

# Public Document Pack

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**Date:** Friday, 30 June 2023

## To all Members of the Council

**Note to councillors:**

The full agenda papers for the Council Meeting are available to view on the Modern Gov app on members' council device and on the council's website via the link below:

[Link to papers Council Meeting July 2023](#)

Dear Sir or Madam

### **Summons to attend the Council Meeting – Tuesday, 11 July 2023 at 6.00 pm New Council Chamber - Town Hall**

You are requested to attend the Meeting of the Council to be held at 6.00 pm on Tuesday, 11 July 2023.

**Please Note** that any member of the press and public may listen in to proceedings at this meeting via the weblink below –

<https://youtube.com/live/2oUNR0feqJE>

The agenda is set out below.

Yours faithfully

Assistant Director Legal & Governance and Monitoring Officer

**This document and associated papers may be made available in a different format on request.**

## Agenda

### 1. **Public Participation, petitions, and deputations (Standing Orders 2 (vi) and 17)**

The Council will hear any person who wishes to address it in accordance with the Standing Orders. The Chairperson will select the order of the matters to be heard.

Each person will be limited to a period of five minutes for public participation and deputations and three minutes for petitions. This section of the meeting must not exceed 30 minutes and discussion must not refer to a current planning application.

The Council will also receive questions from the public and provide answers thereto, subject to the Chairperson being satisfied that the questions are relevant to the business of the meeting.

Requests must be submitted in writing to the Assistant Director Legal & Governance and Monitoring Officer, or to the officer mentioned at the top of this agenda letter, by noon on the day before the meeting and the request must detail the subject matter of the address.

### 2. **Apologies for absence**

### 3. **Declaration of Disclosable Pecuniary Interest (Standing Order 37)**

A Member must declare any disclosable pecuniary interest where it relates to any matter being considered at the meeting. A declaration of a disclosable pecuniary interest should indicate the interest and the agenda item to which it relates. A Member is not permitted to participate in this agenda item by law and should immediately leave the meeting before the start of any debate.

If the Member leaves the meeting in respect of a declaration, he or she should ensure that the Chairperson is aware of this before he or she leaves to enable their exit from the meeting to be recorded in the minutes in accordance with Standing Order 37.

### 4. **Minutes (Pages 7 - 24)**

23 May 2023, to approve as a correct record (attached)

### 5. **Banwell Bypass - allocation of capital funds to support delivery (Pages 25 - 34)**

Report of Councillor Bell (attached)

### 6. **Petitions to be presented by Members (Standing Order No. 16)**

These have to be received by the Assistant Director Legal & Governance and Monitoring Officer by 12.00 noon on the day of the meeting.

**7. Motions by Members (Standing Order No. 14)**

**8. Question Time (Standing Order No.18)**

Questions must relate to issues relevant to the work of the Executive. Question Time will normally last for 20 minutes.

Members are requested to supply the Democratic Services Officer with a note of each question at, or just after, the meeting. A summary note of each question will be included in an appendix to the minutes.

**9. Matters referred from previous meeting**

None.

**10. Chairperson's announcements**

**11. Leader's announcements**

**12. Chief Executive's announcements**

**13. Forward Plan dated 3 July 2023 (Pages 35 - 58)**

(attached)

**14. Policy and Scrutiny Panel Report**

None.

**15. Reports and matters referred from the Executive - dated 21 June 2023**

None.

**16. Reports and matters referred from the Policy/Overview and Scrutiny Panels other than those dealt with elsewhere on this agenda**

**17. Reports and matters referred from the other Committees other than those dealt with elsewhere on this agenda (Pages 59 - 74)**

(1) Report of the Independent Remuneration Panel on Members' Allowances (attached)

**18. North Somerset Environment Company Shareholder Update (Pages 75 - 84)**

Report of Councillor Cartman (attached)

**19. Corporate Parenting Report (Pages 85 - 88)**

Report of Councillor Gibbons (attached)

**20. Reports on joint arrangements and external organisations and questions relating thereto (Pages 89 - 90)**

- (1) Avon Fire Authority**  
Report from Councillor Payne
- (2) Avon and Somerset Police and Crime Panel**  
Oral report Councillors Crew/Hogg
- (3) West of England Combined Authority Joint Scrutiny Committee**

**21. Urgent business permitted by the Local Government Act 1972 (if any)**

For a matter to be considered as an urgent item, the following question must be addressed: "What harm to the public interest would flow from leaving it until the next meeting?" If harm can be demonstrated, then it is open to the Chairman to rule that it be considered as urgent. Otherwise the matter cannot be considered urgent within the statutory provisions.

**Exempt Items**

Should the Council wish to consider a matter as an Exempt Item, the following resolution should be passed -

"(1) That the press, public, and officers not required by the Members, the Chief Executive or the Director, to remain during the exempt session, be excluded from the meeting during consideration of the following item of business on the ground that its consideration will involve the disclosure of exempt information as defined in Section 100I of the Local Government Act 1972."

**Mobile phones and other mobile devices**

All persons attending the meeting are requested to ensure that these devices are switched to silent mode. The chairperson may approve an exception to this request in special circumstances.

**Filming and recording of meetings**

The proceedings of this meeting may be recorded for broadcasting purposes.

Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairperson. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting, focusing only on those actively participating in the meeting and having regard to the wishes of any members of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairperson or the Assistant Director Legal & Governance and Monitoring Officer's representative before the start of the meeting so that all those present may be made aware that it is happening.

Members of the public may also use Facebook and Twitter or other forms of social media to report on proceedings at this meeting.

### **Emergency Evacuation Procedure**

#### **On hearing the alarm – (a continuous two tone siren)**

Leave the room by the nearest exit door. Ensure that windows are closed.

Last person out to close the door.

**Do not** stop to collect personal belongings.

**Do not** use the lifts.

**Follow** the green and white exit signs and make your way to the assembly point.

**Do not** re-enter the building until authorised to do so by the Fire Authority.

**Go to Assembly Point C – Outside the offices formerly occupied by Stephen & Co**

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## Minutes

of the Meeting of

## The Council

**Tuesday, 23 May 2023**

New Council Chamber

Meeting Commenced: 6.00 pm

Meeting Concluded: 8.20 pm

### Councillors:

Wendy Griggs (Chairperson)

Peter Crew (Vice-Chairperson)

Marc Aplin

Nigel Ashton

Mike Bell

Mike Bird

Christopher Blades

Steve Bridger

Peter Bryant

Peter Burden

Mark Canniford

Ashley Cartman

Annabelle Chard

Caritas Charles

James Clayton

Andy Cole

Jemma Coles

John Crockford-Hawley

Ciaran Cronnelly

Stuart Davies

Oliver Ellis

Catherine Gibbons

Jenna Ho Marris

Steve Hogg

Nicola Holland

Clare Hunt

Patrick Keating

Sue Mason

Hugh Malyan

Stuart McQuillan

Tom Nicholson

Ian Parker

Robert Payne

Marcia Pepperall

Bridget Petty

Terry Porter  
Michael Pryke  
David Shopland  
Luke Smith  
Timothy Snaden  
Mike Solomon  
Dan Thomas  
Helen Thornton  
Richard Tucker  
Annemieke Waite  
Roger Whitfield  
Martin Williams  
Hannah Young

**Apologies:** Councillor: Joe Tristram.

**Officers in attendance:** Jo Walker (Chief Executive), Amy Webb (Director of Corporate Services), Sheila Smith (Director of Children's Services), Hayley Verrico (Interim Director, Adults' Support and Safeguarding), Nicholas Brain (Assistant Director Legal & Governance and Monitoring Officer), Mike Riggall (Information and ICT Security Manager and Vanessa Andrews (Marketing and Communications Manager).

**Partaking via Microsoft Teams:** Councillor Lisa Pilgrim

Officers: Matt Lenny (Director of Public Health), Hazel Brinton (Committee Services Manager)

**COU Chairperson's Welcome**

1

The outgoing Chairperson welcomed everyone to the face-to-face meeting and noted that those councillors attending via Teams would not be in attendance formally or able to vote.

**COU Election of the Chairperson of the Council for the Municipal Year 2023/24**

2

**Motion:** Moved by Councillor Bell, seconded by Councillor Canniford and

**Resolved:** that Councillor Wendy Griggs be elected Chairperson of the Council for the 2023/243 Municipal Year.

**Councillor Griggs in the Chair**

Councillor Griggs thanked Karin Haverson for her service as Chairperson over the previous year and invited her to address the Council.

Karin Haverson noted that it was an honour to serve the residents of her ward and represent the Council as Chairperson during the previous year. She thanked members and officers for their support and noted the challenging times faced by the Council over the previous four years but had been proud to serve in the coalition administration.



**COU 3 Appointment of the Vice-Chairperson of the Council for the Municipal Year 2023/24**

**Motion:** Moved by Councillor Crockford-Hawley, seconded by Councillor Solomon and

**Resolved:** that Councillor Peter Crew be appointed Vice-Chairperson of the Council for the 2023-24 Municipal Year.

The Chairperson presented Councillor Crew with the Vice-Chairperson's badge of office and presented Karin Haverson with the Past Chairperson's badge for 2022-23. Members wished Councillor Crew a Happy 80<sup>th</sup> Birthday.

**COU 4 Public Participation: Simon de Lance Holmes, local resident - changes to Clevedon Sea Front**

Simon de Lance-Holmes addressed members on the changes to Clevedon Sea Front. He asked for a full review of the changes made and public consultation including meetings in Clevedon as the previous consultation had taken place online due to Covid19 and some residents were not able to engage with the consultation effectively. He noted however that some aspects of the changes appear to have been successful now that they had bedded in.

**COU 5 Public participation: Cathy East, local resident - changes to Clevedon Sea Front**

Cathy East addressed members on the changes to Clevedon Sea Front. She believed that some of the changes posed ongoing risks to road users, pedestrians, cyclists and disabled sea front visitors. She welcomed news that engagement would take place with local residents and asked for a public meeting to take place in Clevedon.

**COU 6 Public participation: Nick Wring, local business rate payer - changes to Clevedon Sea Front**

Nick Wring, local business rate payer addressed the Council on Clevedon Public Realm. He thanked Cllrs Bell, Gibbons and Young for a recent meeting. He asked for the entire scheme to be reversed apart from the new 20mph speed limit and that no further changes be made until a public meeting had been held. He asked the council to reach out to both local business and residents.

**COU 7 Public Participation: Malcolm Simmonds, local resident - Clevedon Sea Front**

Malcolm Simmonds addressed members on the subject of Clevedon Sea Front. He advised that he ran a local business which needed access from the sea front for collections and deliveries and that loading bays were being used for all day parking instead of their intended use. This resulted in his driveway being inaccessible during the day and evening. Further, he noted safety concerns with the scheme as cars, vans and cyclists regularly went the wrong way along the beach road. He asked for the scheme to be reversed.

**COU 8 Public Participation: Derek Smith, local resident - Clevedon Sea Front**

Derek Smith, local resident addressed the Council on changes to Clevedon Sea Front. He advised members that access to his property on the beach road had been made difficult as a result of the changes to the parking and lack of markings on the sea front road. He added that his driveway was being blocked on a daily basis resulting in conflicts with drivers parking their vehicles. He asked that parking restrictions be made clear and enforced.

**COU 9 Public Participation: Dr Sophy Gretton, local resident - proposed development by Roots Allotments at Abbots Leigh**

Dr Sophy Gretton addressed the Council on the proposed development by Roots Allotments at Abbots Leigh. She advised that the plan incorporated the construction of 700 allotments, permanent structures and a car park near to a Site of Special Scientific Interest. She noted that the plan was backed by a commercial venture capitalist group with no links in North Somerset. She asked that the council refuse the application for the Certificate of Lawfulness on legal grounds and require that planning permission be applied for to enable appropriate scrutiny of the proposal.

**COU 10 Public Participation: Alan Rice, local resident - Renters' Reform Bill**

Alan Rice addressed members on the Renters' Reform Bill. He explained that he assisted renters with problems in private rented accommodation under the title of Weston Housing Action. He noted the changes in rental practices that will be required as a result of the anticipated Renters' Reform Bill. He asked that the council took forwards a proposal for the licensing of private landlords in North Somerset.

**COU 11 Public Participation: Richard Westwood, local resident - Clevedon /town Council**

Richard Westwood addressed the Council on his concerns over the administration at Clevedon Town Council and the behaviour of some elected members which he believed was affecting local democracy.

**COU 12 Petitions to be presented by Members (Standing Order No. 16)**

None received.

**COU 13 Declaration of Disclosable Pecuniary Interest (Standing Order 37)**

None declared.

**COU 14 Minutes**

**Resolved:** that the minutes of the meeting of 21 February 2023 be approved as a correct record.

**COU 15 Motions by Members (Standing Order No. 14)**

In introducing his motion, Councillor Pryke referred to the speakers in public participation who had voiced the opposition by Clevedon residents to the changes on the sea front. He believed that the scheme required reversing as soon as possible. He welcomed the incoming Leader's comments regarding a review of the scheme but remained concerned that this would delay any changes that were required particularly considering safety concerns over some aspects of the scheme.

Motion: moved by Councillor Pryke and seconded by Councillor Smith

"This Council notes:

1. That the highways and parking changes made to Clevedon Seafront have received great condemnation from residents and businesses and continue to be extremely unpopular.
2. That Conservative candidates for the local elections held on 4th May 2023 campaigned on the basis that the seafront changes were unacceptable and if elected they would work to remove the changes that had been made.
3. The electorate of Clevedon Walton, Clevedon West and Clevedon Yeo wards voted to elect Conservative candidates who had campaigned on that basis and the elected councillors for those wards therefore now hold a mandate to call for the changes to be removed

This Council resolves:

1. That it notes the local opposition to the changes made to Clevedon Seafront highways and parking layout.
2. That the Clevedon Seafront highways and parking design should therefore be returned to its former design with the exception of retaining the one-way system, including the re-alignment of parking to face the sea, removal of textured yellow surface (to be replaced with tarmac), and the removal of bike humps and installation of appropriate signage and planters.
3. Requests the Executive and officers to make the above changes forthwith

Seven members signalled their support for a debate on the Motion.

The Chairperson called on the Executive Member for Highways and Transport to speak to the motion in the first instance.

Councillor Young asked that Councillors Pryke and Smith withdraw their motion as she believed any further changes to the sea front needed to be made with the full engagement and consultation with the local community, an understanding of the wider traffic management implications of any further tweaks, the costs involved and funding for these additional costs. She noted that the proposal in the motion had not been consulted on with Clevedon residents and appeared at odds with the national Active Travel Strategy. She added that the new partnership administration was committed to a review of the scheme to include an Independent Design Review with options for further investment. Active Travel England would also conduct a review to ensure compliance, an outcome from the engagement of local MPs with the Department for Transport. A safety review would also take place.

In discussing the motion, members voiced concern over the wording and its intention particularly in respect of consultation and engagement with the local community. Reference was made to the need for a commitment to engage and listen with the legitimate concerns of residents; to identifying the good aspects of the changes; the need to have practical and affordable changes that enjoyed wide spread support; the fact that the proposed reversal was uncostered; that due to Covid19 the public consultation had not been conducted with the entire population of Clevedon and there had been no public meeting; the need to find ways to make better use of and share public spaces and that good community engagement meant creating a safe environment for all sides to put their views.

Councillor Bell apologised to the residents and businesses of Clevedon and stated that the council had not set out with the intention of alienating the community with the Clevedon Sea Front Scheme. He promised a real commitment to engage with residents and businesses before any further changes were made. He noted that complaints about policy decisions should be directed at elected members who should be held to account and not officers.

In light of the assurances given by Councillor Bell, Councillors Pryke and Smith agreed to withdraw the motion.

