

# **BATH AND NORTH EAST SOMERSET**

## **CABINET**

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

Thursday, 12th September, 2024

### **Present:**

Councillor Kevin Guy (Ch)	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

### **33 WELCOME AND INTRODUCTIONS**

The Chair welcomed everyone to the meeting.

### **34 EMERGENCY EVACUATION PROCEDURE**

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

### **35 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **36 DECLARATIONS OF INTEREST**

Cllr Dave Wood declared a personal interest in item 12 – Annual Climate and Nature Progress Report – as CEO of Avon Needs Trees and Director of Avon Needs Trees Trading Ltd.

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

There was no urgent business.

## **38 QUESTIONS FROM PUBLIC AND COUNCILLORS**

There were 22 questions from Councillors and 19 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.]*

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

Members of the public and Councillors made statements as follows:

- Cllr Susan Charles (Corston Parish Council) – Accessible Planning
- Gill Sinclair – Speed Limits in Peasedown St John – Ms Sinclair also presented a petition containing 49 signatures regarding the problem of speeding traffic in Ashgrove, Peasedown St John.
- Barney Frith (Off the Record Youth Forum Representative) – Current Priorities of the B&NES Youth Forum and their hopes to work more closely with local politicians on their priority areas
- Kate Morton (on behalf of Becky Brooks Director of 3SG) – Re-procurement of Community Contracts
- Steve Osgood – Unique use restrictions applying to the Bath Recreation Ground
- Joe Laishly (on behalf of Samantha Walker) – Raising the UN Flag
- Lara Amro – Proposal for a Palestinian Resettlement Scheme
- Jane Samson – Listening to different communities within B&NES
- Lin Patterson – Rights for Nature

*(Copies of the statements are attached as an appendix to these minutes).*

## **40 MINUTES OF PREVIOUS CABINET MEETING - 11TH JULY 2024**

**RESOLVED** that the minutes of the meeting held on Thursday 11<sup>th</sup> July 2024 be confirmed as a correct record and signed by the Chair.

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

No single member items were requisitioned to Cabinet.

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

No matters were referred by Policy Development and Scrutiny Panels.

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

The Cabinet agreed to note the report.

## 44 ANNUAL CLIMATE AND NATURE PROGRESS REPORT

Cllr Sarah Warren, Cabinet Member for Climate Emergency and Sustainable Travel, introduced the report, moved the officer recommendation, and made the following points:

- This is the first combined annual report on B&NES' progress in tackling the climate and ecological emergencies.
- This has been the warmest northern hemisphere on record. Global atmospheric carbon dioxide concentrations stood at 425 ppm in July, up from 421 a year previously, when the safe level for human civilisation is calculated by scientists at 350.
- It is pleasing to report that B&NES continues to be seen as a local government leader in this field, ranking seventh of all local authorities according to Climate Scorecards UK, and being awarded our first B score by the Carbon Disclosure Project. We were also one of just 24 local councils to have implemented, a year ahead of government mandating, a biodiversity net gain policy which ensures that biodiversity will be in a better state following a building project than before. We have made solid progress in carbon emissions reduction.
- Last financial year, we opened the Keynsham Recycling Hub with a 783kWp solar array, rainwater harvesting and more than 200 trees; and installed air source heat pumps in our care homes Cleeve Court and Coombe Lea, to utilise the solar panels previously put in, with further projects for decarbonisation of our estate in the pipeline.
- A new council-led development at Englishcombe Lane will deliver new homes for people with autism or learning difficulties and will create a nature-rich setting and aims to achieve the Building with Nature accreditation and deliver 20% biodiversity net gain; whilst council-owned Charlcombe Meadow is being converted to a Community Nature Reserve thanks to developer funding from our new biodiversity net gain planning policy.
- We have made three trial through-traffic restrictions permanent, with trials of another five either live or planned; and are working closely with our Transport Authority the West of England Combined Authority on planned improvements to infrastructure for walking, wheeling and cycling.
- In terms of our regulatory role, we are consulting on planning policy that will be still more stringent in requiring energy efficiency and biodiversity net gain for developers (having already introduced regulations in 2023 requiring zero carbon new build housing), and we hope to further ease the planning pathway for renewable energy. We have also issued compliance notices to landlords whose rental properties failed to meet minimum energy efficiency standards, resulting in improvements in the energy efficiency of 70 homes.
- This work has been challenging during these last years in local government, in the context of ever deeper cuts to budgets.
- We remain just as committed, but to achieve net zero (both here in Bath and North East Somerset as well as in other UK local authorities) will require a step change at national level, in terms of leadership, of funding, and of loosening the shackles upon local government in the key areas of transport, renewable energy, energy efficient buildings, and protection of nature.

