

# BATH AND NORTH EAST SOMERSET

## CABINET

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

Thursday, 6th June, 2024

### Present:

Councillor Kevin Guy	Leader of the Council, LD Group Leader, Member Advocate for Armed Forces and Veterans
Councillor Tim Ball	Cabinet Member for Neighbourhood Services
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, Housing 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

### 1 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting.

### 2 EMERGENCY EVACUATION PROCEDURE

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

### 3 APOLOGIES FOR ABSENCE

There were no apologies for absence.

### 4 DECLARATIONS OF INTEREST

Cllr Matt McCabe declared a Non-Registerable Interest in item number 12 on the agenda – Culverhay – Education Provision Supporting the Safety Valve. Cllr McCabe explained that he lives next door to the site and confirmed that he would leave the meeting while the item was discussed and would not speak or vote.

Cllr Dave Wood declared a (personal) Non-Registerable Interest in item number 12 on the agenda – Culverhay – Education Provision Supporting the Safety Valve. Cllr Wood confirmed that he would leave the meeting while the item was discussed and would not speak or vote.

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

There was no urgent business.

The Chair stated that as it was the 80<sup>th</sup> anniversary of the D-Day invasion our thoughts go out to the brave individuals who took part in that operation. This was a pivotal point in our history and allows us to have the democracy and privileges we have today. We should not take these privileges for granted. He thanked all those who took part in D-Day.

## **6 QUESTIONS FROM PUBLIC AND COUNCILLORS**

There were 13 questions from Councillors and 21 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.]*

## **7 STATEMENTS OR PETITIONS FROM PUBLIC OR COUNCILLORS**

Members of the public and Councillors made statements as follows:

- Steve Osgood (Friends of the Recreation Ground Association) – Bath Recreation Ground Lease
- David Redgewell – Public Transport Network Issues
- Cllr Jess David – Bus Services – No. 8 bus and lack of a Sunday service
- Lucy Bradley (Bath Student Parliament) – Knife Crime Proposal
- Cllr Joel Hirst – Culverhay Site
- Cllr Sarah Moore – Culverhay Site

*(copies of the above statements are attached as appendices to these minutes).*

## **8 MINUTES OF PREVIOUS CABINET MEETING - 7TH MARCH 2024**

**RESOLVED** that the minutes of the meeting held on Thursday 7<sup>th</sup> March 2024 be confirmed as a correct record and signed by the Chair.

## **9 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET**

No single member items were requisitioned to Cabinet.

## **10 MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES**

No matters were referred by Policy Development and Scrutiny Panels.

## **11 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING**

The Cabinet agreed to note the report.

## **12 CULVERHAY - EDUCATION PROVISION SUPPORTING THE SAFETY VALVE**

*(Note: At this point Cllrs McCabe and Wood left the meeting having declared interests in this item).*

Cllr Paul May, Cabinet Member for Children's Services, introduced the report, moved the updated officer recommendation, and made the following statement:

"This proposal represents the most exciting opportunity for this council to secure delivery of two new schools for our community in Bath and to revitalise a site that has long been reserved for educational use.

We recently announced agreements with the Department for Education to fund a new school for children with special educational needs and disabilities and a new Alternative Provision school.

We now need to confirm that B&NES will make land available as soon as possible, and that is the main purpose of tonight's decision.

As you know, the former Bath Community Academy at Culverhay has been closed for many years, following an earlier DFE decision. Since then, there has been a question mark over the future of the site, with various interim uses and potential pressure for the site to be reallocated – especially given the condition of the existing buildings on the site for conversion.

Our view has always been that this site must be used for education. Local members and I have worked tirelessly to preserve that education function. So, I am pleased – and relieved – that tonight's report asks us to confirm in principle that the council will make the Culverhay site in part available as the location for these two new schools.

There are many advantages in co-locating the two schools on one site, including the possibility of some joint facilities and leisure facilities for shared use for the public out of school hours. This has always been an important factor for the local community, and I am glad that this door is being kept open.

I think it is clear to all colleagues that there is a great need across the country for better provision for children with special educational needs and disabilities and we are investing in other schemes across B&NES to meet those needs.