**COU 16 Election of the Leader of the Council for a four-year term, 2023/24 - 2026/27**

**Motion:** Moved by Councillor Gibbons, seconded by Councillor Keating and

**Resolved:** that Councillor Bell be elected Leader of the Council for the four-year term 2023-24 to 2026-27.

**COU 17 Political Balance for the Municipal Year 2023/24**

The Assistant Director Legal & Governance reported on the current political balance as follows -

Conservative Party and Independents Group 15: Liberal Democrats and Independents Group 12: Labour Group 10: Green Group 7: Portishead Independent Group 4: Independent Group 2.

**Resolved:** that the political balance, as reported, be noted and approved as required by the Local Government and Housing Act 1989.

**COU 18 Leaders and Deputy Leaders of the Political Groups for the Municipal Year 2023-24**

The Assistant Director Legal and Governance reported the Leaders and Deputy Leaders of the Political Groups for 2023-24 as follows -

Conservative Party and Independents Group: Councillor Nigel Ashton, Councillor Peter Bryant

Liberal Democrats and Independents Group: Councillor Mike Bell, Councillor Jemma Coles

Labour Group: Councillor Catherine Gibbons, Councillor Hannah Young  
Green Group: Councillor Bridget Petty, Councillor Stuart McQuillan

Portishead Independent Group: Councillor Roger Whitfield, Councillor Nicola Holland

Independent Group: Councillor Steve Bridger, Councillor Steve Hogg

**COU  
19 Chairperson's announcements**

The Chairperson expressed her thanks to members and officers for their work over the previous 4 years. She welcomed new and returning members and expressed the wish to be addressed as Madam Chairman in formal settings. She noted her role was to promote events in North Somerset and to raise the area's profile so she would be pleased to attend any events to further this.

**COU  
20 Leader's announcements**

The Leader expressed his thanks to the two leaders of the previous administration: former Councillor Don Davies and Councillor Steve Bridger. He acknowledged the honour and responsibility of leading the Council and noted the significant challenges faced by the administration of the previous four years. He asked for the Council's thanks and gratitude to be passed on by Group Leaders to former members for their years of service.

**COU  
21 Chief Executive's announcements**

The Chief Executive echoed officers' thanks to former members of the Council and reiterated her welcome to all new and returning members.

**COU  
22 The Council's Constitution**

The Assistant Director, Legal and Governance advised members that the Council's Constitution was updated last year following recommendations from the Audit Committee and himself and was available on the website and via the members' resources pages of the intranet. He advised that the only changes he was aware of were to two Policy & Scrutiny Panels – Place and Partnerships, Corporate Organisation and Overview/Management being replaced by Placemaking and Economy Policy and Scrutiny Panel with a remit for regeneration, planning and heritage, parking and tourism and economic development and Transport, Climate and Communities Policy and Scrutiny Panel with a remit for external partnerships, corporate organisation, climate emergency, highways and transport, waste and the environment and recreational and community services.

In discussing the constitutional arrangements for the following year, he proposed that the existing arrangements for committees and panels other than the changes noted above be continued.

**Motion:** Moved by Councillor Bell, seconded by Councillor Gibbons and

**Resolved:** that the latest version of the Constitution 2021 (amended May 2022) be approved and adopted.

**COU  
23** **Constitutional appointments etc.**

The Leader announced there would be nine members of the Executive including himself. He announced the members of the Executive, along with their indicative portfolios as follows:

**Leader of the Council:** Councillor Mike Bell

**Deputy Leader of the Council and executive member for children's services, families and life-long learning** – Councillor Catherine Gibbons

**Executive Member for climate, waste and sustainability** – Councillor Annemieke Waite

**Executive Member for homes and health** – Councillor Jenna Ho Marris

**Executive Member for highways and transport** – Councillor Hannah Young

**Executive Member for adult services and stronger communities** – Councillor Roger Whitfield

**Executive Member for safety in the community** – Councillor James Clayton

**Executive Member for spatial planning, placemaking and economy** – Councillor Mark Canniford

**Executive Member for culture and leisure** – Cllr Mike Solomon

The Leader further announced that the following Chairpersons be appointed for the 2023-24 municipal year and that Vice-Chairpersons would be appointed by each of the committees and panels at their first meetings. The remaining committees/bodies not dealt with would appoint their own Chairperson and Vice-Chairperson at their first meetings. The existing arrangements for committees and panels would be continued except for the changes to two panels as noted in the minute COU22.

**Adult Services and Housing Policy and Scrutiny Panel**

Chairperson – Councillor Dan Thomas

**Children and Young Peoples Services Policy and Scrutiny Panel**

Chairperson – Councillor Joe Tristram

**Health and Overview Scrutiny Panel**

Chairperson – Councillor Helen Thornton

## **Transport Climate and Communities Policy and Scrutiny Panel**

Chairman – Councillor Steve Bridger

## **Placemaking and Economy Policy and Scrutiny Panel**

Chairperson – Councillor John Crockford-Hawley

## **Audit Committee**

Chairperson – Councillor Patrick Keating

## **Licensing Committee**

Chairperson – Councillor Stuart Davies

## **Planning and Regulatory Committee**

Chairperson – Councillor Hugh Malyan

## **Public Rights of Way sub-Committee**

Chairperson – Councillor Tim Snaden

## **Joint Safety and Consultative Committee**

Chairperson – Councillor Richard Tucker

## **Employment Committee**

Chairperson – Ciaran Cronnelly

### **COU 24** **Municipal Calendar 2023/24**

The Assistant Director Legal and Governance suggested that with the two changes to scrutiny panels that the dates allocated to the Place Panel be taken up by the Placemaking and Economy Panel and the dates allocated to the PCOM Panel be taken up by the Transport, Climate and Communities Panel.

**Motion:** Moved by Councillor Bell, seconded by Councillor McQuillan and

#### **Resolved:**

(1) that the draft Municipal Calendar for 2023-24 as attached to the report be approved with the exception that the dates allocated to the Place Panel be taken up by the Placemaking and Economy Panel and the dates allocated to the PCOM Panel be taken up by the Transport, Climate and Communities Panel and

(2) that the Leader of the Council be authorised to approve any amendments not dealt with elsewhere as necessary.

**COU 25 Appointments to Outside Bodies 2023/24 (Council)**

Councillor Bell informed members that the updated schedule had been circulated to all members earlier that day and published on the council's website.

A member asked if the Council could not also make the necessary appointments to the Joint Internal Drainage Board rather than the Executive as in an election year, the outside body concerned ceased to be able to function until the politically balanced appointments were made at the first meeting of the Executive. The council's solicitor explained that this was not possible legally as the functions of the Executive could not be undertaken by the Council, but he would look to see whether it was possible to extend the term of the existing appointments made by the Council to the Joint Internal Drainage Board until the first meeting of the Executive after an election.

**Motion:** Moved by Councillor Bell, seconded by Councillor Gibbons and

**Resolved:**

1) that the following nominations be made to the Avon Fire Authority and to the Police and Crime Panel for a four-year term, in accordance with political balance:

**Avon Fire Authority**

Councillor Thomas (Green)  
Councillor Williams (Conservative)  
Councillor Payne (Liberal Democrat)  
Councillor Tucker (Labour)

**Police and Crime Panel**

Councillor Crew (Conservative)  
Councillor Hogg (Independent); and

(2) that the remaining outside body appointments be as the schedule published as a supplementary report with nominations to vacancies to be confirmed in due course

**COU 26 Forward Plan dated 3 May 2023**

The Leader presented the forward plan.

**Resolved:** that the Forward Plan be noted

**COU 27 Reports of the Policy/Overview and Scrutiny Panels**

None.

**COU 28 Corporate Parenting Report**

None.



**COU 29 Question Time (Standing Order No.18)**

Oral questions were directed to members concerned and the summary notes and topics involved are contained in Appendix 1.

**COU 30 Reports and matters referred from the Executive - dated 8 February 2023**

None.

**COU 31 Reports and matters referred from the Policy/Overview and Scrutiny Panels other than those dealt with elsewhere on this agenda**

None.

**COU 32 Reports and matters referred from the other Committees other than those dealt with elsewhere on this agenda**

None.

**COU 33 Reports on joint arrangements and external organisations and questions relating thereto**

(2) Avon and Somerset Police and Crime Panel

Councillor Crew reported that a recent meeting had discussed the subject of re-offending. The police and education and training services had set up a team to teach and train those leaving prison to support them in not re-offending. One office was already operating in Bristol, and another would open shortly in Worle. Additionally, the police anticipated being at full strength by the following month with funding for an additional 80 officers. Councillor Crew thanked former Councillor Richard Westwood with whom he had worked closely and well on the Police and Crime Panel.

**COU 34 Urgent business permitted by the Local Government Act 1972 (if any)**

None.

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Chairperson

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**North Somerset Council  
Council Meeting 23 May 2023  
Question Time (Agenda Item 22)**

**Question 1**

**From Councillor Keating**

**To Executive Member for highways and transport – Councillor Hannah Young:**

**Update on requests via the Highways Improvement Request system**

Councillor Keating asked the Executive Member the following question:

” Will Councillor Young commit to providing a regular update on progress against requests on the Highways Improvement Request system?”

Councillor Young thanked Councillor Keating for his question and responded that she would undertake to work to put this in place.

**Question 2**

**From Councillor Charles**

**To The Leader – Councillor Bell**

**Portishead Post Office**

Councillor Charles asked the Leader the following question:

“I would like to thank Councillor Bell for the support he has given to Portishead in its efforts to bring back a functioning post office to the town. I ask that he continues to use all available resources to help North Somerset’s second largest town regain an essential resource.”

Councillor Bell thanked Councillor Charles for his question and agreed to commit his support to the continuing campaign to restore a post office back in Portishead.

**Question 3**

**From Councillor Payne**

**To Executive Member for highways and transport – Councillor Hannah Young**

**Weston Central Liveable Neighbourhood Scheme**

Councillor Payne asked the following question of the Executive Member:

“The Weston Central Liveable Neighbourhood Scheme was extensively consulted on and received very positive feedback from the local community. The Government money which was secured to pay for it was originally supposed to have been spent in the last financial year. But the scheme seems to be continually delayed, and still has no timescale for delivery.

Residents' expectations were raised with the consultation that the improvements will be delivered, but they have seen nothing happening since that consultation and many have got the impression that it has been kicked into the long grass. Could you assure me and other residents of central Weston of the council's commitment to the implementation of the scheme; and give me a date when we will see some real progress?"

Councillor Young thanked Councillor Payne for his question and confirmed the council's commitment to the scheme. She confirmed that it was due to be implemented in July or August 2023 with the final scheme being shared with members in early June or July 2023 prior to that implementation. She added that there would be communication with the community to raise awareness of the details before the scheme was put in place.

#### **Question 4**

**From Councillor Crockford-Hawley  
To The Leader – Councillor Bell**

#### **Closure of Odeon Cinema in Weston and future of the building and Compton organ**

Councillor Crockford-Hawley asked the Leader the following question:

"I am concerned about a very large cinema pipe organ in the Odeon Cinema which was played for the last time on Sunday. The Odeon Cinema is due to close on 5 June. What is the council doing to help keep both this Art Deco building and the iconic organ?"

Councillor Bell thanked Councillor Crockford-Hawley for his question and agreed with his concern over the future of the building and the pipe organ. He had already written to the Odeon to ask for a senior level meeting to understand their intentions regarding the future of the site. A team of officers were already looking at options for the building to make sure that it was not put at risk. He said the council would do all that it could to support the community in campaigning to save the building and protect the pipe organ.

#### **Question 5**

**From Councillor Petty  
To Executive Member for spatial planning, placemaking and economy –  
Councillor Mark Canniford**

#### **Local Plan and housing numbers**

Councillor Petty asked the Executive Member what was next for the Local Plan and whether the unrealistic housing numbers from central government would be disregarded in favour of a realistic number based on North Somerset's housing needs?

Councillor Canniford thanked Councillor Petty for her question and responded that he agreed with her view that the Local Plan was a suite of policies that shaped the type

of homes and locations to be developed. He believed also that the housing number was too high for North Somerset but the number to be built was a decision for the full Council. He would continue to work on a lower, more appropriate housing needs number rather than the number set by central government and wanted to work with members to identify a number given the constrained approach to development in North Somerset that had already been identified.

## **Question 6**

**From Councillor McQuillan**

**To Executive Member for spatial planning, placemaking and economy –  
Councillor Mark Canniford**

### **Green Belt development in Abbots Leigh**

Councillor McQuillan asked the following question of the Executive Member:  
“We have heard concerns tonight about this 24 acre green belt development off the A369 between Leigh Woods and the neighbouring ward of Abbots Leigh.

The scale of this development could set a precedent for similar or even bigger schemes around the country, and I think we can all agree that this requires proper scrutiny, particularly considering the potential highways safety issues and the use of shipping containers in the green belt.

Given this, can you please outline what the council has done, and what it will do, to make sure this matter is being looked at thoroughly and carefully with proper advice, and how residents’ will be able to engage with this process.”

Councillor Canniford thanked Councillor McQuillan for his question and replied that there had been two applications made in relation to the scheme. One was in respect of the containers which officers had concluded required a planning application and the second was in relation to the allotments themselves. Councillor Canniford shared Councillor McQuillan’s concern around traffic movements and legal advice was being sought on the matter of the allotments. He believed that members and the public should be given the opportunity to give their views and scrutinise the application, but the council was required to adhere to planning law.

## **Question 7**

**From Councillor Bryant**

**To The Leader – Councillor Bell**

### **Fines to motorists using the prohibited areas in the Bus Hub in Weston-s-Mare**

Councillor Bryant asked the Executive Member whether there were any proposals to lower the numbers of motorists being fined for using the prohibited areas in the Bus Hub in Weston-s-Mare.

Councillor Bell replied that when the enforcement scheme was first introduced the ward members engaged closely to ensure good quality signage and driver information. No fines had been issued for the first couple of months when the enforcement was in place and informative letters were sent to those motorists who had inadvertently driven through the hub during that time. There had been extensive publicity which led to further signage improvements including large letters on the road surface itself. The fines were in place to maintain the space effectively for pedestrians and bus traffic and used to further improve bus services. Councillor Bell offered to have a conversation with Councillor Bryant if he had specific suggestions on how the signage could be further improved.

### **Question 8**

**From Councillor Shopland**

**To Executive Member for homes and health – Councillor Jenna Ho Marris**

#### **Council rodent and vermin control policy**

Councillor Shopland asked whether the council had a rodent and vermin control policy and if so, whether details could be made easily and freely available to the public.

Councillor Ho Marris thanked Councillor Shopland for his question and advised that the council did have such a policy and that she believed it could be made available to the public.

### **Question 9**

**From Councillor Ellis**

**To Executive Member for spatial planning, placemaking and economy –  
Councillor Mark Canniford**

#### **Nailsea Uplands**

Councillor Ellis asked the Executive Member why a council-owned field in the Uplands in Nailsea had been developed for housing when it could have been kept green for the benefit of residents given that other surrounding fields had been granted planning permission for housing.

Councillor Canniford thanked Councillor Ellis for his question and replied that the council had a responsibility to act on all residents' needs. The piece of land in question was deemed feasible for development and had gained the correct planning permission. The development would be of high quality and provide 30% affordable housing for people in the Nailsea area. Nailsea residents would be made aware first of the availability via the town council.

## **Question 10**

**From Councillor Cartman**

**To Executive Member for highways and transport – Councillor Hannah Young**

### **Long Ashton bypass bus lane**

Councillor Cartman asked the Executive Member whether she knew whether a review would be held of lessons learned and changes made in advance of a similar scheme to be implemented on the road into Portishead. He believed the Long Ashton scheme had been implemented with proper process and consideration.

Councillor Young thanked Councillor Cartman for his question and responded that she would take his question away and come back with an answer in due course.

## **Question 11**

**From Councillor Williams**

**To Executive member for children’s services, families, and life-long learning – Councillor Catherine Gibbons**

Councillor Williams asked the Executive Member what was being done and in what timescale to improve the Ofsted rating for children’s services at North Somerset following a recent Ofsted review.