Cllr Dave Wood seconded the motion and stated that the leadership a Council can bring on this issue is key. He noted the publication of the country's first local Nature Recovery Strategy and mapping. The community is also creating the largest new woodland development in the south west in a generation. He stated that he would like to see more leadership on sustainable food production and national flood management in the future.

Both Cabinet Members thanked the officers for their hard work in producing this report.

**RESOLVED** (unanimously):

- (1) To note the positive progress achieved over the past year across the priorities set out in the Climate Emergency Strategy and Ecological Emergency Action Plan.
- (2) To approve the Annual Climate & Nature Progress Report before presentation of the report to full Council on 19th September 2024.

*(Note: Cllr Dave Wood declared a personal interest in this item as the CEO of Avon Needs Trees and as Director of Avon Needs Trees Trading Ltd).*

#### **45 PUBLIC SPACES PROTECTION ORDER (PSPO) RENEWAL**

Cllr Tim Ball, Cabinet Member for Neighbourhood Services, introduced the report, moved his proposal, and made the following points:

- The current PSPO was put in place in 2021 and will expire on 17<sup>th</sup> September 2024. Under the legislation the order must be reviewed and renewed every three years. This process involves consultation with local stakeholders and the community.
- The draft PSPO has been effective in reducing anti-social behaviour and crime caused by drinking in designated areas. The recent consultation shows that both the public and local stakeholders overwhelmingly support the renewal.
- The Police believe that the orders provide a useful tool to help to combat anti-social behaviour.

Cllr Alison Born seconded the motion and made the following points:

- The data from the consultation shows the high level of public concern regarding anti-social behaviour.
- Although the PSPO is not a "magic bullet" it is a useful tool with which to address this issue.

**RESOLVED** (Unanimously):

- (1) In the light of the outcome of the consultation, and consideration of the legislative criteria for adopting Public Spaces Protection Orders (PSPOs), to make the Bath City Order and Midsomer Norton Order as set out in Appendix 2 and Appendix 3 of the report.

- (2) To request the Head of Legal Services, or an authorised signatory on their behalf, to sign and seal the Bath City Order and the Midsomer Norton Order.
- (3) To request the Head of Corporate Office to undertake publicity relating to any agreed Order.
- (4) To request the Community Safety Partnership to receive regular monitoring reports on the impact of the PSPOs, including equality impacts, and updates on support and treatment available for people who misuse alcohol, including street drinkers.
- (5) To thank those who were involved in the consultation process and publicise the outcomes of the consultation.
- (6) To agree that the decisions for future PSPO Order Renewals for Bath City and Midsomer Norton should be dealt with as single member decisions.

## **46 REVISED NATIONAL PLANNING POLICY FRAMEWORK AND IMPLICATIONS FOR THE LOCAL PLAN**

Cllr Matt McCabe, Cabinet Member for Built Environment, Housing and Sustainable Development, introduced the report, moved the officer recommendation and made the following points:

- The Labour government has launched a consultation on proposed changes to the National Planning Policy Framework. In particular, the way that our house building targets are calculated.
- It is suggested that we have a 0.8% annual increase of our existing housing, plus the calculated Affordability Uplift.
- The result of this is a 9% drop in Bristol's housing target, a 20% increase for North Somerset, a 30% increase for South Gloucestershire but a 104% increase for B&NES.
- The problem is that we cannot expand the city of Bath. It has a World Heritage listing and because we have a mapped "Green Setting" for the city, we can't expand into it without harming the listing.
- Bath can deliver around 5000 houses over the next 20 years (mainly from brownfield sites) but that does not change because the government has doubled our housing target. It is not acceptable for the government to demand that North East Somerset takes Bath's housing.
- Even if we were to bring 11 thousand homes to B&NES we still would not have addressed the affordability crisis in Bath.
- We need to tackle land banking, land pricing, viability studies concluding that affordable housing is impossible. We need to enforce policy and to compulsory purchase land or buildings for affordable housing.
- It is important to engage with the government now. The proposal is for the Cabinet Member and senior officers to undertake the consultation response, but also to reset our new local plan. Whatever the result of the consultation, officers need to start working on this new house building target. We do need to go back out to our residents clearly setting out what this doubling of our numbers might look like. Despite the changed goal

posts, all the evidence we have gathered is still important evidence in planning terms.

- The way forward would be a resetting of the Local Plan, and a full and frank discussion with government about how we deal with a double World Heritage city and its housing needs.