We are fortunate that we already have three excellent special schools in our area. However, we still need this extra capacity because demand has increased substantially in recent years. Some local children have had to be placed at expensive, specialist schools outside our immediate area.

The new school will provide 120 places to help fill that gap and I am pleased the established Three Ways Academy Trust has been contracted to work with us, through the DFE commissioning process.

As Cabinet Member for Children, I work closely with the Parent Carers' Forum. It is clear that children, parents and families all feel the stress when a young person needs an Education, Health and Care plan (EHCP) and particularly so when it means travelling further to school.

Anything we can do to reduce that pressure for vulnerable young people having to leave our area has to be better for everyone. In addition, travelling often requires taxis and carers to accompany a child to those expensive out of area providers. Local provision will give a better outcome all round.

The 55-place Alternative Provision school will be contracted with the Midsomer Norton Schools Partnership, which is another very successful, local, Multi-Academy Trust, and will be called Sulis Academy.

Alternative Provision aims to support vulnerable children and young people who have been excluded, or are at risk of exclusion, from mainstream schools. Alongside early intervention, the academy will provide high quality and full-time education and vocational opportunities. The aim is to support children and young people to rejoin mainstream education or towards employment.

Again, this is a brilliant opportunity to make sure our children and young people get the best education and start in life that they can.

I am sure my colleagues will comment further on the cost of preparing the site and the long-term financial advantages of this decision. A future risk assessment will be carried out to decide whether B&NES or the DFE will lead on the design and contracts for the build.

The overall site allocation issues need to be worked through in detail after this decision is progressed, which is why we recommend keeping options open as things develop over a long period of time, with regard to any "surplus" land. One option may be a small amount of housing to help fund extra facilities and standards. At this stage we need to be open and accountable regarding value for money for any subsequent proposals.

The Council will be responsible for handing over a cleared site to the DFE, ready for that development, so we must also consider the costs of carrying out that work and the impact on current users.

In summary, I would like to emphasise that this is a really significant, positive, investment for local young people, which will secure the Culverhay site for educational use and bring benefits to the local communities. This decision reflects years of hard work by officers and colleagues on behalf of some of the most vulnerable children in our area. I would like to take this opportunity to pay tribute to the Director of Education and his team for their diligence and persistence in working with the DFE to reach this point."

Cllr Paul Roper seconded the motion and made the following statement:

"I am Cabinet Member with responsibility for the Corporate Estate. The Corporate Estate holds the assets owned by the authority that are mostly non-commercial

assets which generate little or no income and usually come with associated costs such as insurance, heating, lighting and security.

Culverhay is a typical corporate estate asset. The partially occupied Culverhay site has been a significant drain on the finances since 2008 with a net cost to the authority of over half a million pounds over the past three years.

Local Liberal Democrat members and this administration have fought very hard to maintain the site for educational use. This has come at a cost, but the DFE funding that we have secured for two new schools is a major victory and will ensure the site is used for education for many decades to come.

By adopting this paper, officers will be able to move ahead with having the site cleared ready for the construction phase – this is a DFE requirement before they begin. Unfortunately, the existing buildings are not suitable for repurposing into two separate schools and would not meet current required energy standards. However, clearing the site will reduce the current operating costs to next to zero. This will be a significant saving to the authority in a time of need and is further good news.

It is of interest to note that the cost of clearing the site for redevelopment must be borne by this Authority and is not funded by the DFE. This money has to be found from the Council's own budgets.

Whilst we cannot yet determine all the details in what will be a complex and lengthy project, it is hoped and indeed expected that the two schools can be created and still leave some land that could be released to generate income or capital receipts that will enable us to fund the clearance works and possibly support wider community uses on the site. I must stress the land I refer to not the playing fields. These will be maintained.

We have heard from Councillors Hirst and Moore this evening about wider aspirations for the site which are shared by many in the community and amongst our members. I can assure cabinet we will work hard to try and deliver as comprehensive community use for the site as possible. Funding has been secured for a hydrotherapy pool and sports hall for the site and it will be our objective to enhance these over and above the basic funding from the DFE and ensure these assets are made available for community use. The mechanisms, business case and funding by which we achieve this have yet to be determined but it is something we will all strive for.