Councillor Gibbons thanked Councillor Williams for his question and noted that the Ofsted report showed that services “required improvement to be good” rather than being “inadequate”. She advised that the council was not where it wanted to be but that there had been praise for the strategic vision the council had for its children’s services and that the council knew itself and understood its weaknesses. She noted the significant challenges with the recruitment and retention of staff but the council’s wished to be “good” if not “outstanding” and she welcomed any input from Councillor Williams.

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## North Somerset Council

### Report to the Council

**Date of Meeting: 11 July 2023**

**Subject of Report: ALLOCATION OF CAPITAL FUNDS TO SUPPORT DELIVERY OF BANWELL BYPASS**

**Town or Parish: Banwell, Winscombe and Sandford, Churchill and Locking**

**Officer/Member Presenting: Leader of the Council as the Executive Member for the Capital Programme and Major Projects**

**Key Decision: No**

### Recommendations

It is recommended that the Council:

1. Supports progression of the Banwell Bypass scheme and necessary increase in Council funding
2. approves in principle the allocation of £11.9m of funding to contribute towards the cost of Banwell bypass scheme
3. approves in principle the increase in the Capital Programme by £11.9m, subject to the scheme being fully funded and progressed as planned.

### 1. Summary of Report

1.1. In June 2020 the Council approved Heads of Terms to allow the Council to enter into a Grant Determination Agreement (GDA) with Homes England, increasing the Capital Programme by £97,067,550 (decision COU09).

1.2. The funds, secured through a successful bid to Homes England for the Housing Infrastructure Fund, would allow North Somerset Council (NSC) to deliver essential infrastructure that would support the delivery of current and future housing in the local area. The works included:

- a) A bypass for the village of Banwell
- b) Online improvements to the local road network
- c) Upgrades to utility connections
- d) Flood management for the bypass
- e) New secondary school provision (not referred to in this report)

1.3. The new secondary school is on track to be delivered in accordance with the original timescales and within the funding envelope and so is not being considered within this report.

- 1.4. The bypass element of the HIF funding award comprised £66m of the total grant and was split into two stages:
- a) Stage 1 (preliminary): approx. £17m. This includes the costs of the design work, land acquisition and securing the necessary statutory orders.
  - b) Stage 2 (construction): approx. £49m. This relates to the detailed design and construction costs for delivering the scheme.
- 1.5. The funding allocation included a proportionate risk and inflation allowance which was accounted for at the time of bid submission. This considered all risks including inflation likely to occur in a normal historical period and using experience and understanding of both past, current and future projected cost pressures through risk realisation. Despite this, the construction sector (in-line with, but at a far higher level than the wider economy) has experienced significant inflationary pressure. Some core prices have risen in the order of 35%-50%. These external factors, outside of the control of either the council or the project team, have had a detrimental impact to the stage 2 construction target cost which has now increased to £60m, generating a total programme forecast of £90m; and a funding gap of approximately £23.9m.
- 1.6. The GDA stated that the project must be delivered by March 2024. At the point of entering into the agreement the Council noted that this would be challenging as many of the statutory processes (planning and CPO inquiry) have timescales that are beyond the project team's control, it was agreed by Homes England that an extension could be applied for when there was more certainty over timeline. A timeline extension was formally requested on 29<sup>th</sup> March 2023.
- 1.7. As a result of the increased costs and programme delays, which are reported to Homes England on a monthly basis, Homes England have triggered a general default clause, a contractual mechanism which requires both parties to agree a resolution. The Council had anticipated this measure and are working collaboratively with Homes England to overcome this. Homes England remain supportive of the project. The Scheme cost pressures were mentioned in the 21<sup>st</sup> February Full Council report regarding authorising the supplementary CPO. Further detail was to be brought subsequently to Full Council.
- 1.8. Clause 6.6.4 of the GDA notes that the Grant Recipient (NSC) shall meet all cost overruns from its own resources. Given the scale of the funding gap and the inflation pressures across all services, the Council cannot afford to cover the costs on its own.
- 1.9. This report sets out the available funding that North Somerset could contribute from its own resources and the Council has submitted a request to Homes England for additional funding from the HIF programme to fund the remaining £12m short-fall on the scheme.
- 1.10. Without a fully funded scheme it is not possible to move into the delivery and construction phase.. The additional funding identified by the Council in this report will therefore only be used if the scheme is fully funded with support from Homes England and can be progressed. Lobbying of Government continues, in order to see if any other funding options might be available to the council.
- 1.11. It should also be noted that the inflationary pressure being experienced within the Banwell Bypass project and as part of the HIF programme is by no means unique to this project and is being experienced by the vast majority of projects within the HIF programme.

## **2. Policy**

2.1. This supports Core Strategy policies including:

- CS10 Transportation and movement
- CS12 Achieving high quality design and place making
- CS13 Scale of new housing
- CS14 Distribution of new housing
- CS15 Mixed and balanced communities
- CS16 Affordable housing
- CS20 Supporting a successful economy

2.2. The following Development management policy is also of particular relevance:

- DM20: Major Transport Schemes. This policy safeguards the previous alignment of the Banwell bypass from inappropriate development. The safeguarded route is broadly equivalent to the adopted route alignment for the Scheme.

2.3. The Emerging Local Plan (2038) has recently undertaken Regulation 18 consultation and, as currently prepared, this also continues to safeguard the bypass route in policy LP10 (Transport Infrastructure Allocations and Safeguarding) and is also specifically mentioned in policy LP1 (Strategic Location Wolverhill (north of Banwell)).

2.4. The proposed infrastructure also supports North Somerset's Corporate Plan which recognises the need for more homes to meet the demand of the Council's growing population and government targets, including affordable homes. The Corporate Plan also has a priority of a transport network that promotes active, accessible and low carbon travel. The scheme supports both of these priorities by unlocking land suitable for housing development and providing enhanced routes for walking, cycling and equestrian use. The Corporate Plan places a priority on delivering the Banwell Bypass to ensure that the Council can support a policy of supplying quality and affordable homes to ensure a five-year supply is in place. The scheme also includes mitigation measure to improve highway safety, and environmental mitigation to reduce the scheme's impact on the environment, as well as reducing the existing congestion issues through Banwell.

## **3. Details**

### **Progress to date**

3.1. Since August 2020, at the point the Grant Determination Agreement was signed, the bypass project team have undertaken extensive consultation which has shaped the preliminary design for the scheme ahead of planning submission in July 2022. Planning permission for the scheme was granted in March 2023.

3.2. The project team have made and submitted for confirmation two compulsory purchase orders (CPOs) and a Side Roads Order (SRO) in October 2022 and March 2023 for the scheme, which accounts for all of the land which is to be acquired (either freehold title or rights) and modifications/alterations to existing highway.

- 3.3. The next stage of the project is to proceed with a CPO/SRO public inquiry commencing on the 11 July 2023 to obtain all necessary land and rights ahead of construction commencement. Completion of land assembly is a contractual requirement within the GDA, without this the project is unable to draw down stage 2 funds.
- 3.4. As mentioned above, due to reported external cost and programme pressures on the construction (stage 2) of Banwell bypass, Homes England have triggered a general default clause, a contractual mechanism which requires both parties to agree a resolution.
- 3.5. The triggering of the default required the Council to submit a remediation plan which identified a pathway to resolution. North Somerset Council have been working with Homes England to proactively agree an approach to close the remaining cost gap.

### **Benefits of delivering the Banwell By-Pass scheme**

- 3.6. As identified in the HIF bid, the bypass generates capacity on the highway network to enable 3,075 new residential dwellings (2,800 at Wolvershill Village and 275 dwellings elsewhere within the Banwell area) and alleviates existing congestion, which is being compounded by the build out of Weston Villages. The wider benefits unlocked as part of the Wolvershill Village allocation include a new mixed use local centre, at least three 420-place primary schools, 980 affordable homes within the 2,800 housing allocation, playing fields and open space.
- 3.7. The Bypass will not only address longstanding local transport issues but represents critical enabling infrastructure that will unlock significant economic development opportunity with a benefit cost ratio of 2.27 i.e. £2.27 of benefit to the wider economy for every £1 spent. This represents 'High' value for money in accordance with the DfT Value for Money Framework.
- 3.8. Both the A371 and A368 are strategic routes providing critical connectivity through North Somerset. The existing volumes of traffic result in significant congestion and delay, particularly on the narrow sections of the A371 within Banwell, which is forecast to worsen. Traffic modelling demonstrates that the Bypass will significantly reduce traffic congestion on the A371 through Banwell Village. In the opening year, there would be a total reduction of vehicles driving through Banwell of ~70%. This aligns with the scheme objectives to deal with existing congestion issues and improve and enhance Banwell's public spaces by reducing traffic severance.
- 3.9. The scheme will create a new continuous active travel route between the Strawberry Line (NCN 26) and Weston-super-Mare that will benefit the new community at Wolvershill by providing better connectivity to employment, health, leisure and retail facilities in Weston-super-Mare, including the Junction 21 Enterprise area. The proposals also include extensive footway, cycleway and public realm, traffic management improvements both within Banwell village itself but also within adjacent villages creating a significant non-motorised network.
- 3.10. Improving the A368/A371 corridor through Banwell will provide a faster and more reliable, strategic route to and from Weston-super-Mare, releasing pressure on other strategic corridors that traffic currently reroutes to and improving wider connectivity to the West of England area.
- 3.11. Extensive scope management and value assessment was undertaken prior to both planning submission and Order application. There are limited opportunities for further

de-scoping the fundamental nature of the scheme without requiring resubmission of planning and amendments to the Orders which would be detrimental to programme and deliverability of the scheme. All elements of the scheme (including wider mitigation measures) are integral to the deliverability of the scheme.

## **4. Consultation**

4.1. The scheme has undertaken a range of consultation since funding was granted, a summary of which has been provided below. Further detail of the consultation can be found in section 4 of decision COU37.

- Non statutory consultation 1 on route options (July – August 2021)
- Non statutory consultation 2 on design refinement and wider mitigations (March – April 2022)
- Statutory Consultation through both the planning application determination (July-August 2022) and also CPO/SRO process (October-November 2022 and March-April 2023).
- Engagement with environmental consultees (frequent pre-planning submission)
- Internal NSC consultation; Local Plan team, Development Management, Public Rights of Way ((frequent pre-planning submission)
- Members of Parliament (quarterly)
- Parish Councils (quarterly)
- Public working groups
- Ongoing engagement with affected landowners and others with an interest in the land

4.2. Engagement with North Somerset councillors has been limited in the last few months due to the pre-election period. However, regular briefings with the Executive Member and scrutiny panel were undertaken regularly before the pre-election period and are to be reinstated now that members have been confirmed.

4.3. Regular meetings have been held with Corporate Leadership Team, working closely with finance colleagues to ensure integration within the Budget monitoring framework as well as to identify potential avenues for additional funding.

## **5. Financial Implications**

### **Costs**

5.1. To date, the Council has spent £9.5m from the stage 1 budget.

5.2. Forecasts show that the budget of £17m is sufficient to see the project through to completion of stage 1.

5.3. Stage 2 has experienced significant external cost pressures as a result of inflation, outside of the control of either the council or the project which has created a funding gap equating to £23.9m.

5.4. It is pertinent to note that the earlier council paper (decision COU09) identified that whilst the bid was submitted in March 2019, the announcement of funds did not arrive until November 2019. The report noted that the delay to the funding announcement had already resulted in a potential further £6.7m of inflationary pressure which was

unfunded at the time. This risk has now materialised, albeit at a greater scale due to economic factors.

5.5. The project team are continuing to explore alternative solutions to reduce the stage 2 costs including a review of the risk allocation, delivering packages of work through other mechanisms such as in-house (NSC) contracts and alternative materials for construction.

## Funding

5.6. North Somerset Council have identified £11.9m of funds which could be allocated to the bypass project and would therefore contribute towards the funding gap, subject to the remaining £12m shortfall being agreed and committed to by either Homes England or central government.

5.7. A financial contribution from North Somerset demonstrates to Homes England and other stakeholders that the Council is committed to delivering the scheme and working collaboratively to find a solution to address the funding gap.

5.8. The table below identifies the specific resources that have been identified by the Council at this time that could be used to support the By-Pass.

<b>Funding source</b>	<b>£m</b>
Community Infrastructure Levy (CIL) receipts	4.2m
Economic Development Fund, part of the City-Region Deal	2.1m
Reallocation of resources from existing capital projects	2.0m
Capital risk reserve	1.9m
Capital grants and contributions and other reserves	0.7m
Borrowing	1.0m
<b>Total</b>	<b>11.9m</b>

5.9. The Council has an ambitious and extensive capital programme which fully utilised available funding options at the time of approval. The identification of additional resources to support this scheme has been extensive and also extremely challenging given that the Council is facing a range of other financial pressures within both its revenue and capital budgets and resources are very limited.

5.10. Whilst the funding solutions presented are considered viable options there are implications as the Council will not have any headroom for existing or new capital projects until such time as funds can be replenished and / or savings made.

5.11. The funding options provided also mean that the Council will need to borrow £1m, which will have an impact of approximately £80k on the annual revenue budget, assuming an average cost of capital of 8% is applied, and which will need to be reflected within the Council's medium term financial plans.

5.12. Given these impacts the Council has started a review of the current capital programme with a view to reducing the scale of projects being delivered, which will not only mitigate some of the inflationary risk being faced but also return unspent capital funding. Further information on this review will be provided in future financial reports.

The review of future investment regarding the capital programme will be shared at a suitable scrutiny panel in the future.

- 5.13. Despite the current default, Homes England have continued to release funds through the form of a waiver letter which is allowing the scheme to progress whilst the existing default is resolved.
- 5.14. Before confirming the CPOs, the Secretary of State will need to be satisfied that the scheme is considered to be viable and that there is a reasonable likelihood to proceed.

## Legal Powers and Implications

### Internal governance

- 5.15. Paragraph 4.35 of the Councils financial regulations state that all increases or changes to approved capital schemes must be approved by full council where the value of changes are greater than £5m.

## 6. Climate Change and Environmental Implications

- 6.1. There are no climate change or environmental implications which stem directly from this decision.
- 6.2. Chapter 14 of the Environmental Statement (Volume 1) submitted with the Banwell bypass planning application (22/P/1768/R3EIA) reports on the potential effects from the construction and operation of the scheme.
- 6.3. Climate assessments including greenhouse gas (GHG) emissions assessment and climate change resilience (CCR) assessments concluded that the scheme would not have a material impact on the ability of the government to meet its carbon reduction targets.
- 6.4. Further information on the climate change and environmental implications of the scheme can be found below in Appendix 1.

## 7. Risk Management

- 7.1. The following risks should be considered in conjunction with reviewing this decision:

Key Risks	Mitigating Actions	RAG Rating
<p>If the bypass wasn't to proceed there is a risk to delivery of housing allocation at Wolvershill as set out in the emerging Local Plan (LP1).</p>	<ul style="list-style-type: none"> <li>• Exploring alternative funding provision to enable the bypass to be delivered</li> <li>• Engagement with the Local Plan team to understand critical timescales</li> <li>• Review of alternative CIL funds that can be used against the borrowing element of the £11.9m</li> </ul>	<p>Red</p>

That a compelling case cannot be made at public inquiry as the scheme cannot evidence funding deliverability	<ul style="list-style-type: none"> <li>NSC proactively working to reduce the stage 2 costs by reviewing client/contractor risk share, supply of materials, pulling out elements of scope to deliver through alternative mechanisms</li> <li>Homes England requesting further £12m for scheme</li> </ul>	Red
Lack of headroom for existing or new capital projects until such time as funds can be replenished and / or savings made.	<ul style="list-style-type: none"> <li>Review of capital programme</li> <li>Aim to reduce to affordable level given 30% inflation</li> <li>Capital monitoring and governance</li> </ul>	Red
The Council will have to borrow to commit funds against this project which creates revenue pressures	<ul style="list-style-type: none"> <li>Review of capital programme to find unspent capital funds and reduce inflationary pressure</li> </ul>	Amber
If the public inquiry were to be withdrawn the Council may be liable for 3 <sup>rd</sup> party fees	<ul style="list-style-type: none"> <li>In the event we cannot proceed in July, the Council will seek to postpone the inquiry in the first instance</li> <li>An estimate of the likely fees has been calculated and reported to CLT</li> </ul>	Amber
A delay to funding or inquiry creates further delay to programme which is unpalatable to Homes England	<ul style="list-style-type: none"> <li>Progressing with inquiry to prevent any further delays</li> <li>Working up programme scenarios to assess earliest opportunity construction could begin, taking into account constraints (such as ecology)</li> </ul>	Amber
Funding from CIL potentially means that current/future infrastructure requirements to support delivery of the existing and emerging Local Plan may be reduced.	<ul style="list-style-type: none"> <li>There may be potential to fund this infrastructure from other sources, such as future central government funding announcements for the Council to bid for.</li> </ul>	Amber
That the scheme is not delivered and Homes England request all funds (spent to date) are paid back	<ul style="list-style-type: none"> <li>This only applies to a <i>fundamental</i> default within the GDA which we have not triggered, it is a low risk but worth noting in the event we are challenged.</li> </ul>	Green

## 8. Equality Implications

Have you undertaken an Equality Impact Assessment? **Yes** / No

8.1. An Equalities Impact Assessment (EqIA) was undertaken as part of the environmental impact assessment submitted as part of the planning application.