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

- We believe in house building and the need for more houses. However, these need to be the right kinds of houses in the right places.
- We have a shortage of social and truly affordable housing. We have many larger properties, few smaller bungalows, and have an aging population whose children have flown the nest and would want to move if there was somewhere to move to. Our rental market is extremely competitive and rents are very high. Houses for sale show that there seems to be a minimum entry point exceeding eight times average earnings.
- Against that we have developers who say, rightly, that they pay a lot to purchase land, particularly in Bath, and in order to maximise their profits they cater for the executive market which is not what is needed.
- Bath is the only City in the country with one, let alone two World Heritage inscriptions covering Bath, and the volume of Green Belt in North East Somerset, I trust some allowance can be made for these very special circumstances.
- When considering, with local communities, where to build the new houses we must consider the necessary supporting infrastructure.
- Transport is also important, and we have to plan the infrastructure to allow proper choice of viable travel methods to places of employment, leisure, retail and health.
- Whilst there are challenges ahead getting things right at this stage will deliver much needed appropriate housing, in sustainable locations, so there is a huge opportunity.

Cllr Paul May noted that many residents will be concerned by the debate around potential changes to Green Belts. Green Belts have been a protection against urban sprawl and have been in place since 1938, their most important attribute is openness. He stressed the importance of access to open countryside, outdoor recreation close to cities, protection of valuable landscapes, nature conservation and retention of land for local food growing. There is tension between deliverability and affordability and there are considerable land options held by developers in B&NES. Climate and nature recovery must be balanced with the demands for new housing.

Cllr Sarah Warren stated that we are badly in need of truly affordable homes and homes in which people can live truly sustainable lifestyles with low energy bills and be able to go about their lives without the need for cars in most instances. Cllr Warren noted the constraints of national policy and that while the Council is committed to net zero, this is one of the areas in which we lack powers to achieve it. So, unless government ensures that something changes to require developers to think differently about creating real communities that support sustainable lifestyles, it remains another uphill battle for local government.

Cllr Tim Ball stated that the quality of social housing in the area is very poor and that we must work with social landlords to provide improved affordable housing. B&NES

is heavily restrained due to its geography and World Heritage status and it will be impossible to achieve the amount of building that is required. It will be important to work closely with current partners.

Cllr McCabe summed up by stating that devolution is also a challenge along with achieving the right housing mix. Land, funding and skills will also be a challenge, and it remains a priority to deliver sustainable development. Discussions will take place with neighbouring authorities.

**RESOLVED** (unanimously):

- (1) To note the government's proposed changes to the National Planning Policy Framework (NPPF) and to agree the key elements of the Council's response to the consultation on the revised NPPF and other changes to the planning system as set out in paragraph 3.6 of the report.
- (2) To delegate authority to the Executive Director for Sustainable Communities, in consultation with the Cabinet Member for Built Environment, Housing and Sustainable Development, to agree and submit the Council's response to the government's consultation on the revised NPPF and other changes to the planning system.
- (3) To agree that the Local Plan needs to be reset and that preparation should progress towards submission in advance of the Government's new deadline of December 2026.
- (4) To delegate authority to the Executive Director for Sustainable Communities, in consultation with the Cabinet Member for Built Environment, Housing and Sustainable Development, to agree and publish a revised Local Development Scheme setting out the revised programme for Local Plan preparation.
- (5) To agree that we continue to co-operate with our neighbouring authorities and the West of England Combined Authority (WECA) to ensure that strategic planning delivers the affordable housing we need, as well as the supporting infrastructure.
- (6) To authorise the Executive Director for Sustainable Communities, in consultation with the Cabinet Member for Built Environment, Housing and Sustainable Development, to issue communications relating to the resetting of the Local Plan and the proposed next steps as set out in Section 10 of the report.

## **47 B&NES PROCUREMENT STRATEGY**

Cllr Mark Elliott, Cabinet Member for Resources, introduced the report, moved the officer recommendation and made the following points:

- The way in which the council buys its goods and services can be a powerful tool in supporting its long-term vision and a major contributor towards fulfilling the ambitions and priorities of our corporate strategy.
- The latest version of the Procurement Strategy aims to further align to the council's Corporate Strategy by:

- guiding us to maximise opportunities and value created through our contracting.
- preparing for new procurement regulations with enhanced flexibilities.
- driving forward collaboration; and
- continuing to develop the skills and capabilities of those involved in procurement activity across the organisation.
- It is also reassurance that we will continue to spend public money in a way which is fair, accountable and obtains best value.
- Officers will monitor delivery of the strategy using an Action Plan and will measure progress against the stated outcomes.

