

BATH AND NORTH EAST SOMERSET

CABINET

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

Thursday, 14th November, 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

50 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting.

51 EMERGENCY EVACUATION PROCEDURE

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

52 APOLOGIES FOR ABSENCE

There were no apologies for absence.

53 DECLARATIONS OF INTEREST

The Chair stated that Cllr Dave Wood had declared an interest in Agenda Item 12 – Somer Valley Enterprise Zone Side Roads Order. This is due to Cllr Wood's employment as Chief Executive of Avon Needs Trees. Cllr Wood was not present for the consideration of this item.

54 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

55 QUESTIONS FROM PUBLIC AND COUNCILLORS

There were 15 questions from Councillors and 25 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.]

56 STATEMENTS OR PETITIONS FROM PUBLIC OR COUNCILLORS

Mr Tim Spratt made a statement regarding the Experimental Traffic Regulation Order (ETRO) affecting the closure of Winifred's Lane. *(A copy of the statement is attached as an Appendix to these minutes).*

Cllr Manda Rigby, Cabinet Member for Highways and Cllr Kevin Guy corrected Mr Spratt concerning a number of inaccuracies in his statement.

57 MINUTES OF PREVIOUS CABINET MEETING - 12TH SEPTEMBER 2024

RESOLVED that the minutes of the meeting held on Thursday 12th September 2024 be confirmed as a correct record and signed by the Chair.

58 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

No single member items were requisitioned to Cabinet.

59 MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

No matters were referred by Policy Development and Scrutiny Panels.

60 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

The Cabinet agreed to note the report.

61 SOMER VALLEY ENTERPRISE ZONE SIDE ROADS ORDER

Cllr Paul Roper, Cabinet Member for Economic and Cultural Sustainable Development, introduced the report, moved the officer recommendation and made the following points:

- The development is about creating in the region of 1,300 local jobs for the communities of Midsomer Norton, Radstock and Paulton. These are communities that have been deprived of meaningful local employment in the four decades since the demise of the major employers in the area.
- There is a strong commitment to our market towns and villages as evidenced by initiatives such as the Radstock Town Centre action plan that

has enabled funding to be secured for multiple projects with the prospects of more to come. Over £3.7M is also being invested in Midsomer Norton with the redevelopment of the Town Hall and creation of a new Market Square space outside. In addition, a Midsomer Norton Town Centre Action Plan is under development, and this should enable the Council to gain access to grant funding should it become available. It is important to invest in and improve our market towns for the benefit of residents.

- The initiative to develop this site has been taken and tens of millions of pounds of funding has been secured.
- One of the commitments made to help ensure success was to improve the road running from Farrington Gurney to the Thickett Mead Roundabout. The road is to be upgraded, to remove pinch points, add a segregated cycle lane, bus stops, walkways and widen carriageways to deliver safe secure travel in all modes to and from the SVEZ.
- This decision is a necessary precursor to enact the carriageway works and to enable us to make the necessary changes to the transport infrastructure.

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

- The wider Paulton, Midsomer Norton and Radstock areas have seen an enormous loss of jobs for the local workforce even dating back to the closure of the mines in the area. In addition, there has been considerable new housing, so the result has been that many people have to travel long distances for employment.
- The concept of re-creating significant employment opportunities locally has been a long-term need for many years and the Old Mills / Great Mills area is the best location for this. The scheme has been a proposal since 2016, and we do need to make progress.
- This proposal represents the sensible next steps in delivering the scheme and is an open, public, and legally accountable mechanism.

Cllr Sarah Warren welcomed the proposal and explained that this is one half of the route from Midsomer Norton to Farrington Gurney, and the other half will be progressed in the coming years through a separate fund, the City Region Sustainable Transport Fund, and to a different timeline. Together these two interventions will ensure there is a safe, LTN1/20 compliant link for those who want to walk, wheel or cycle between these two conurbations. The plans set out in the report are indicative at this stage, and there will be further work involving the internal council Active Travel Team, and Active Travel England, to ensure the new route provides for the highest standards of safety possible within any physical constraints.

RESOLVED (unanimously):

- (1) To authorise the making of a Side Roads Order (SRO) pursuant to sections 14 and 125 of the Highways Act 1980 to secure authority for the SRO

Works (as defined at para 5.8 of the report) which are required to enable implementation of the Highway Works (as defined at para 5.5 of the report).