8.2. A further EqIA was prepared at point of submitting each of the CPOs, which detailed how the Council has had regard to its public sector equalities duty in relation to the CPOs and SRO.



8.3. In order to comply with the public sector equalities duty the Council will continue to monitor and consider equality issues routinely through implementation of the scheme.

## **9. Corporate Implications**

9.1. The Council has a legal responsibility to ensure that all financial matters are fully integrated, and impacts considered before spending plans are approved, and the Council achieves this through the Medium Term Financial Planning process and budget monitoring framework. In developing the funding proposals contained within this paper consideration has been given to the longer-term impact arising from the need to borrow funds and this will be reflected within the Medium Term Financial Plan (MTFP) and revenue budget for future years. The Council is also looking to address the broader inflationary risks and impacts on its current spending plans through undertaking a formal review of future investment.

9.2. It should be noted that separate to this decision, a further report will be brought to Full Council as noted in decision DP329 (20/21) to award the stage 2 element of the design and build contract.

## **10. Options Considered**

10.1. The following options have been considered and discounted for the reasons listed:

### **A. Continue project to the end of stage 1 and then pause**

Providing that the public inquiry can proceed, this would allow for all statutory processes to be completed and would be a convenient point in the project to pause as there would be certainty of both planning consent and CPO (if granted would be valid for three years) and the related SRO. Further funding opportunities could then be explored when they arise.

This would however create uncertainty around the development of the emerging Local Plan and delay the delivery of any housing that the bypass may enable. Congestion will continue to worsen along the A371 which in turn would restrict economic and housing growth opportunities. There is no guarantee that the remaining stage 2 budget from Homes England would remain available if the project were to halt for a period of time. Proceeding to public inquiry with no certainty over how the funding gap will be met would also increase the risk of the CPOs not being confirmed.

### **B. Cover the total funding gap and / or look at other funding options**

It is recognised that the project has significant benefit to the local area however there are limited options for further capital funding without causing detriment to the rest of the capital programme delivery or the ongoing provision of services.

Whilst the Council has explored whether it could fund the total short-fall of £23.9m, the £11.9m of funds identified in this report are agreed to be the extent to which the Council could contribute without increasing its borrowing requirement to unaffordable levels, as this would not only introduce unfunded pressures on to the revenue budget and reduce its ability to deliver other services, it would not be allowable under the Prudential Code which is a legal framework to ensure that councils spending decisions are prudent, affordable and sustainable.

In deciding which funds could be identified the Council explored borrowing against future CIL receipts that are likely to be achieved through the delivery of the bypass and the delivery of additional housing in the area however, there are not enough certainties in respect of the timescales for this option to be considered prudent.

### **C. Re-tender the construction contract**

This would provide an opportunity to test the market to explore whether further savings can be achieved during construction, but it is noted that inflation will likely be reflected in costs from any other bidders. By re-tendering we would not recognise the benefits of the ECI (early contractor involvement) contract, and the procurement process would result in programme delays, resulting in the need to postpone the CPO public inquiry which would not be favourable to Homes England.

### **D. Termination of the GDA contract with Homes England**

As noted above, this would create uncertainty for the emerging Local Plan. In addition, there are risks around revenue reversion for the Council and the need to cover the costs of third parties such as objectors who intend to provide evidence at the upcoming inquiry and this would result in a significant amount of wasted time and resource given the progress that the project has made.

On this basis the remediation plan submitted to Homes England expressed the extent of contribution that the Council could cover (subject to approval) and requested that the remaining £12m is met by central Government. Homes England are in the process of submitting a formal paper to their internal board on these terms and a determination is anticipated by the end of June 2023.

#### **Author:**

Katie Park, Senior Project Manager

#### **Appendices:**

Appendix 1: Chapter 14 of Environmental Statement

#### **Background Papers:**

COU 09: HIF Forward Fund Acceptance of Grant

COU 37: Approval of serving CPO

COU 112: Approval of serving supplementary CPO

## Forward Plan

for the four-month period commencing on

**1<sup>st</sup> August 2023**

published on 3 July 2023



This Forward Plan gives details of decision items to be presented during the forthcoming four months.

Councillors are invited to review the items and to consider whether any of them should be referred for scrutiny or discussed with the appropriate Executive Member.

### Executive (9)

**Leader of the Council - Councillor Mike Bell:** External liaison including strategic partnerships, Local Enterprise Partnership, North Somerset Partnership, Joint Executive Committee (WECA and North Somerset Council), • Strategic policy/corporate plan development, forward programme and strategic review • Strategic communications • Community engagement and consultation • Finance- Revenue budget including revenues and benefits - capital programme including major projects (Banwell Bypass & MetroWest/Portishead Rail) - Income generation • Corporate services

**Deputy Leader of the Council and executive member for children's services, families and life-long learning – Councillor Catherine Gibbons:** Children and young people's services - Early help and family hubs - Family support - Safeguarding - Children in care - Adoption and fostering services - Care experienced young people - Corporate parenting - Youth offending service • Displaced Foreign Nationals • Cost of living crisis response • Education - Early years settings - Special educational needs and disabilities (education) - School place planning and admissions - Links with local HE and FE institutions - Links with schools and multi academy trusts - Elective home education - Children's licences and permits • Skills - Skills strategy - Careers advice - Community learning

**Executive Member for climate, waste and sustainability – Councillor Annemieke Waite:** • Delivery of Strategic Asset Management Plan including: - Decarbonisation of North Somerset Council assets - Accommodation strategy project delivery - Corporate estate operational management - Strategic asset planning • Climate emergency • Ecological emergency • Marine environment conservation • Flood risk management • Green infrastructure strategy • Environmental services - Recycling and waste minimisation - Waste and street cleansing contracts

**Executive Member for homes and health – Councillor Jenna Ho Marris:** • Green homes • Housing development programme delivery • Affordable housing delivery • Homelessness and rough sleeper support • Housing solutions • Private sector housing • Alliance Homes liaison •

Equalities and diversity • Public health - Health and Wellbeing Board and Strategy - Integrated Care System and Locality Partnerships - Health improvement - Health protection - Health and care services

**Executive Member for highways and transport – Councillor Hannah Young:** • Highways operations - Highway network management - Highway maintenance contracts - Streetlighting • Highway technical services and delivery - Liveable neighbourhood schemes - Active travel schemes - Highway structures • Strategic transport - Transport policy - Transport decarbonisation including BSIP delivery - Public transport - Home to school transport - Bus and rail strategy • Parking strategy including parking operational management

**Executive Member for adult services and stronger communities – Councillor Roger Whitfield:** • Reablement and technology enabled care • Care reforms • Early intervention and prevention • Integrated commissioning • Domiciliary, residential and nursing care • Social work and occupational therapy • Customer services • Town and parish liaison • North Somerset Together • Voluntary sector liaison

**Executive Member for safety in the community – Councillor James Clayton:** • Regulatory services - Trading standards - Food and commercial health and safety - Environmental protection - Licensing • Emergency management • CCTV • Community safety - Night-time economy - Safety of women and girls - PSPOs • Liaison with police and fire services • Resilience Forum • Unauthorised encampments strategy

**Executive Member for spatial planning, placemaking and economy – Councillor Mark Canniford:** • Placemaking delivery • Levelling Up Fund programme • Visitor economy development • Development and commercial programme • Planning policy • Heritage and design • Spatial planning • Building control • Resilient economy - Employment - Local economy • High street and town centre renewal

**Executive Member for culture and leisure – Cllr Mike Solomon:** • Culture strategy • Heritage Action Zones • Libraries • Community venues • Enabling events • Sports and leisure strategy • Seafronts, parks and lakes operational management • Concessions • Crematoria and cemeteries • Enforcement strategy

The items and the final decision taker are indicative. Decision making is subject to the Constitution.

Copies of documents listed can be obtained by contacting the officer named in the attached schedules. Other relevant documents may be submitted to the decision maker and can be requested from the named officer as they become available or may be available on the Council's website [www.n-somerset.gov.uk](http://www.n-somerset.gov.uk)

**August 2023**

**1. Council and Executive Items**

**(NB No Council or Executive meeting)**

<b>Meeting Date</b>	<b>Item/Issue requiring decision</b>	<b>Background Documents for Consideration</b>	<b>Decision Taker</b>	<b>Exempt Item? Yes/No/Part</b>	<b>Policy &amp; Scrutiny Panel Activity &amp; Engagement / Timeline</b>	<b>Contact Officer for Further Details</b>
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## 2. Executive Member Items and Director Key Decisions

Decision not before	Item/Issue requiring decision	Background Documents for Consideration	Decision Taker	Exempt Item? Yes/No/Part	Policy & Scrutiny Panel Activity & Engagement / Timeline	Contact Officer for Further Details
01/08	Appropriation of land at Ladymead Lane, Churchill (previously listed in February and June)	N/A	Leader of the Council - Executive Member for Corporate Services	No	To be confirmed	Geoff Brakspear, Development Project & Asset Manager, 07535 500589
01/08	Joint Commissioning and Procurement Plan for Bus Service Improvement Plan (BSIP) Bus Shelter Design Consultant (new entry)	<ul style="list-style-type: none"> <li>• BSIP Commissioning Plan</li> <li>• BSIP Bus Shelters and Bus Stop Infrastructure Framework Procurement Plan</li> </ul>	Executive Member for Highways and Transport	No	An engagement session will be held with the Transport, Climate and Communities Policy and Scrutiny Panel in July 2023.	Contact: Rob Thomson <a href="mailto:Rob.Thomson@n-somerset.gov.uk">Rob.Thomson@n-somerset.gov.uk</a>
01/08	Commissioning Plan for the delivery of SEND interventions at Portishead Primary, Mead Vale Primary, St Andrew's Primary and Gordano School (new entry)	<p><a href="#">Commissioning plan for phase 1 SEND interventions at schools, which also includes approval of DfE Grant application</a></p> <p><a href="#">Procurement Plan for phase 1 SEND Interventions</a></p>	Executive Member for Children's Services, Families and Life-long learning	No	<p>Chair of Transport Climate and Communities Scrutiny Panel consulted via email and a teams meeting to be held to ascertain level of scrutiny engagement required no later than 30/07/23</p> <p>CYPS School Organisation Steering Group briefed on these projects as an ongoing agenda item for their quarterly meetings and any sub-group meetings with arise</p>	<p>Contact: Jon d'Este-Hoare Technical Lead <a href="mailto:Jonathan.deste-hoare@n-somerset.gov.uk">Jonathan.deste-hoare@n-somerset.gov.uk</a> 07385 402975</p> <p>Sally Varley <a href="mailto:Sally.varley@n-somerset.gov.uk">Sally.varley@n-somerset.gov.uk</a> 07917 587280</p>

01/08	A38 MRN Scheme Contract Award of D&B Stage 1 Contract (re-listing and previously listed for September, October, January, March April and May) now split into two new items listed in September	<p>Director Decision: 19/20-DE295  <a href="https://www.n-somerset.gov.uk/sites/default/files/2020-05/19-20%20DE%20295.pdf">https://www.n-somerset.gov.uk/sites/default/files/2020-05/19-20%20DE%20295.pdf</a>  OBC Commissioning and Procurement Plan  – Exec Member Decision DP270  <a href="#">Decision (n-somerset.gov.uk)</a>  A38 Major Road Network Scheme Outline Business Case Submission and Local Contribution Funding  – Full Council/Exec Member:  – COU82 <a href="#">Agenda for Council on Tuesday, 9th November, 2021, 6.00 pm   North Somerset Council (moderngov.co.uk)</a>  <a href="#">DP 22/23 95 signed (n-somerset.gov.uk)</a>  <a href="#">DP 22/23 DP 108 MRN professional services procurement plan (n-somerset.gov.uk)</a>  Commissioning &amp; Procurement Plans for the Design &amp; Build Contract of the A38 Major Road Network (MRN) Scheme and associated Professional Services  Exec member decision DP423  22/23 Approval of additional local contributions as a consequence of inflationary cost increases.  <a href="#">DP423 (n-somerset.gov.uk)</a></p>	Director of Place	No	<p>The Place P&amp;SP were consulted at the OBC Submission Decision and Commissioning Plan stage during September/October 2021.</p> <p>An interim written briefing was provided to Place P&amp;SP on 31st May 2022 and a further written briefing was provided on 8<sup>th</sup> December 2022. A briefing will then be offered to P&amp;SP following OBC approval from DfT.</p>	<p>Jason Reading, Senior Project Manager, Place Directorate  <a href="mailto:Jason.reading@n-somerset.gov.uk">Jason.reading@n-somerset.gov.uk</a></p>
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01/08	A38 MRN Scheme Award of Professional Services Contract (previously listed for September, October, January, March, April and May)-moved to September	<p>Director Decision: 19/20-DE295  <a href="https://www.n-somerset.gov.uk/sites/default/files/2020-05/19-20%20DE%20295.pdf">https://www.n-somerset.gov.uk/sites/default/files/2020-05/19-20%20DE%20295.pdf</a>  OBC Commissioning and Procurement Plan  -Exec Member Decision DP270  <a href="#">Decision (n-somerset.gov.uk)</a>  A38 Major Road Network Scheme Outline Business Case Submission and Local Contribution Funding  -Full Council/Exec Member:  -<a href="#">COU82 Agenda for Council on Tuesday, 9th November, 2021, 6.00 pm   North Somerset Council (moderngov.co.uk)</a>  <a href="#">DP 22/23 95 signed (n-somerset.gov.uk)</a>  <a href="#">DP 22/23 DP 108 MRN professional services procurement plan (n-somerset.gov.uk)</a>  Commissioning &amp; Procurement Plans for the Design &amp; Build Contract of the A38 Major Road Network (MRN) Scheme and associated Professional Services</p> <p>Exec member decision DP423 22/23 Approval of additional local contributions as a consequence of inflationary cost increases.  <a href="#">DP423 (n-somerset.gov.uk)</a></p>	Director of Place	No	<p>The Place P&amp;SP were consulted at the OBC Submission Decision and Commissioning Plan stage during September/October 2021.</p> <p>An interim written briefing was provided to Place P&amp;SP on 31st May 2022 and a further written briefing was provided on 8<sup>th</sup> December 2022. A briefing will then be offered to P&amp;SP following OBC approval from DfT.</p>	<p>Jason Reading, Senior Project Manager, Place Directorate  <a href="mailto:Jason.reading@n-somerset.gov.uk">Jason.reading@n-somerset.gov.uk</a></p>
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01/08	Contract Award: Provision of a Resource Base at Locking Primary School	Commissioning Plan for 2023 SEND  <a href="#">Commissioning Plan CY102</a>  Procurement Plan for 2023 SEND <a href="https://www.n-somerset.gov.uk/sites/default/files/2023-03/CY121%20-%20acc.pdf">https://www.n-somerset.gov.uk/sites/default/files/2023-03/CY121%20-%20acc.pdf</a>  <a href="#">Decision Notice to approve Commissioning Plan February 2023</a>	Director of Childrens Services	No	Report to the Children & Young People's Services Policy and Scrutiny Panel Date of Meeting: 20 October 2022 Subject of Report: Children & Young People's Services – School's Capital Programme - <a href="#">Committee Report NSC (moderngov.co.uk)</a>  Engagement with Chair of PCOM to be conducted and briefing session to be arranged.	Contact: Jon d'Este-Hoare Technical Lead  <a href="mailto:Jonathan.deste-hoare@n-somerset.gov.uk">Jonathan.deste-hoare@n-somerset.gov.uk</a>  07385 402975
01/08	Contract award for food waste contract (previously listed May and July)	<a href="#">Commissioning and Procurement plan for Food Waste treatment</a>	Director of Place	No	To confirm with new scrutiny charge when confirmed by Council; proposed engagement to take place no later than w/c 31 July	Natasha Hardy Project Manager  <a href="mailto:Natasha.hardy@n-somerset.gov.uk">Natasha.hardy@n-somerset.gov.uk</a>
01/08	Emergency Procurement for the R&M, Compliance and Minor Works Contract (new entry)	<a href="#">Mears Decision</a>	Director of Place	No	Chair of TCC consulted via email and a teams meeting to be held to ascertain level of scrutiny engagement required no later than 28/06/23.	Contact: Claire Norman, Project Officer Manager, Projects and Property  Tel No: 07920 082936