There is still much work to do to deliver these two new schools and this paper represents the first steps on our exciting journey for this much-loved site. This is however fantastic news, and I would also like to thank officers for all their efforts in securing this funding from the DFE.”

Cllr Mark Elliott stated that he was strongly in favour of the proposal. He explained that the Council has a legal and moral duty to provide sufficient school places for pupils in the area with Special Educational Needs and Disabilities. He also pointed out that it is better for pupils to have provision within their own area rather than being allocated places outside of the area. This will reduce the distance of journeys giving pupils more time with their families. It will also reduce the transport costs for these pupils and home to school transport costs have played a significant part in the huge pressure on the Council's budgets over the last few years. It will also reduce

reliance on out-of-area school placements, bringing a significant reduction in costs year on year. The cumulative net saving over the next seven or eight years should be well over £5m.

Cllr Tim Ball stressed the importance of this facility for local pupils and hoped that it would be up and running as soon as possible.

**RESOLVED** (unanimously):

(1) To approve in principle the deployment of the Culverhay site for continued educational use to provide:

(a) SEND Free Special School contracted with Three Ways Academy Trust

(b) Alternative Provision School contracted with Midsomer Norton Schools Partnership Trust

(2) To approve in principle the release of surplus land for non-educational use to achieve best value for the Council.

(3) To progress early clearance, demolition and site preparation to ready the site for school delivery.

(4) To approve £200K for a Culverhay Re-provision for Project Feasibility Team from Schools Improvement Basic Needs Grant.

(5) To delegate:

(a) The decision on preferred delivery option to officers in consultation with portfolio holders and the Cabinet Member for Resources.

(b) The decision on commitments to fund abnormal costs and additional requirements from Council Basic Need and SEND grant funding to the Director of Education in consultation with the Section 151 Officer.

*(Note: At this point Cllrs McCabe and Wood returned to the meeting).*

## **13 ADULT SOCIAL CARE TRANSFER EVALUATION REPORT**

Cllr Alison Born, Cabinet Member for Adult Services, introduced the report, moved the officer recommendation and made the following statement:

“This paper evaluates the recently completed process of bringing our adult social care services back in house. We took the decision to do this because we believe that B&NES Council is best placed to provide the social work provision that our residents need. We were cautioned against bringing the services back in house as the move was perceived to be risky and potentially costly, but we felt that the benefits outweighed those risks. We wanted to regain control of these essential, statutory services and to ensure that they could never again be transferred to a new provider without our knowledge.

Had we not done this, the alternative proposition was to continue to contract services out to other providers which has been the model in recent years. During that time,

staff working in our local adult social care services have been transferred from B&NES Council to Sirona, from Sirona to Virgin Care, from Virgin Care to HCRG Care Group and most recently from HCRG Care Group back to B&NES Council.

They have not welcomed this regular change of employer, their perceived lack of influence over decisions and processes, the accompanying alterations to their working practices, changes to their terms and conditions and the inherent disruption to services and loss of productivity that tends to result from such changes. All the staff I have spoken to since the transfer have said how well the process was handled and how pleased they are to be working for Bath and North East Somerset council.

Council officers worked incredibly hard to make this happen. They learnt from the experience of previous transfers to ensure that staff were kept informed, had opportunities to influence proceedings and were moved across with minimal disruption to service provision. They also ensured that the inevitable costs of such a transfer (a cost of contracting out that tends to get little attention) were minimised and were far less than initial estimates and the budget identified for the work.

I would like to formally thank officers in the adult social care team, particularly the Director of Adult Social Care and the programme manager for her skilful leadership of the transfer. Also, staff working in a range of corporate services such as IT, estates, HR, and payroll who ensured that services were not disrupted, that staff were made to feel welcome, could access the tools they needed to do their jobs properly from day one and were paid on time. I would also like to thank the HCRG care group who worked constructively with us throughout the transfer process.

The decision to bring these services back to the council demonstrates our commitment to the staff who provide adult social care services and underpins our belief that this model of provision offers more opportunities for collaborative work and innovation to deliver high quality, best value services that meet our residents social care needs as set out in the Care Act of 2014.