Cllr Paul Roper seconded the motion.

**RESOLVED** (unanimously):

To approve the revised Procurement Strategy for publication.

## **48 2025/26 MEDIUM TERM FINANCIAL STRATEGY**

Cllr Mark Elliott, Cabinet Member for Resources, introduced the report, moved the officer recommendation and made the following points:

- The Medium-Term Financial Strategy is a key, underlying document which provides the framework for all the strategic planning of the council. It sets out the current financial challenge we face, the strategic direction, and the financial priorities, and sets out our mechanisms for financing our activity.
- It is a pre-cursor to the budget setting period and sets out what savings we believe will be required, and our approach to addressing predicted funding gaps.
- Last year we set out a two-year balanced budget, but this is somewhat speculative until the new Chancellor's budget on 30<sup>th</sup> October.
- One of the key challenges is the large ongoing demand on Children's Services. The increase in numbers of children in care, the increase in cost per child from external providers and the huge increases in numbers of children with Special Educational Needs, many of whom are using services provided by external providers.
- The long-term fix must be, firstly, to put a stop to the back-door privatisation of social care for both adults and children. Many services are run by for-profit private providers. At the last cabinet meeting we discussed and agreed to use the Culverhay school site to build new Alternative Provision and SEND Schools. Yesterday, the decision by Cllr May to repurpose Charlton House as a new Special Residential and Day School was published. These kinds of decisions, which allow us to provide in-area, council run services, rather than commissioning out-of-area, privately run services, are key both to getting control of the budget and providing a better experience and service to our vulnerable children.
- It is also important to work with our colleagues in the Health Service to develop much better mental health services for the most vulnerable children in our society.
- We are taking action to bring the social care spending back under control, but there are no quick solutions, and this will require capital investment to improve the financial position over time.



- On the up-side our Heritage Services and Parking Services continue to perform very well. In these incoming generating services, where we have much more control over our own destiny, we are showing how a well-managed, well-run council can use its assets to try to mitigate at least some of the enormous financial pressures we are facing elsewhere. Without this income, those pressures in Children's Services would be felt even more harshly.
- Things will continue to be difficult for local government financially. However, we are taking action, putting in place the in-house services which will help alleviate the pressure in the long-run, and will continue to balance the books despite these pressures.

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

- The council has statutory duties set by national legislation which remains our commitment, but things change over time, so the primary aim is to live within our means, seek financial efficiency improvements, seek to improve income and invest revenue expenditure for new ideas in a corporate sensible way.
- Accountability to the public requires transparency and the council takes that responsibility as a significant priority.
- The broken system of Children's Services has left many other local authorities on the verge of bankruptcy. The service is dictated by strict legal requirements and inadequate government funding for those requirements. Earlier intervention and use of new technologies can help us transform our service working with parents. This also highlights the power of capital investment to reduce long term revenue pressures. We are also dedicated to working with the newly created in-house adult service to help children transfer more effectively to adulthood.

**RESOLVED** (unanimously):

To approve the Medium Term Financial Strategy attached as Appendix 1 to the report.

#### **49 TREASURY MANAGEMENT MONITORING REPORT TO 30TH JUNE 2024**

Cllr Mark Elliott, Cabinet Member for Resources, introduced the report, moved the officer recommendation and made the following statement:

“This is the quarterly Treasury Management report prepared in line with the CIPFA Treasury Code of Practice, and the Treasure Management Indicators for the 1st Quarter of the Financial Year.

They are reassuringly lacking in any surprises. Our return on operational investments has just tipped above the benchmark rate for, I think, the first time since rates started rising, which is due to rates now very slowly starting to fall. (It is safe to assume we will always track very slightly behind benchmark in a rising market and would hope to be slightly above benchmark in a falling market.) We borrowed a further £10m nett in the period, but we're still very well within our safe borrowing limits, and we're currently predicting we will be £550k below our budgeted interest and capital financing requirement, which will help offset some of the in-year pressure I was talking about in the previous speech. As usual all

our Treasury Management Indicators are well within the parameters set by our Treasury Management Strategy, and the report demonstrates a well-run, well-managed Treasury function. I commend the work of the officers.”

Cllr Alison Born seconded the motion.

**RESOLVED** (unanimously):

- (1) To note the Treasury Management Report to 30<sup>th</sup> June 2024, prepared in accordance with the CIPFA Treasury Code of Practice.
- (2) To note the Treasury Management Indicators to 30<sup>th</sup> June 2024.

The meeting ended at 8.10 pm

Chair \_\_\_\_\_

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

**Prepared by Democratic Services**