01/08	Award of Contract for bus service enhancements from April 2023 (new entry)	Report to 8 February Executive. Bus Service Improvement Plan Update: <a href="https://n-somerset.moderngov.co.uk/documents/s4285/09%20Bus%20Service%20Improvement%20Plan%20-%20Update.pdf">https://n-somerset.moderngov.co.uk/documents/s4285/09%20Bus%20Service%20Improvement%20Plan%20-%20Update.pdf</a>	Director of Place	No	Report to Transport Climate and Communities Policy and Scrutiny Panel on 20 July 2023 panel.	Carl Nicholson <a href="mailto:Carl.nicholson@n-somerset.gov.uk">Carl.nicholson@n-somerset.gov.uk</a>
01/08	Award of contracts for WSM bus service enhancements from September 2023 (new entry)	Report to 8 February Executive. Bus Service Improvement Plan Update: <a href="https://n-somerset.moderngov.co.uk/documents/s4285/09%20Bus%20Service%20Improvement%20Plan%20-%20Update.pdf">https://n-somerset.moderngov.co.uk/documents/s4285/09%20Bus%20Service%20Improvement%20Plan%20-%20Update.pdf</a>	Director of Place	No	Report to Transport Climate and Communities Policy and Scrutiny Panel on 20 July 2023 panel.	Carl Nicholson <a href="mailto:Carl.nicholson@n-somerset.gov.uk">Carl.nicholson@n-somerset.gov.uk</a>

September 2023

1. Council and Executive Items

Meeting Date	Item/Issue requiring decision	Background Documents for Consideration	Decision Taker	Exempt Item? Yes/No/Part	Policy & Scrutiny Panel Activity & Engagement / Timeline	Contact Officer for Further Details
06/09	Public Space Protection Orders – Three yearly Review	<p>Report to Council – 21 February 2023  <a href="https://n-somerset.moderngov.co.uk/documents/s4327/09%20Public%20Space%20Protection%20Orders%20-%20Delegated%20Authority.pdf">https://n-somerset.moderngov.co.uk/documents/s4327/09%20Public%20Space%20Protection%20Orders%20-%20Delegated%20Authority.pdf</a></p> <p>Report to PCCOM – 02 March 2023 –  <a href="https://n-somerset.moderngov.co.uk/documents/s4436/10%20Review%20of%20Public%20Space%20Protection%20Orders%202023.pdf">https://n-somerset.moderngov.co.uk/documents/s4436/10%20Review%20of%20Public%20Space%20Protection%20Orders%202023.pdf</a></p>	Executive	No	Engagement with PCCOM on the 02 March 2023 – minutes of meeting <a href="https://n-somerset.moderngov.co.uk/documents/g976/Printed%20minutes%2002nd-Mar-2023%2014.00%20Partnerships%20Corporate%20Organisation%20and%20Overview%20Management%20P.pdf?T=1">https://n-somerset.moderngov.co.uk/documents/g976/Printed%20minutes%2002nd-Mar-2023%2014.00%20Partnerships%20Corporate%20Organisation%20and%20Overview%20Management%20P.pdf?T=1</a>	Contact: Dee Mawn, Environmental Protection Service Leader 01275 884162 <a href="mailto:dee.mawn@n-somerset.gov.uk">dee.mawn@n-somerset.gov.uk</a>
06/09	<p>Bus Service Improvement Plan Update:</p> <ul style="list-style-type: none"> <li>Delegation of Design and Build contract award authority to the Director of Place</li> <li>Bus services contract award decision (if over £5M) or update</li> <li>Progress update</li> </ul>	<p>Committee report 6<sup>th</sup> July 2022 for Commissioning Plan for the Bus Service Improvement Plan:  <a href="https://n-somerset.moderngov.co.uk/documents/s3579/09%20Bus%20Service%20Improvement%20Plan%20Enhanced%20Partners">https://n-somerset.moderngov.co.uk/documents/s3579/09%20Bus%20Service%20Improvement%20Plan%20Enhanced%20Partners</a></p>	Executive	No	Engagement with Place Policy and Scrutiny Panel to be carried out in January 2023	Bella Fortune  <a href="mailto:Bella.fortune@n-somerset.gov.uk">Bella.fortune@n-somerset.gov.uk</a>

	<ul style="list-style-type: none"> <li>● Governance Update (Grant award T&amp;Cs &amp; Memorandum of Understanding between WECA and NSC)</li> <li>● Enhanced Partnership update</li> <li>● Enforcement resourcing plan (previously listed in December 2022 and February 2023 and replaced by entry directly below)</li> </ul>	<a href="#">hip%20adoption%20Executive.pdf</a>				
06/09 Page 44	Contract award for BSIP Bus Priority Schemes Design and Build contractor (replacement for entry directly above) moved to September	<p>Committee report 6<sup>th</sup> July 2022 for Commissioning Plan for the Bus Service Improvement Plan:  <a href="https://n-somerset.moderngov.co.uk/documents/s3579/09%20Bus%20Service%20Improvement%20Plan%20Enhanced%20Partnership%20adoption%20Executive.pdf">https://n-somerset.moderngov.co.uk/documents/s3579/09%20Bus%20Service%20Improvement%20Plan%20Enhanced%20Partnership%20adoption%20Executive.pdf</a></p> <p>Procurement Plan for BSIP Bus Priority Schemes Design and Build:  <a href="https://www.n-somerset.gov.uk/sites/default/files/2022-12/DP311%20BSIP%20Design%20and%20Build">https://www.n-somerset.gov.uk/sites/default/files/2022-12/DP311%20BSIP%20Design%20and%20Build</a></p>	Executive	No	An engagement session will be held with the Transport, Climate and Communities Policy and Scrutiny Panel in July 2023.	<p>Rob Thomson</p> <p><a href="mailto:Rob.Thomson@n-somerset.gov.uk">Rob.Thomson@n-somerset.gov.uk</a></p>

		<a href="#">%20and%20Build%20On%20ly%20Procurement%20Plan.pdf</a>				
06/09	Library Transformation draft proposals and consultation	<u><a href="#">North Somerset Libraries Strategy 2021-31</a></u>	Executive	No	Informal Scrutiny briefing held 10 Mar 2023  An engagement session will be held with the Informal Scrutiny Panel in mid July 2023 (date and panel tbc).	Emma Wellard, Head of Libraries & Community <a href="mailto:Emma.Wellard@n-somerset.gov.uk">Emma.Wellard@n-somerset.gov.uk</a>
06/09	Budget approvals for the UK Shared Prosperity Fund (UKSPF) Year 3:  1. Approval to receive the Year 3 UKSPF funding allocation from central government from April 2024 2. Approval to increase the council's 2024/25 revenue and capital budgets to incorporate the Year 3 UKSPF funding allocation	<u><a href="#">UKSPF prospectus</a></u>  <u><a href="#">22/23 DP 175</a></u> (UKSPF investment plan approval)  <u><a href="#">22/23 DP 411</a></u> (UKSPF Year 2 budget approvals)	Executive	No	A programme of UKSPF briefing and dialogue with relevant members is planned post-election, to include briefing of the Place Scrutiny Panel on 12/07/2023	Luke Johnson ( <a href="mailto:luke.johnson@n-somerset.gov.uk">luke.johnson@n-somerset.gov.uk</a> )  Jane Harrison ( <a href="mailto:jane.harrison@n-somerset.gov.uk">jane.harrison@n-somerset.gov.uk</a> )
06/09	2023/24 Month 4 Budget Monitor	Previous Budget Monitor reports to Executive	Executive	No	Reporting to policy and scrutiny panel (tbc) informally through timetable of scrutiny engagement as agreed with the Panel Chairperson	Contact: Melanie Watts 01934 634618
06/09	Medium Term Financial Plan (MTFP) and Revenue Budget 2024/25	Previous Budget and Medium Term Financial Plan reports to Executive	Executive	No	Reporting to policy and scrutiny panel (tbc) informally through timetable of scrutiny engagement as agreed with the Panel Chairperson	Contact: Melanie Watts 01934 634618

06/09	Adoption of Moving Traffic Violation powers from the Police and enforcement in a trial area(s)	<a href="#">Traffic Management Act 2004: statutory guidance for local authorities outside London on civil enforcement of bus lane and moving traffic contraventions - GOV.UK (www.gov.uk)</a>	Executive	No	To confirm with new scrutiny chair when confirmed by Council; proposed engagement to take place no later than w/c 24 July	Tash Hardy Project Manager, BDU <a href="mailto:Natasha.Hardy@n-somerset.gov.uk">Natasha.Hardy@n-somerset.gov.uk</a>
06/09	Commissioning and procurement plan for garden waste treatment	Commissioning and Procurement Plan in draft	Executive	No	To confirm with new scrutiny charge when confirmed by Council; proposed engagement to take place no later than w/c 31 July	Tash Hardy Project Manager, Business Development Unit <a href="mailto:Natasha.Hardy@n-somerset.gov.uk">Natasha.Hardy@n-somerset.gov.uk</a>
06/09 Page 46	Commissioning and procurement plan for residual waste treatment	Commissioning and Procurement Plan in draft	Executive	No	To confirm with new scrutiny charge when confirmed by Council; proposed engagement to take place no later than w/c 31 July	Tash Hardy Project Manager, Business Development Unit <a href="mailto:Natasha.Hardy@n-somerset.gov.uk">Natasha.Hardy@n-somerset.gov.uk</a>
06/09	Wraxall and Failand Neighbourhood Plan submission-decision to pass the Neighbourhood Plan to examination and agree North Somerset Council response to the plan (new entry)	<a href="#">Wraxall Neighbourhood Plan submission version and associated documents</a>	Executive	No	Chair of Placemaking, Economy and Planning Scrutiny Panel has confirmed that no further Scrutiny involvement is required	Celia Dring <a href="mailto:Celia.dring@n-somerset.gov.uk">Celia.dring@n-somerset.gov.uk</a>
06/09	Commissioning Plan for the delivery of SEND interventions at Worle School, Hans Price, Christ Church Primary and Hannah Moore & Grove Primary (new entry)	<a href="#">Commissioning plan for phase 1 SEND interventions at schools, which also includes approval of DfE Grant application</a>	Executive	No	Chair of Transport Climate and Communities Scrutiny Panel consulted via email and a teams meeting to be held to ascertain level of scrutiny engagement required no later than 30/07/23	Contact: Jon d'Este-Hoare Technical Lead <a href="mailto:Jonathan.deste-hoare@n-somerset.gov.uk">Jonathan.deste-hoare@n-somerset.gov.uk</a> 07385 402975  Sally Varley

		<a href="#">Procurement Plan for phase 1 SEND Interventions</a>			CYPS School Organisation Steering Group briefed on projects as an ongoing agenda item	<a href="mailto:Sally.varley@n-somerset.gov.uk">Sally.varley@n-somerset.gov.uk</a> 07917 587280
19/09	Youth Justice Plan	2023-24 Youth Justice Grant Funding Agreement	Council	No	Youth justice plans, in England only, must be signed off by the full council in accordance with Regulation 4 of the 'Local Authorities (Functions and Responsibilities) (England) Regulations 2000'. There hasn't been a Scrutiny Panel to take this item to since the YJB confirmed its requirements. As required it will be presented to Youth Justice Management Board (multi-agency) In 21/06/23 for their consideration and approval. Thus Plan will also be submitted to the Youth Justice Board for approval.  CYPS Chairperson briefed JUN23	Mike Rees <a href="mailto:Mike.rees@n-somerset.gov.uk">Mike.rees@n-somerset.gov.uk</a>

19/09	Climate Emergency Action Plan progress report including adoption of Adaptation Plan (new entry)	<p>Climate Emergency Action Plan  <a href="https://n-somerset.gov.uk/sites/default/files/2023-03/31208%20Climate%20Emergency%20Action%20Plan%20ACC.pdf">https://n-somerset.gov.uk/sites/default/files/2023-03/31208%20Climate%20Emergency%20Action%20Plan%20ACC.pdf</a></p> <p>Previous Climate emergency progress report (November 2022)  <a href="https://n-somerset.gov.uk/sites/default/files/2023-03/climate%20emergency%20progress%20report%20Nov%202022.pdf">https://n-somerset.gov.uk/sites/default/files/2023-03/climate%20emergenc y%20progress%20report %20Nov%202022.pdf</a></p>	Council	No	Update report to Transport, Climate, Communities Policy and Scrutiny on 20 <sup>th</sup> July	Victoria Barvenova <a href="mailto:Victoria.barvenova@n-somerset.gov.uk">Victoria.barvenova@n-somerset.gov.uk</a>
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## 2. Executive Member Items and Director Key Decisions

Decision not before	Item/Issue requiring decision	Background Documents for Consideration	Decision Taker	Exempt Item? Yes/No/Part	Policy & Scrutiny Panel Activity & Engagement / Timeline	Contact Officer for Further Details
01/09	Award of BSIP Bus Shelters and Bus Stop Infrastructure Framework moved to October	BSIP Bus Shelters and Bus Stop Infrastructure Framework procurement plan	Director of Place	No	Place Scrutiny Panel briefing to be considered when scope of report is finalised	James Padgham <a href="mailto:James.padgham@n-somerset.gov.uk">James.padgham@n-somerset.gov.uk</a>
01/09	Contract Award for the delivery of an expansion to the buildings at Clevedon School to meet local place needs (previously listed for June)	Report to the Children & Young People's Services Policy and Scrutiny Panel Date of Meeting: 20 October 2022 Subject of Report: Children & Young People's Services – School's Capital Programme - <a href="http://moderngov.co.uk">Committee Report NSC (moderngov.co.uk)</a>  Commissioning and Procurement Plan – to follow	Director of Place  Moved from 21/06 Executive to Director Decision	No	Report to the Children & Young People's Services Policy and Scrutiny Panel Date of Meeting: 20 October 2022 Subject of Report: Children & Young People's Services – School's Capital Programme - <a href="http://moderngov.co.uk">Committee Report NSC (moderngov.co.uk)</a>  Reports to CYPS School Organisation Steering Group Being being planned for June 2023	Sally Varley (she/her) Head of Strategic Place Planning, Capital Programmes and School Organisation/Admissions Service <a href="mailto:sally.varley@n-somerset.gov.uk">sally.varley@n-somerset.gov.uk</a>  Jonothan Hughes Senior Project Manager <a href="mailto:Jonothan.hughes@n-somerset.gov.uk">Jonothan.hughes@n-somerset.gov.uk</a>
01/09	Contract award for BSIP Transport Hubs Design Consultant (previously listed for May and July) moved to October	Procurement Plans for BSIP Transport Hubs Design Consultant	Director of Place	No	An engagement session will be held with the Transport, Climate and Communities Policy and Scrutiny Panel in July 2023.	Jackie Lower <a href="mailto:Jackie.Lower@n-somerset.gov.uk">Jackie.Lower@n-somerset.gov.uk</a>