The execution of the decision also demonstrates that despite all the cuts to council funding and the prevailing wisdom that the private sector is best placed to provide social care; this administration has demonstrated that it has the political vision to challenge that view in the interests of our staff and residents and that the council has the expertise to implement the necessary change processes for a successful transfer. This is a significant achievement for this administration which should be celebrated.”

Cllr Matt McCabe seconded the motion. He stated that members had been willing to accept a certain amount of risk when deciding to bring the services back in-house, because it was the right thing to do. Officers have worked extremely hard to achieve the required outcomes and to minimise disruption to service users. He congratulated all those who had been involved in the process which has been a huge success.

Cllr Paul May stated that he fully supported the motion and stated that the work undertaken was a credit to all those involved. An in-house service can ensure that adults and children’s services work together, and it is a positive change. He stated that the transition had gone very well and had not adversely affected service users, staff or local communities.

**RESOLVED** (unanimously):

To note the evaluation of the Adult Social Care transfer of services to B&NES Council on 1<sup>st</sup> April 2024 and lessons learnt.

#### **14 UPDATE ON PROGRESS ON DELIVERING THE CORPORATE STRATEGY 2023-27 AND ANNUAL PERFORMANCE REPORT 2023-24**

Cllr Dave Wood introduced the report, moved the officer recommendation and made the following statement:

“It's hard to know where to start given the sheer quantity of achievements delivered by our hard-working officers over the last year.

Amongst our achievements are:

- Opening of the new Pixash Waste recycling facility in Keynsham.
- Being shortlisted by the Local Government Chronical Awards as most Improved Council.
- Bringing social care back in house with no services disruption.
- Agreeing an ambitious new Economic Strategy prioritising green growth, good jobs and affordable housing.
- 15km roads resurfaced and 7,000 potholes filled.
- Support for hundreds of refugees.
- Progressing regeneration in Keynsham, Midsomer Norton and Radstock.
- Renewables are up, emissions per house are down, air quality improved, tree planting is up.

This is a testament to the hard work of officers, councillors, and the vision of the Liberal Democrat administration.”

Cllr Manda Rigby seconded the motion. She highlighted the achievements of the Highways Team who have received national and regional recognition. The Bath park and ride schemes were ranked second best in the country for customer satisfaction. The Council's Highway Maintenance was ranked best in the South West in a national independent survey which analysed results from 111 authorities across England. She went on to give further examples of the team's achievements including high numbers of pothole repairs, resurfacing work, drainage improvements and upgrades to Pay and Display machines.

Cllr Sarah Warren highlighted the improvements that have been made in relation to the area's climate and ecological performance indicators. There has been a reduction in overall carbon emissions for the district and increased renewables capacity. Cllr Warren congratulated the air quality and Clean Air Zone teams for the reduction we are seeing in air quality measurement sites breaching the new local target. There is a steadily improving picture in terms of air quality, both in the city and outside.

Cllr Warren thanked the Strategic Transport and Highways Teams who work alongside the West of England Combined Authority to roll out innovations such as the liveable neighbourhood schemes and e-scooter trial. There remains a long way to go to achieve net zero and it is important to continue and to redouble our efforts across all areas of work.



Cllr Matt McCabe thanked the award-winning Planning Team, the Housing Team and the Community Equipment Team for their hard work.

Cllr Paul May pointed out the huge growth in the number of Education Health and Care Plans (EHCPs) due to increased demand.

Cllr Alison Born thanked the Adult Social Care Team for their partnership working enable people to return home from hospital as quickly as possible to reduce pressure on hospital beds.

Cllr Mark Elliott highlighted the work of the Corporate Services staff, for example, those working in IT and Finance, and commended their work to provide these services for the Council.

Cllr Kevin Guy stated that performance improvements are made easier by the excellent staff and Cabinet Members in B&NES Council and thanked everyone for their hard work.

**RESOLVED** (unanimously):

To note the progress in delivering the Corporate Strategy and the highlights of Council performance and activity during 2023-24.

The meeting ended at 7.33 pm

Chair \_\_\_\_\_

Date Confirmed and Signed \_\_\_\_\_

**Prepared by Democratic Services**