Member stated that a feasibility report was carried out in 2017 and ADL rejected the opportunity to bring the site forward for development.

Councillor Blackburn stated that he was concerned about the use of ADL and asked if this was in the best interests of the Council or would it be better to get another valuation. The Cabinet Member stated that ADL is not the focus of this discussion.

Councillor Hodge asked if ADL's analysis provided a breakdown of the valuation. The Cabinet Member stated that there were no specific figures on the issue of fuel ash.

Councillor Hodge referred to the report stating the Cross England may locate outside BANES, she asked if there was any evidence for the this. The Cabinet Member stated that it is impossible to enquire if a business is serious about relocating or not.

Councillor Halsall stated that if the land is leased for 3 years, there would be a planning application in that time and should the Council decide not to carry on with the lease after 3 years and the Local Plan was amended regarding housing – would the Council benefit? He also asked that, if there was an immediate sale and use of the land changed – would the Council benefit from that. The Cabinet Member explained that the lease term was discussed initially with the lessee having the right to buy after 3 years.

Councillor MacFie asked why the land was not just put up for sale to gauge the value. The Cabinet Member explained that there had been an unsolicited approach from Cross.

Councillor Treby asked if Cross could sell the land in a few years. The Cabinet Member explained that Cross want to use the land for external storage initially and the company do not build houses, they are also taking a risk on buying the land as they do not have planning permission. If they did apply for housing, they would face a number of hurdles including the 5 metres of fuel ash and it being an industrial site. The overage provision would claw back money for the Council in any case.

- In his closing statement, Councillor Roper stated that Cross is a third-generation family business of world class precision engineering and are worthy of support. They will be buying at red book value and the risk is theirs.
- In her closing statement, Councillor Heijltjes stated that the Council has declared a Climate and Ecological Emergency. Tackling this is part of their core policy along with letting people have their say. The decision to sell this land without an ecological impact assessment and without consultation is failing the local residents.

### Panel debate

Councillor Simon stated that the Cabinet Member had put forward a powerful case for the decision and there is a need to support local industries and high quality manufacturing. He stated that if housing was ever considered for this site there would be many risks, he noted that ADL had decided that this would not work. Councillor Simon stated that it is important that environmental questions are raised and that this would be for the planning application process to address.

Councillor Halsall stated that the Council did not market the land but had an approach from a renowned employer for a site designated for employment. There is a safeguard if the land was ever used for residential from which the Council would benefit.

Councillor Blackburn stated that it was good to hear that the Cabinet Member was supporting business but in this case it was not best value and due process was not followed. This should have been put to the market.

Councillor Moss stated that this was not clear cut. He heard the points regarding the ecological impacts. He asked why the site was not marketed in the past and stated that the circumstances might be different if this was looked at earlier. Outcomes are not just about monetary value. He stated that he was glad to hear that, if there was to be a change of use in the future, the Council will benefit. There is a discussion across BANES regarding the tipping point around employment and housing sites. He stated that this represented support for a local business.

Following a motion from Councillor Simon and seconded by Councillor Halsall:

The Panel **RESOLVED** to dismiss the call-in: the decision shall then take effect immediately

(7 for, 1 against and 0 abstained)

Councillor Moss thanked all for attending and asked that the Cabinet Member take the concerns expressed at the meeting in to account.

## **9 CORPORATE STRATEGY**

The Chair invited Councillor Dave Wood, Cabinet Member for Council Priorities and Delivery, to introduce the item. Councillor Wood explained that the Corporate Strategy sets out what the administration hopes to achieve and its priorities over the next 4 years. The Chief Executive, Will Godfrey added that it is important for him to have this operational framework so he and officers can translate the political priorities into delivery over the next 4 years.

Panel members raised the following points and asked the following questions:

Councillor Hodge asked if another priority could be added regarding the cost of living to give a clear message to residents that the Council will support them. Councillor Simon agreed that the Council need to think about the impact of policies.