01/09	<p>A38 MRN Scheme  <b>Contract 1 works package A</b> - Contract Award of D&amp;B Stage 1 (re-listing and previously listed for September, October, January, March April, May and August – previously one contract)</p>	<p>Director Decision: 19/20 DE295  <a href="https://www.n-somerset.gov.uk/sites/default/files/2020-05/19-20%20DE%20295.pdf">https://www.n-somerset.gov.uk/sites/default/files/2020-05/19-20%20DE%20295.pdf</a>  OBC Commissioning and Procurement Plan  - Exec Member Decision DP270 <a href="#">Decision (n-somerset.gov.uk)</a>  A38 Major Road Network Scheme Outline Business Case Submission and Local Contribution Funding  - Full Council/Exec Member: <a href="#">COU82 Agenda for Council on Tuesday, 9th November, 2021, 6.00 pm   North Somerset Council (moderngov.co.uk)</a>  <a href="#">DP 22/23 95 signed (n-somerset.gov.uk)</a>  <a href="#">DP 22/23 DP 108 MRN professional services procurement plan (n-somerset.gov.uk)</a>  Commissioning &amp; Procurement Plans for the Design &amp; Build Contract of the A38 Major Road Network (MRN) Scheme and associated Professional Services  Exec member decision DP423 22/23 Approval of additional local contributions as a consequence of inflationary cost increases.  <a href="#">DP423 (n-somerset.gov.uk)</a></p>	Director of Place	No	<p>The Place P&amp;SP were consulted at the OBC Submission Decision and Commissioning Plan stage during September/October 2021.</p> <p>An interim written briefing was provided to Place P&amp;SP on 31st May 2022 and a further written briefing was provided on 8<sup>th</sup> December 2022. A briefing will then be offered Transport, Climate and Communities P&amp;S Panel following OBC approval from DfT.</p>	<p>Jason Reading,  Senior Project Manager, Place Directorate  <a href="mailto:Jason.reading@n-somerset.gov.uk">Jason.reading@n-somerset.gov.uk</a></p>
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01/09	A38 MRN Scheme <b>Contract 2 works package B</b> - Contract Award of D&B Stage 1 (re-listing and previously listed for September, October, January, March April, May and August – previously one contract)	Director Decision: 19/20 DE295 <a href="https://www.n-somerset.gov.uk/sites/default/files/2020-05/19-20%20DE%20295.pdf">https://www.n-somerset.gov.uk/sites/default/files/2020-05/19-20%20DE%20295.pdf</a> OBC Commissioning and Procurement Plan - Exec Member Decision DP270 <a href="https://www.n-somerset.gov.uk">Decision (n-somerset.gov.uk)</a> A38 Major Road Network Scheme Outline Business Case Submission and Local Contribution Funding - Full Council/Exec Member: COU82 <a href="#">Agenda for Council on Tuesday, 9th November, 2021, 6.00 pm   North Somerset Council (moderngov.co.uk)</a> <a href="#">DP 22/23 95 signed (n-somerset.gov.uk)</a> <a href="#">DP 22/23 DP 108 MRN professional services procurement plan (n-somerset.gov.uk)</a> Commissioning & Procurement Plans for the Design & Build Contract of the A38 Major Road Network (MRN) Scheme and associated Professional Services Exec member decision DP423 22/23 Approval of additional local contributions as a consequence of inflationary cost increases. <a href="#">DP423 (n-somerset.gov.uk)</a>	Director of Place	No	The Place P&SP were consulted at the OBC Submission Decision and Commissioning Plan stage during September/October 2021.  An interim written briefing was provided to Place P&SP on 31st May 2022 and a further written briefing was provided on 8 <sup>th</sup> December 2022. A briefing will then be offered to Transport, Climate and Communities P&SP following OBC approval from DfT.	Jason Reading, Senior Project Manager, Place Directorate <a href="mailto:Jason.reading@n-somerset.gov.uk">Jason.reading@n-somerset.gov.uk</a>
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01/09	A38 MRN Scheme Award of Professional Services Contract (previously listed for September, October, January, March, April, May and August )	<p>Director Decision: 19/20 DE295  <a href="https://www.n-somerset.gov.uk/sites/default/files/2020-05/19-20%20DE%20295.pdf">https://www.n-somerset.gov.uk/sites/default/files/2020-05/19-20%20DE%20295.pdf</a>  OBC Commissioning and Procurement Plan  - Exec Member Decision DP270  <a href="#">Decision (n-somerset.gov.uk)</a>  A38 Major Road Network Scheme Outline Business Case Submission and Local Contribution Funding  - Full Council/Exec Member: COU82 Agenda for Council on Tuesday, 9th November, 2021, 6.00 pm   North Somerset Council (<a href="http://modern.gov.co.uk">modern.gov.co.uk</a>)  DP 22/23 95 signed (<a href="http://n-somerset.gov.uk">n-somerset.gov.uk</a>)  DP 22/23 DP 108 MRN professional services procurement plan (<a href="http://n-somerset.gov.uk">n-somerset.gov.uk</a>)  Commissioning &amp; Procurement Plans for the Design &amp; Build Contract of the A38 Major Road Network (MRN) Scheme and associated Professional Services</p> <p>Exec member decision DP423 22/23 Approval of additional local contributions as a consequence of inflationary cost increases.  <a href="#">DP423 (n-somerset.gov.uk)</a></p>	Director of Place	No	<p>The Place P&amp;SP were consulted at the OBC Submission Decision and Commissioning Plan stage during September/October 2021.</p> <p>An interim written briefing was provided to Place P&amp;SP on 31st May 2022 and a further written briefing was provided on 8<sup>th</sup> December 2022. A briefing will then be offered to Transport, Climate and Communities P&amp;SP following OBC approval from DfT.</p>	<p>Jason Reading,  Senior Project Manager, Place Directorate  <a href="mailto:Jason.reading@n-somerset.gov.uk">Jason.reading@n-somerset.gov.uk</a></p>
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01/09	Contract award for BSIP Employer's Agent (previously listed for June and July)	Employers Agent Procurement Plan for BSIP  <a href="https://www.n-somerset.gov.uk/sites/default/files/2022-09/DP194%20Procurement%20Plan%20BSIP%20Employers%20Agent%20Final%20signed.pdf">https://www.n-somerset.gov.uk/sites/default/files/2022-09/DP194%20Procurement%20Plan%20BSIP%20Employers%20Agent%20Final%20signed.pdf</a>	Director of Place	No	An engagement session will be held with the Transport, Climate and Communities Policy and Scrutiny Panel in July 2023.	Rob Thomson <a href="mailto:Rob.Thomson@n-somerset.gov.uk">Rob.Thomson@n-somerset.gov.uk</a>
01/09 Page 53	Contract Award: Capital Works at Hutton Moor Leisure Centre (previously listed for July)	<u>DE 282: Agreement to increase the leisure Capital Budget by £700,000 to carry out urgent works</u>	Director of Place	No	Verbal update to the Chairman of Place Policy and Scrutiny Panel on 15/12/22 Email to the Chair of PCOM 15/12/22 and initial meeting undertaken January 2023.	Contact: Jonathan White Senior Project Manager <a href="mailto:Jonathan.White@n-somerset.gov.uk">Jonathan.White@n-somerset.gov.uk</a> Tel: 07711 280595  Karlie Phillips Leisure Manager Email: <a href="mailto:Karlie.phillips@n-somerset.gov.uk">Karlie.phillips@n-somerset.gov.uk</a> Tel: 07824 085769

01/09	Award of Contract to provider support in Extra Care Housing at Tamer Court and/or Waverley Court (2 contracts) (new entry)	Procurement plan to follow <a href="#">Adult Social Services Commissioning Intentions Strategy Report to Executive 2023-24</a>	Director of Adult Social Services	No	ASH Scrutiny panel were consulted prior to the Commissioning intentions report going to the Executive on 21/06/23	Teresa Stanley 07385515142 <a href="mailto:Teresa.stanley@n-somerset.gov.uk">Teresa.stanley@n-somerset.gov.uk</a>
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October 2023

1. Council and Executive Items  
(No Council meeting)

Meeting Date	Item/Issue requiring decision	Background Documents for Consideration	Decision Taker	Exempt Item? Yes/No/Part	Policy & Scrutiny Panel Activity & Engagement / Timeline	Contact Officer for Further Details
18/10	Contract award for BSIP Bus Priority Schemes Design and Build contractor (replacement for entry in September and moved from decision in September)	<p>Committee report 6<sup>th</sup> July 2022 for Commissioning Plan for the Bus Service Improvement Plan:  <a href="https://n-somerset.moderngov.co.uk/documents/s3579/09%20Bus%20Service%20Improvement%20Plan%20Enhanced%20Partnership%20adoption%20Executive.pdf">https://n-somerset.moderngov.co.uk/documents/s3579/09%20Bus%20Service%20Improvement%20Plan%20Enhanced%20Partnership%20adoption%20Executive.pdf</a></p> <p>Procurement Plan for BSIP Bus Priority Schemes Design and Build:  <a href="https://www.n-somerset.gov.uk/sites/default/files/2022-12/DP311%20BSIP%20Design%20and%20Build%20and%20Build%20Only%20Procurement%20Plan.pdf">https://www.n-somerset.gov.uk/sites/default/files/2022-12/DP311%20BSIP%20Design%20and%20Build%20and%20Build%20Only%20Procurement%20Plan.pdf</a></p>	Executive	No	An engagement session will be held with the Transport, Climate and Communities Policy and Scrutiny Panel in July 2023.	<p>Rob Thomson</p> <p><a href="mailto:Rob.Thomson@n-somerset.gov.uk">Rob.Thomson@n-somerset.gov.uk</a></p>
18/10	Approval of Reg 19 Local Plan for consultation and subsequent submission for examination (new entry)	<a href="#">Preferred Options Local Plan 2022</a> . Other evidence papers will be made available.	Executive	No.	PEP Scrutiny Panel 27 July 2023. Will arrange further engagement in Autumn in run up to Executive Committee.	Michael Reep 01934 426775.

## 2. Executive Member Items and Director Key Decisions

Decision not before	Item/Issue requiring decision	Background Documents for Consideration	Decision Taker	Exempt Item? Yes/No/Part	Policy & Scrutiny Panel Activity & Engagement / Timeline	Contact Officer for Further Details
01/10	Award of BSIP Bus Shelters and Bus Stop Infrastructure Framework (previously listed in September) moved to November	BSIP Bus Shelters and Bus Stop Infrastructure Framework procurement plan	Director of Place	No	An engagement session will be held with the Transport, Climate and Communities Policy and Scrutiny Panel in July 2023.	Carl Nicholson ( <a href="mailto:carl.nicholson@n-somerset.gov.uk">carl.nicholson@n-somerset.gov.uk</a> )
01/10	Contract award for BSIP Transport Hubs Design Consultant (previously listed for May, July and September)	Procurement Plans for BSIP Transport Hubs Design Consultant	Director of Place	No	An engagement session will be held with the Transport, Climate and Communities Policy and Scrutiny Panel in July 2023.	Jackie Lower ( <a href="mailto:Jackie.Lower@n-somerset.gov.uk">Jackie.Lower@n-somerset.gov.uk</a> )



November 2023

1. Council and Executive Items  
(No Executive meeting)

<b>Meeting Date</b>	<b>Item/Issue requiring decision</b>	<b>Background Documents for Consideration</b>	<b>Decision Taker</b>	<b>Exempt Item? Yes/No/Part</b>	<b>Policy &amp; Scrutiny Panel Activity &amp; Engagement / Timeline</b>	<b>Contact Officer for Further Details</b>

## 2. Executive Member Items and Director Key Decisions

Decision not before	Item/Issue requiring decision	Background Documents for Consideration	Decision Taker	Exempt Item? Yes/No/Part	Policy & Scrutiny Panel Activity & Engagement / Timeline	Contact Officer for Further Details
01/11	Award of BSIP Bus Shelters and Bus Stop Infrastructure Framework (previously listed in September and October)	BSIP Bus Shelters and Bus Stop Infrastructure Framework procurement plan	Director of Place	No	An engagement session will be held with the Transport, Climate and Communities Policy and Scrutiny Panel in July 2023.	Carl Nicholson ( <a href="mailto:carl.nicholson@n-somerset.gov.uk">carl.nicholson@n-somerset.gov.uk</a> )

## North Somerset Council

### REPORT TO THE COUNCIL

**DATE OF MEETING: 11 JULY 2023**

**SUBJECT OF REPORT: REPORT OF THE INDEPENDENT REMUNERATION PANEL ON MEMBERS' ALLOWANCES**

**TOWN OR PARISH: ALL**

**OFFICER/MEMBER PRESENTING: ASST DIRECTOR LEGAL & GOVERNANCE**

**KEY DECISION: N/A**

### RECOMMENDATIONS

Council is asked to:

- a) Receive the attached report of the Independent Remuneration Panel and thank the members of the Panel for their work in producing the report
- b) Consider the attached report and select one of the following resolutions:
  1. Approve the Panel's recommendations and instruct officers to implement the new allowance scheme; OR
  2. Approve the Panel's recommendations, subject to specified amendments and instruct officers to implement the new allowance scheme as amended; OR
  3. Not approve the Panel's recommendations and ask the Panel to reconsider its proposed scheme (giving guidance as to the issues to be reconsidered) and instruct the officers to continue to administer the existing allowance scheme pending consideration of a further report from the Panel.

### 1. SUMMARY OF REPORT

The Independent Remuneration Panel has undertaken a review of the scheme for members' allowances and this report places its recommendations before Council.

### 2. DETAILS

The 1989 Local Government and Housing Act requires this Council, along with all other local authorities, to establish and maintain a scheme for members' allowances. The basic provisions of the Act have been supplemented by subsequent regulations.

The Local Authorities (Members' Allowances) (England) Regulations 2003 require councils to establish and maintain an independent remuneration panel. The purpose of this panel is to make recommendations to the authority about the allowances to be paid to elected members. Local authorities must have regard to such recommendations.

The Regulations provide that a members' allowances scheme can provide for the following allowances to be payable to elected members of local authorities:

- basic allowance
- special responsibility allowance
- childcare and dependent carers' allowance
- travel and subsistence allowances

The Panel has met to consider recommendations to Council and is now in a position to present its findings to Council. The chairman of the Panel, David McFarlane, has indicated that he will be available to attend the meeting virtually if advised in advance that his presence would be helpful to members.

### **3. THE PANEL'S REPORT**

The report of the Panel is attached as Appendix A.

In considering the report, Council should be aware that the Panel's recommendations are not binding on the Council, but the Council must be seen to give due consideration to the Panel's work and should give reasons where it does not agree with a Panel's recommendation.

There are thus three broad options available to the Council in considering the recommendations:

1. Approve the Panel's recommendations and implement the new allowance scheme; OR
2. Approve the Panel's recommendations, subject to specified amendments (giving reasons for those amendments) and implement the new allowance scheme as amended; OR
3. Not approve the Panel's recommendations and ask the Panel to reconsider its proposed scheme (giving guidance as to the issues to be reconsidered) and continue to administer the existing allowance scheme pending consideration of a further report from the Panel.

### **4. CONSULTATION**

In considering its recommendations the Panel considered evidence from other local authorities and from Council members

### **5. FINANCIAL IMPLICATIONS**

A table listing details of the current and proposed allowances is included within the attachment and shows that there would be an increase of £74,814 should the Panel's recommendations be implemented in full.