- (2) To authorise the making of a Traffic Regulation Order(s) (TRO) pursuant to the Road Traffic Regulations Act 1984 to enable the TRO Measures which are required to govern the use of the highways network required to accommodate the Somer Valley Enterprise Zone (SVEZ).
- (3) To authorise all necessary steps to be taken to secure the making, confirmation and implementation of the SRO and any TROs including the publication and service of all notices, requisitions for information, statement of reasons and the preparation and presentation of the Council's case at any public inquiry required to secure confirmation of the SRO by the Secretary of State for Transport.
- (4) To note and give due regard in determining whether or not to authorise the promotion of the SRO and any TROs, the public sector equality duty contained in section 149 of the Equality Act 2010 ("PSED") and the requirements of the Human Rights Act 1998, as detailed further in section 11 of the report.
- (5) To delegate authority to the Executive Director of Sustainable Communities to (i) approve any changes to the SRO Works and (ii) make any necessary amendments to the SRO which may be required to enable the delivery of the Highway Works, including as detailed design of the SVEZ progresses.
- (6) To delegate authority to the Executive Director of Sustainable Communities to authorise the final requirements of the TRO(s) which are required to facilitate the delivery of the SVEZ.
- (7) To authorise the instruction of the SVEZ Project Team and its legal advisers, Burges Salmon LLP, to prepare and serve such documentation as may be required for the SRO and any TRO(s).
- (8) To note the ongoing progress which has been made towards the acquisition of land required to develop the SVEZ Scheme and the previous decisions outlined in the report.

Note: Cllr Dave Wood declared a disclosable pecuniary interest in this item relating to his employment as Chief Executive of Avon Needs Trees. Cllr Wood was not present when this item was discussed and took no part in the decision.

62 DRAFT CITY OF BATH AND GREAT SPA TOWNS OF EUROPE WORLD HERITAGE SITE MANAGEMENT PLAN (2024-2030) PUBLIC CONSULTATION

(Note: At this point Cllr Dave Wood joined the meeting).

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 City of Bath is unique in the UK. Of all the extraordinary 1,223 World Heritage Sites across the world that possess outstanding universal value, i.e. that UNESCO believes are valuable to the whole of humanity, Bath is one of only 22 inscribed twice. The first inscription, the City of Bath (1987), is for the entire city and its green setting, whilst the second is as part of a group of 11 Great Spa Towns of Europe (2021).
- A UNESCO World Heritage Site (WHS) requires a Management Plan to ensure that as custodians of this heritage and its values, we preserve and enhance it for future generations.
- The Plan's purpose is to show how we will manage the WHS in a way that safeguards its outstanding universal values and attributes; it describes what the site consists of, why it is of global significance, how its managed, what challenges it faces and how these will be addressed.
- Cllr McCabe outlined the headline priorities set out within the Plan and explained how these aligned with the Council's Corporate Strategy. He thanked all the members of the World Advisory Board and other key stakeholders for their help. He also thanked officers for their work in preparing the draft Plan.
- The eight-week consultation period will commence on 25th November.

Cllr Manda Rigby seconded the motion and thanked the many private individuals who own property and maintain it to a very high standard which contributes to Bath's heritage appeal. She stated that the Management Plan seeks to preserve and conserve our heritage, whilst acknowledging that Bath is a thriving city, in which each generation or period makes its own mark.

Cllr Sarah Warren welcomed the fact that the Climate Emergency is newly listed as one of the key priorities within the Plan. The Plan supports the ongoing evolution of our heritage buildings to support sympathetic retrofit of renewable energy and energy efficiency measures, which represents a continuation of their evolution since the time of their construction to the present day. The Council will also be introducing a Local Listed Building Consent Order to facilitate the installation of solar panels on listed buildings. Cllr Warren was also pleased that the Plan recognises the importance of nature recovery as one of its priorities as well as the need to rethink transport provision in our historic city that was designed and built before the motor car.

RESOLVED (unanimously):

- (1) To endorse the draft City of Bath and Great Spa Towns of Europe World Heritage Site Management Plan (2024-2030) for formal public engagement.
- (2) To agree the approach to public engagement as set out in the report.

63 COUNCIL OPERATING MODEL

Cllr Dave Wood, Cabinet Member for Council Priorities and Delivery, introduced the report, moved the officer recommendation and made the following points:

- The report sets out a blueprint to ensure that there are clear lines of responsibility within the Council functions.
- The Operating Model itself will be used to inform service changes through the implementation of the “Being our Best” programme. It clearly explains which functions sit within each area. This will assist both staff and the public to better navigate the organisation.

Cllr Tim Ball seconded the motion.

RESOLVED (unanimously):

- (1) To support the proposed operating model and directorate operating principles.
- (2) To approve the Council’s operating model and directorate functions as set out in Annex 1 of the report for use in service planning and redesign.