The Cabinet Member stated that cost of living issues are a permanent feature in the lives of many residents – inequality is generational. The officer added that ‘prevention’ is important and building on things that are already in place. He explained that the community wellbeing hub has had nearly 2,000 referrals addressing cost of living issues. He also stated that building on the success of the Welfare Support Team is important. The Panel were reassured that cost of living issues will be embedded and are addressed in the priorities such as ‘prevention’ which is crucial in tackling inequality.

Councillor Saini asked what the mechanisms for people to ‘have their say’. The Cabinet Member explained that there are area forums, consultations, parish liaison meetings and other mechanisms for people to engage. He added that we can also engage with the public in new ways and with different community groups and geographical groups which can give people their say on the priorities in their area.

Councillor Saini asked what strategies are in place regarding the delivery of services. The Cabinet Member explained that there are 3-year service and delivery plans that are monitored by a range of methods.

Councillor MacFie stated that big strides had been made in listening but not all forums are well attended. He suggested that we could do something different and more popular such as events where people can vote/interact. After listening, the concerns must be addressed. The Cabinet Member agreed that the interactive approach was a good form of public engagement.

Councillor Treby asked how the priority of ‘good jobs’ will be met. The officer pointed to the economic strategy with regard to the emphasis on good jobs with high skills.

Councillor Hodge commended the officers on the Corporate Strategy. She asked about pages 7-8 (bracketed information on social and economic foundation) and what this adds as a public facing document. The officer explained that this set out the framework (purpose, values, policy, principles) so that our staff understand the purpose. It was suggested that the Panel may wish to look at delivery programmes and mechanisms in their ongoing workplan. It was further explained that Section 5 sets out why those words are used and also explained the ‘decision wheel’ which can be used to test if decisions fit the strategy.

Councillor Moss stated that the Corporate Strategy is looking internally at what the Council can do but we must also be mindful of the effect of external events such as Covid, the cost-of-living crisis etc. External horizon scanning is important. Also there will potentially be a new government during this administration which we will work alongside. The Cabinet Member agreed with the point on unforeseen events, he stated that the Council had responded to Covid, industrial action, economic shock and inflation. He explained that the Councillor and officer team is adaptable. The Chief Executive added that Covid had been a big test and this Council dealt with it better than many others. He explained that the Corporate Strategy sets the framework for activity, and it is very important to get this agreed at an early stage to align resources to delivery.

Councillor Moss raised the issue of inflation and its effect, he asked what inflation model we use. The Chief Finance officer agreed that inflation had not gone down and levers in the budget needed to be adjusted. He explained that there had been accurate modelling in the last budgets. He added that different scenarios (red/green) are modelled.

The Chair thanked that Cabinet Member and officers and explained that the Panel's comments would be fed into the Cabinet consideration of the Corporate Strategy at it's meeting on 13<sup>th</sup> July 2023.

## **10 CABINET MEMBER UPDATE**

Councillor Elliott, Cabinet Member for Resources, gave the following update:

- There are a number of finance management reports on the agenda for the meeting of the Cabinet on 13<sup>th</sup> July 2023
- He commended that work of his predecessors and officers in managing the budget with a larger than expected pay settlement along with pressure from Children's Services.
- The Christmas Market was very successful.
- The Roman Baths remain busy which is encouraging
- First Quarter – there are challenges regarding Children's Services and significant financial pressures across the board.

The Chair thanked the Cabinet Member.

## **11 PANEL WORKPLAN**

Panel members noted the future workplan and suggestions for future items:

- Council Tax Reduction Scheme (Councillor Simon) – task and finish group to report back to 19<sup>th</sup> September 2023 meeting of the Panel.
- Planning Enforcement backlog (Councillor MacFie)
- Property Services – how it is working/how assets are dealt with. Possible supplementary briefing.
- Highways - benchmarking, cost of infrastructure compared to other authorities

Councillor Simon asked for a list of actions and follow up for each meeting.

The meeting ended at 6.03 pm

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**