Given that Members have a choice in terms of their recommendations, an alternative proposal has been included for illustrative purposes which shows the potential financial

values and impacts if the Panel's recommendations in respect of the Basic Allowance, was accepted but phased in and implemented over a two-year period. This potential option would result in an increase of £41,214.

The council's annual financial planning processes will have assumed inflationary uplifts in the budget for members allowances, as well as any changes linked to the national insurance employer contributions and travelling and subsistence payments.

A comparison to the budget shows that implementing the Panel's recommendations in full would cost an additional £33,600 and the alternative option of phasing the basic allowance increase over two years would be contained with the existing budget provision.

## **6. LEGAL POWERS AND IMPLICATIONS**

Detailed in paragraph 2 above.

## **7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS**

None arising directly from the subject matter of this report.

## **8. EQUALITY IMPLICATIONS**

None

## **7. CORPORATE IMPLICATIONS**

None

## **8. OPTIONS CONSIDERED**

The options now open to the Council are set out in paragraph 3 above.

## **9. RISK MANAGEMENT**

N/A

## **AUTHOR**

Nicholas Brain – Asst Director Legal & Governance. Contact 01934 634929

## **BACKGROUND PAPERS**

Existing Scheme of Members' Allowances

	Current Scheme		1) Panel Recommendation		2) Alternative Proposal		Number	Estimated Costs		
	2021/22 £	2022/23 £	2023/24 £	Change £	2023/24 £	2024/25 £		2022/23 £	1) 2023/24 £	2) 2023/24 £
<b>Allowances paid to Members</b>										
Basic Allowance	9,290.86	9,666.21	11,010.00	1,343.79	10,338.00	11,010.00	50	483,311	550,500	516,900
Leader of the Council	29,316.00	30,500.00	30,500.00	0.00	30,500.00	30,500.00	1	30,500	30,500	30,500
Deputy Leader of the Council	20,521.00	21,350.00	21,350.00	0.00	21,350.00	21,350.00	1	21,350	21,350	21,350
Executive Members	17,590.00	18,300.00	18,300.00	0.00	18,300.00	18,300.00	7	128,100	128,100	128,100
Chair of Scrutiny Panel	7,329.00	7,625.00	7,625.00	0.00	7,625.00	7,625.00	5	38,125	38,125	38,125
Chair of Planning & Reg Committee	7,329.00	7,625.00	7,625.00	0.00	7,625.00	7,625.00	1	7,625	7,625	7,625
Chair of Licensing Committee	0.00	0.00	7,625.00	7,625.00	7,625.00	7,625.00	1	0	7,625	7,625
Chair of Audit Committee	4,397.00	4,575.00	4,575.00	0.00	4,575.00	4,575.00	1	4,575	4,575	4,575
Chair of Council	8,795.00	9,150.00	9,150.00	0.00	9,150.00	9,150.00	1	9,150	9,150	9,150
<b>Sub total</b>								<b>722,736</b>	<b>797,550</b>	<b>763,950</b>
									74,814	41,214
Leader of Other Groups	5% of Leader, plus 1% per Member		no change	0.00	no change			£1,525 + £305 per member		

## Report of the Independent Remuneration Panel (Members' Allowances) to North Somerset Council – January 2023

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### Introduction

1. North Somerset Council periodically commissions a review of its Members' Allowances Scheme through its Independent Remuneration Panel (IRP). These reviews are usually carried out every four years but the cycle was interrupted by the Covid pandemic and this is the first review since January 2016  
The Council must have regard to the recommendations of the IRP in setting members' allowances, but it remains the responsibility of the Council to determine the number and value of allowances.
2. The North Somerset IRP met on a number of occasions during the period October 2022 to January 2023, at the Council Castlewood Offices in Clevedon, and remotely by Microsoft Teams, to gather evidence and review the Scheme.
3. The members of the Panel are as follows:
  - David McFarlane (Chairman) – Business Executive (retired)
  - Philip Burton – Project Management Consultant
  - Anne Hogarty – Human Resources Manager (retired)
  - Peter Smith - Civil Servant (retired)
  - Stefan Ramel - Barrister
4. The Panel wishes to place on record its appreciation of the support it has received throughout the review from Nicholas Brain, Monitoring Officer, Sue Bullock, P.A. to the Leader and Bryony Houlden and the staff at South West Councils.
5. We are especially grateful to those North Somerset councillors who participated in our review process. We were also pleased to have the opportunity to meet with a number of councillors to discuss their roles. We are grateful for the time spent with us. This has helped to clarify aspects of current member working within the Council.
6. The review process revealed divergent views in relation to the Government view that the Councillor role be considered, in part, voluntary. It also identified a difference of opinion on the adequacy of the Allowances for those with independent means, including income from a pension, and those whose ability to maintain an adequate earned income, and make pension provisions, from other sources is adversely affected by meeting their Council responsibilities.

However, whilst recognising that it may deter a significant number from standing for election, the Panel is unable to address this latter issue due to the current requirement for the Basic Allowance to be available to all and paid at the same level for each Councillor and the Government decision to exclude Councillors from the LG Pension Scheme.

7. A number of Councillors referenced the current lack of diversity amongst Councillors and are supportive of any measures which promote the objective of “attracting and retaining a Council broadly representative of the population of North Somerset.” The Legal and Democratic Services Department have set up a website which will help potential candidates understand the role of a councillor and encourage applications from across the community. In addition, a comprehensive induction programme will provide information and support to new councillors.

## **Methodology**

8. The initial approach of the Panel was to invite councillors to complete a short questionnaire online, the process being managed by South West Councils. The survey principally addressed the Basic and Special Responsibility Allowances, including the hours worked and the duties involved, but also took account of other aspects of the current Scheme.
9. Whilst all Councillors were invited to participate, with reminders also sent out, the Panel feel the level of participation - 42% - to be somewhat disappointing and significantly lower than that of the previous review.
10. The Panel also reflected on the outcome of the last Panel report and considered the recommendations contained therein in preparing this report.
11. We looked at the statistics for neighbouring and comparable Unitary Authorities. We are aware that in comparing values, it is important to understand that the structures and cultures of other Councils may vary from those of North Somerset. For example, among comparator authorities, differing levels of authority appertain to individual executive members.
12. Nevertheless, the information has proved a useful guide to where North Somerset Council sits alongside other comparable Councils.

## **General principles**



13. The Panel wishes to make clear the following points of principle:
- (a) It is not constrained by financial considerations – that is a matter for the Council to consider under advice from its Officers.
  - (b) Our recommendations are founded on our interpretation of the evidence offered to the Panel and our independent assessment of the various aspects of the Allowances Scheme.
  - (c) The Panel recognise that Councillors are in receipt of Allowances – Basic and Special Responsibility – the principles of which vary from those of a salaried position.
  - (d) The Panel’s objective is to recommend Allowances which will be seen as both fair and reasonable and which will, as far as possible, both attract and retain a Council broadly representative of the population of North Somerset.

### **Basic Allowance**

14. The Basic Allowance must be available to all Councillors and paid at the same level for each Councillor. The present Basic Allowance is **£9,666**. This represents the level of the allowance recommended by the Panel for 2008/09 upgraded in accordance with the successive pay awards for Local Government staff including the award for 2022-2023
15. Councillor Role Descriptions are understood to have been prepared but not yet adopted. We have therefore continued to consider that the Basic Allowance provides for or recognises the following: -
- time and effort in conducting the ward representational role;
  - use of home as an office;
  - travel within the electoral ward;
  - recompense in part for the direct impact of the councillor role on the family;
  - serving on such outside bodies to which the member may be appointed;
  - serving as a member of the full Council and reasonable attendance at Council meetings;
  - membership of a reasonable number of formal and less formal committees, working parties etc. and a reasonable level of attendance at such meetings;
  - performing a chairing role at such meetings where the time and effort involved does not equate to a chairing role for which a special responsibility allowance is justified;

- making a contribution towards the effective governance, performance and administration of the Council as a whole;
  - attendance at reasonable training and personal development events;
16. The previous Report, presented to the Council in February 2016, followed the Boundary Review that reduced the number of elected Councillors for North Somerset from 61 to 50. It contained a recommendation, strongly supported by evidence provided, but not implemented by the Council at that time, that the subsequent increase in the demands placed on Councillors be compensated for by a corresponding increase in the Basic Allowance from **£8,193** to **£9,332** for 2016/17.
  17. Although this appeared to be a substantial increase, it would have resulted in a reduction in the total cost of the Basic Allowance of **£33,000 p.a.** or **6.6%**.
  18. Since the time of the previous Report, the Panel has not been advised of any significant changes to the duties or responsibilities of Councillors nor the hours required to undertake them. It is therefore our view that this proposal remains valid and that the Basic Allowance for 2023-2024 be **£11,010**. This is the 2016/17 recommendation uplifted in accordance with the successive pay awards for Local Government staff.

This would: -

1. Align North Somerset more closely with comparable Authorities.
2. Address, at least in part, the comments made by some Councillors in their survey responses on the level of Allowances.
3. Contribute to the objective of attracting a Council broadly representative of the electorate.

A copy of the relevant section of the 2016 Report is attached as Appendix 1 of this Report along with Appendix 2 which details the year-on-year increases in both the Basic Allowance and the Panel recommendation of 2016-2017

**RECOMMENDATION 1 That the Basic Allowance for 2023/24 be set at £11,010**

However, although the Panel is not constrained by financial considerations, it recognises that, in the current situation, the Council might consider the alternative proposal of applying this adjustment in two stages, bringing the Basic Allowance to **£10,338** for 2023-2024 and **£11,010** in 2024-2025

**RECOMMENDATION 2 That the Basic and Special Responsibility Allowances for 2023-2024 and subsequent years be adjusted in line with any percentage**

**pay award to officers through the national local government pay award structure;**

**RECOMMENDATION 3 That the Council adopt Role Descriptions for Councillors which incorporate the factors detailed in item 15 of this report.**

### **Special Responsibility Allowances**

19. The purpose of Special Responsibility Allowances (SRA) is to recognise the responsibilities, accountabilities, time and effort attached to certain member roles. These are usually responsibilities that are significantly greater than those carried out generally through the role of the Councillor as recognised through the Basic Allowance.
20. The payment of SRAs is entirely at the discretion of the Council. However, the Panel is in no doubt that, without such recognition, it would be very difficult to find councillors of the required calibre to undertake these significant responsibilities, including the political management and leadership of the Council.
21. The Panel has benefitted from interviews with the Leader and a number of members of the Executive and gained an understanding of the level of responsibility and accountability attaching to these offices.
22. The comments in item 6 of this Report regarding the ability to maintain an adequate earned income from other sources are relevant to these positions, particularly the Leadership and Executive roles, in view of the enhanced demands of their responsibilities.

### **Leaders Special Responsibility Allowance**

23. The present Leader SRA of **£30,500** is broadly comparable with other Unitary Authorities in the region and recognises the level of executive responsibility and accountability attaching to this office, and the responsibility for such strategic matters as the promotion of North Somerset's interests at regional and sub-regional level.
24. There has not been evidence presented to justify an increase in the SRA of the Leader at this time.
25. **RECOMMENDATION 4: That the SRA for the Leader of the Council be set at £30,500 for the period 2023/24;**

## Other SRAs – general

26. Under the present Scheme, all SRAs are calculated as a percentage of the Leader's SRA Allowance.
27. The Panel believes that all the SRAs in North Somerset reflect in some way aspects of the leadership of the Council and its key functions, whether at executive level or in the delivery of regulatory responsibilities.
28. The Panel therefore remains committed to using the Leader's SRA as the cornerstone for calculating other SRAs
29. **RECOMMENDATION 5: That any special responsibility allowances awarded under the North Somerset Scheme continue to be calculated as a percentage of the Leader's SRA.**

## Deputy Leader's SRA

30. The role of Deputy Leader is allocated by the Leader to one of his/her executive members. The Leader must appoint a Deputy.
31. It is expected that the Deputy Leader will be available in the absence of the Leader, on an immediate day to day level and in the event of any prolonged absence. The Deputy Leader carries a portfolio of executive responsibilities.
32. The Panel is satisfied that the present Scheme correctly recognises the Deputy Leader's additional duties, over and above his/her executive responsibilities with an enhanced payment.

**RECOMMENDATION 6: That the SRA for the Deputy Leader be set at £21,350, for the period 2023/24 i.e. 70% of the Leader's SRA.**

## Executive Members' SRAs

33. Councillors are appointed to the Executive by the Leader. The Panel has heard evidence of the impact that the time and effort have upon a Councillor acting in an Executive capacity. We believe that, at **£18,300**, the Scheme correctly recognises this role.

**RECOMMENDATION 7: That the SRA for an Executive Member be set at £18,300 for the period 2023/24 i.e. 60% of the Leader's SRA.**

## **Other SRA's**

Having considered the evidence provided by the survey referenced earlier in this report and the subsequent interviews with Councillors, the Panel are of the view that, except for the Chair of the Licencing Committee – not currently eligible for an SRA - all other SRA's are at an appropriate level.

**RECCOMENDATION 8: That the SRA's for the following positions be set as indicated for the period 2023-2024.**

**(1) Chairs of Overview/Scrutiny and Policy Panels - £7,625 i.e. 25% of the Leaders SRA.**

**(2) Chair of the Audit Committee – £4,575 i.e. 15% of the Leaders SRA**

**(3) Chair of the Planning and Regulatory Committee - £7,625 i.e. 25% of the Leaders SRA**

**(4) Chair of the Council - £9,150 i.e. 30% of the Leaders SRA**

**Recommendation 9 That the Chair of the Licensing Committee be awarded an SRA of £7,625 i.e. 25% of the Leaders SRA.**

**NB** this recommendation is made on the proviso that the Chair of the Licencing Committee also Chairs all Licencing Sub-Committees.

## **Vice Chairs of Panels and Committees**

34. The current Scheme does not allocate any SRA entitlements to vice-chairs of committees, or to the Vice Chairman of the Council.
35. We are firmly of the view that the role of vice chair is one that is usually played out at a meeting, presiding in the absence of the chair. We have received no evidence that a vice chair of any committee or panel will incur additional responsibilities at such a significant level as to justify a special responsibility allowance. We do not therefore propose to include any recommendations for SRAs for vice-chair roles.
36. The position of the Vice Chair of the Council is slightly different in that they will inevitably take on some of the civic engagements that the Chair of the Council is unable to attend. We remain of the view however that there are no grounds to support a recommendation for an SRA for this position.

## **Minority Group Leaders**

37. The Panel recognises that the Leaders of minority parties on the Council have some responsibility for the good corporate governance of the Council and for ensuring the actions of their group do not conflict with that. There is of course an additional responsibility for effective group management.
38. The present Scheme recognises both roles by awarding an allowance of 5% of the Leader's allowance as a lump sum in addition to an amount equivalent to 1% of the Leader's allowance for each other member of the political Group.
39. We believe this is an appropriate provision within the Scheme and accordingly recommend that it continues.

**RECOMMENDATION 10: That the SRA for Minority Group Leaders be set at £1,525 (i.e. 5% of the Leader's SRA) together with £305 (i.e. 1% of the Leader's SRA) for each other member of the political Group.**

## **Other Provisions of the Scheme**

### **Travel and Subsistence Allowance.**

**Recommendation 11: That the Travel and Subsistence Allowance for Councillors continue to be that applicable for Council Officers**

### **Dependent Carers Allowance**

Having considered this little used policy, the Panel find no issues on which it wishes to comment but recommends clarification on the Claims Procedure to avoid any potential misunderstanding.

### **Parental/Adoption Leave**

The Panel supports the objective of attracting a Council broadly representative of the electorate by removing perceived barriers to standing for election. We suggest that adopting a policy covering Parental/Adoption Leave would promote this.

**Recommendation 12: That the Council adopt the Parental/Adoption Leave policy currently applicable for Officers.**

## **Sick Pay**

The current provision is for Councillors Allowances to continue during absences due to ill health. The view of the Panel is that this aspect of the Allowances Scheme be changed. Our view is that the full Allowances received should continue for the first six months of any absence due to ill health and at 50% for a further six months.