64 REVENUE & CAPITAL BUDGET MONITORING, CASH LIMITS AND VIREMENTS – APRIL TO SEPTEMBER 2024

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

- Despite efforts to better understand the pressures causing the projected overspends and working with departments on mitigation plans to bring the spending back in line, the projected overspend is now £5.54m.
- the vast majority of the overspend is due to the huge pressures on Children’s Services and Home to School Transport, where there is a predicted £5.51m overspend. There are also pressures in other areas, the corporate estate has issues around the holding costs on vacant buildings, for example, and there are staffing pressures in Waste Management, but these are relatively small compared to the Children’s Services overspend figures, and following the regular meetings with senior staff from those departments, there is a plan to bring them back into line.
- The issues in Children’s Services are more deep-rooted and more widely systemic. There is a need to build in-house provision to take back the care of our most vulnerable, most high-need, children from for-profit, private equity owned providers, and we are pursuing that, but that is not a provision we can build quickly. It is also important to work effectively with NHS colleagues to ensure that the split between Social Care and NHS funding is fair and equitable. A further pressure within Children’s Services which wasn’t as evident in Quarter 1, but which is now showing a significant problem is Home to School transport. The issue is the fact that we use private companies to provide this service, and the market is failing to provide sensible competition, meaning that prices have gone up astronomically. Three or four years ago we were spending £6m on home to school transport, this year that figure is likely to be over £11m, against a

budget of £9m. We need to radically rethink how this service works if we are going to stop this unmanageable increase every year.

- There has been a strong start to the year on parking income due to high visitor numbers, and higher interest rates and lower than expected debt charges have helped to mitigate some of the pressures.
- Regarding capital spend, an underspend of £23m on a £200m budget is predicted. Most of that being due to slippage of schemes into future years. £10.7m of borrowing requirement for our property company Aequus is expected now to come in 2025/26 instead of 2024/25.
- Compared to many councils we are in a solid position; our reserves are good, and we are well managed. The focus of our attention over the coming months should be to get Children's Services back on track.

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

- Unfortunately, the impact of the pandemic is still being felt in the nature and complexity of the issues that have resulted in the growth of demand on the Children's Services.
- The SEND issues are not just a local problem. The new government has received a National Audit report which has identified the scale of the problem being around £4.9bn a year and getting worse. We need to submit a business plan to reduce our expenditure back to the Dedicated Schools Grant allocation and in the DFE scheme called safety valve. Our submission is still on hold so we hope the DFE can release additional revenue funding to allow proposals to be funded.
- The challenge of Children's Services spend is a major issue dependent on ensuring that the service is effective, and we continue to recognise that as an authority with a "good" Ofsted rating we maintain our standards for the most vulnerable people in our community. This means developing business plans which are returning services to within the council's means over the medium-term including capital investment to deal with the significantly high costs for children being cared for outside of our area, the high costs of agency staff, the considerable growth in home to school transport, which is a demand that is set in legislation, but there must be new ways to improve. We are also working with our partners in health to ensure that the joint costs are correctly picked up by developing an agreed matrix assessment tool to identify responsibilities. We have introduced a weekly health panel to assess costs and brought in new B&NES financial controls re expenditure.
- We prize our "good" Ofsted rating because it reflects our care for children, and staff have consistently been dealing with heavy workload pressures and these pressures are not a criticism of their dedication.
- The Council is committed to being transparent about public finances.

Cllr Kevin Guy acknowledged the current financial pressures, especially in relation to the social care budget. However, this is not a unique position, and the council is continuing to lobby central government on this issue.

RESOLVED (unanimously):

- (1) To note the 2024/25 revenue budget position (as at the end of September 2024).
- (2) To note the revenue virements listed in Appendix 3(i) of the report.
- (3) To note the capital year-end forecast detailed in paragraph 3.39 of the 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) of the report.

65 TREASURY MANAGEMENT PERFORMANCE REPORT TO 30TH SEPTEMBER 2024

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

- The treasury management function is well run and well controlled and is in a robust underlying position.
- The Council is within its borrowing limits, its portfolio credit rating is AA, we had a minimum of £15.3 in liquid cash, our interest rate exposure risk is very low, our refinancing risk is much lower than required at each band, our early repayment risks are on or below limits and we are under-borrowed by about £32m.

Cllr Sarah Warren seconded the motion.

Cllr Kevin Guy stated that this would be Andy Rothery's last Cabinet meeting before he takes up his new position as Director of Finance at Bristol City Council. The Cabinet thanked Andy for his excellent work and wished him well in his future role.

RESOLVED (unanimously):

- (1) To note the Treasury Management report to 30th September 2024, prepared in accordance with the CIPFA Treasury Code of Practice.
- (2) To note the Treasury Management Indicators to 30th September 2024.

The meeting ended at 7.15 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services