**Recommendation 13: That the Council adopt the Sick Pay policy currently applicable for Officers.**

40. There are no other matters upon which the Panel wishes to comment to the Council. Accordingly, the Panel is happy to propose that all other existing provisions of the scheme be maintained.

**RECOMMENDATION 14: That in all other respects, the provisions of the Scheme of Members Allowances, as set out in Part 6 of the Constitution of the Council, be confirmed for the period 2023-2024,**

## **Conclusions**

41. This review, which should have been conducted earlier, in accordance with the Regulations, which require a Members' Allowances Scheme to be reviewed every four years, has been delayed due to the Covid Pandemic
42. We have based on our recommendations on the evidence provided about the present Member roles. The Panel is prepared to meet at any time to consider any changes which may subsequently be made to any Councillor role or to any other aspect of the Allowances Scheme.
43. The overall financial impact of our recommendations is provided in the officers covering report.

**Appendix1** – Extract from Members Allowances Panel Report February 2016

44. A number of the questionnaire returns presented evidence of the increased workload and travel within the newly created wards, following the boundary review. We recognised that as the scheme does not allow councillors to claim for travel within the ward an additional burden is imposed on some councillors, particularly those in larger more rural wards.
45. However, having regard to our recommendation on the level of Basic Allowance, we believe that there will be improved recognition of all aspects of the above list with the Basic Allowance covering all situations.
46. We turn now to our formula for calculating the Basic Allowance. Using data from the questionnaires, the median figure for the number of hours worked by councillors on general elected member duties, is **24.5 hours per week**. For this purpose we have discounted the hours used for familiarisation of roles. This represents an increase of **3 hours per week over the 21.5 hours** per week figure used previously.
47. In line with the Government's statutory guidance that a certain number of Councillor's hours are considered voluntary and therefore not remunerated, we have followed the precedent of applying a 33% reduction giving a revised total of 16.41 hours compared to the previous 14.41 hours. This has the effect of reducing the additional hours referred to in paragraph 20 from three to two, i.e. requiring an additional voluntary hour but generating an increase of **13.9%** in hours potentially remunerated.
48. We believe that this percentage increase in time and effort has resulted primarily from the increased size of wards which, whilst this has not affected all wards and all Councillors should be reflected in an equivalent increase in the Basic Allowance, bringing it up to **£9,332 for 2016/17**.



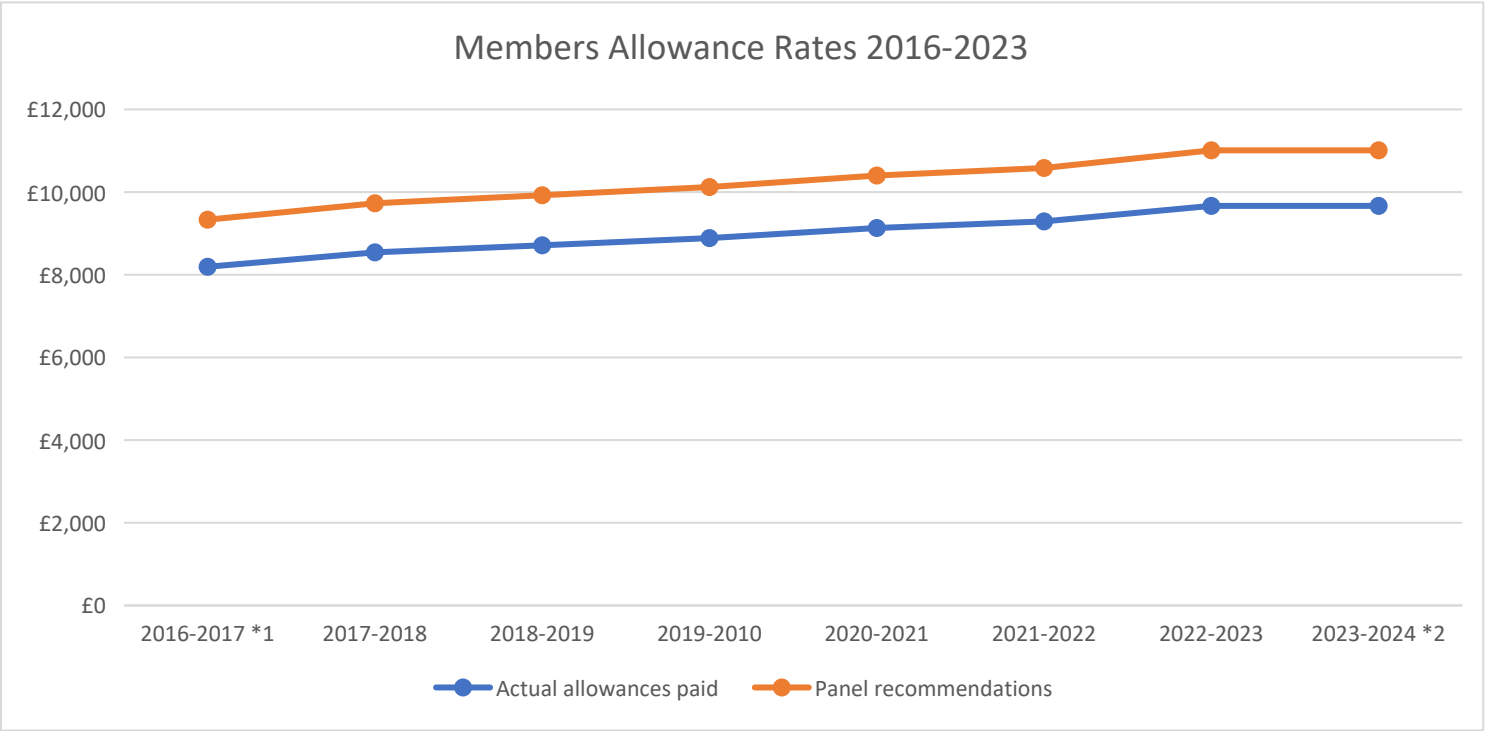
**Appendix 2**

**Evolution of the Basic Allowance**

	2016-2017 *1	2017-2018	2018-2019	2019-2010	2020-2021	2021-2022	2022-2023	2023-2024 *2
<b>Actual</b>	£8,193	£8,542	£8,712	£8,887	£9,131	£9,291	£9,666	£9,666
<b>Recommended</b>	£9,332	£9,729	£9,924	£10,122	£10,400	£10,582	£11,010	£11,010

\*1 - No of Councillors reduced from 61 to 50

\*2 - Before annual inflationary uplift is applied



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## North Somerset Council

### Report to the Council

**Date of Meeting: 11/07/2023**

**Subject of Report: NSEC Shareholder update**

**Town or Parish: N/A**

**Officer/Member Presenting: Councillor Ashley Cartman – nominated shareholder representative**

**Key Decision: N/A**

### **Reason:**

Report for information only

### **Recommendations**

That Council receive the NSEC shareholder update and note progress to date.

### **1. Summary of Report**

This report gives an update on North Somerset Environment Company Limited (NSEC), the Council's wholly owned subsidiary company. It is an overview by the shareholder from a governance perspective on the activities and performance of the company, which has seen a marked improvement. The Executive has appointed Cllr Ashley Cartman as its shareholder representative.

Operational aspects are covered by the client relationship with the council and subject to Place Scrutiny arrangements, so are not covered in this report.

An earlier version of this report was considered by the Partnerships, Corporate Organisation and Overview Management Committee on 3<sup>rd</sup> March 2023.

### **2. Policy**

NSEC Ltd was established to support North Somerset Council's corporate plan in the following areas:

- A thriving and sustainable place.

The Council is able to have more influence on the waste service to better ensure that it contributes to North Somerset Council's corporate plan priorities of being;

- A great place for people to live, work and visit
- Welcoming, safe and clean neighbourhoods
- To be a carbon neutral council and area by 2030

- An open and enabling organisation

NSEC Ltd contributes to North Somerset's corporate plan priorities related to innovation and efficiency which are:

- Encourage continuous improvement and innovation
- Manage our resources and invest wisely
- Provide professional, efficient and effective services
- Collaborate with partners to deliver the best outcome

NSEC Ltd operations are covered by the council's Recycling and Waste Strategy 2021-2023

### **3. Details**

#### **3.1. Background**

The Council agreed to establish its own recycling and waste Company in 2020 using a Teckal exemption to deliver North Somerset services, in order to:

- Overcome commercial viability issues within the waste market
- Enable financial flexibility to deliver efficiency and
- Have greater control over environmental issues in its net zero strategy

Whilst the company was primarily established to deliver services on behalf of the council, it would also have the flexibility to trade with third parties for a profit (within the Teckal threshold of 20%). The council will also seek to explore the delivery of other services through NSEC, where it is beneficial to do so.

#### **3.2. Governance**

##### **3.2.1. North Somerset Council Governance**

The company is governed by its articles of association and these reserve several matters for the shareholder, including but not limited to:

- Changes to company structure
- Appointment of board members
- Approving the business plan
- Major financial decisions such as loan agreements, credit facility, contracts above a certain level
- Determining directors' remuneration

The shareholder has agreed a Memorandum of Understanding with the company which determines reporting standards for key areas which cover:

- Financial update including forecast
- Operations overview/ KPIs
- Health and Safety, environment and compliance
- Employee, workforce and trade union related matters
- Strategic risk register
- Issues of concern
- Shareholder decisions/ reserved matters

Whilst the company was in its early stages and there were numerous decisions to be taken on reserved matters, the NSEC shareholder board met every 6 weeks, approximately. Now that the company and key documents are established, meetings will be held quarterly through 2023 as standard with flexibility to arrange ad hoc meetings as required.

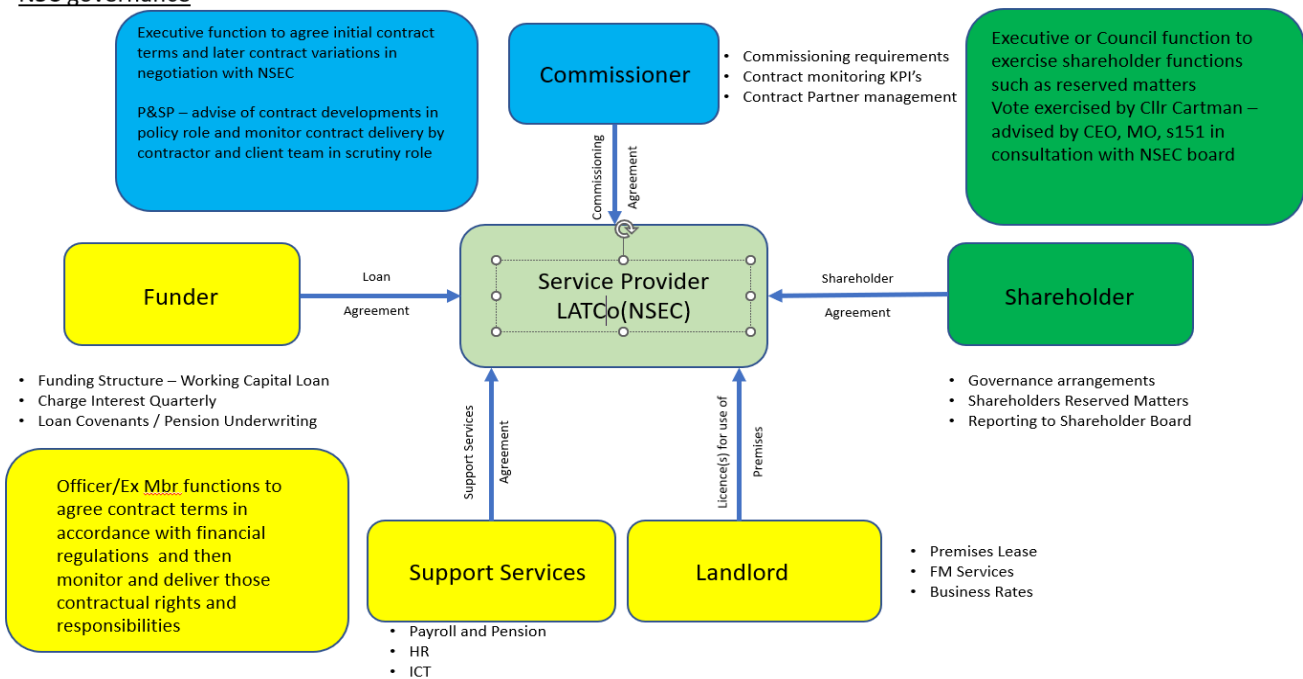
### 3.2.2. NSEC Company Governance

Director appointments to the board are a reserved matter for the Shareholder. The current board is made up as follows:

- Sue Turner – Non-Executive Chair of the Board
- Brian Veale – Managing Director
- Stuart Jellings – Operations Director
- Chris Butters – Non-Executive Director
- Darren Knight – Non-Executive Director

Governance Diagram – this report relates to the Shareholder elements depicted on the right





#### NSC governance



### 3.3. NSEC performance

#### 3.3.1. Strategic Performance Indicators

NSEC reports its operational performance to the client team on a monthly basis, including detailed breakdown against a suite of Key Performance Indicators (KPIs). The shareholder representative has agreed a number of high-level measures which will be monitored by the shareholder board on a quarterly basis, focussed on environmental impact, customer experience and finance. Performance to date is summarised overleaf:

	<b>Base indicator</b>	<b>Latest performance</b>	<b>Direction of travel</b>
<b>Repeat missed collections per 100,000</b>	832 (Apr- Jun 22)	519 (Jan-Mar 23)	-38% 
<b>Kerbside recycling rate</b>	45.7% (2021-22)	45.2% (2022-23 to date). NSC is expected to be in the top 10 performing councils for 2022-23	-0.5% 
<b>Recycling centre rates</b>	60.01% (2021-22)	61.54% (2022-23)	+1.53% 
<b>Responding to complaints within 10 days</b>	62.8% (Jan-Mar 22)	67.3% (Apr 22- Mar 23)	+4.5% 

### 3.3.2. Financial performance and forecast:

Throughout the year NSEC management have shared with the Council the measures they have been taking to improve efficiencies, deal with issues that were not foreseen during the process of transferring the contract from the previous operator and close the gap between the budget and forecast outturn.

<b>£000</b>	<b>2021-22</b>	<b>2022-23</b>
Turnover	13,162	13,983
Costs	13,501	14,259
Net profit	(339)	(276)
Variance	(2.58%)	(1.97%)

#### 3.3.2.1. 2021-22 performance

The first Statutory Accounts for NSEC cover the period from October 2020 to March 2022 and are available on Companies House and received a clean audit opinion.

The key drivers of the adverse variance of £339k (2.58%) during 2021-22 were:

- Covid pandemic and “pandemic” impact on staff availability and cost of cover and hire of smaller vehicles
- National Shortage of HGV drivers; the company inherited 10% driver vacancies and incurred agency and training costs

#### 3.3.2.2. 2022-23 performance

Monthly management accounts are prepared for the NSEC board and these are made available for the shareholder to review with detailed reporting on a quarterly basis.

The key drivers of the variance of £276k (1.97%) for 2022-23 are:

- Agency costs arising from vacancies and COVID impacts early in the year
- Insurance costs greater than contract budget due to claims experience of new company – retendered 2023
- Condition of vehicle fleet leading to unplanned hire costs and repairs – minor procurement in 2023 with major procurement in 2024
- General inflation

### 3.4. NSEC Business Plan

NSEC has developed its business plan 2023-2028 which has been approved by the shareholder.

Whilst the company was primarily established to deliver services on behalf of the Council and therefore these opportunities are considered as contracts come up for procurement, it has the flexibility to trade with third parties for a profit (within the Teckal threshold of 20%).

### **3.4.1. Introducing commercial services:**

The business plan includes ambitions to trade externally which are forecast to generate additional turnover and profit for the company over the five year period to 2027-28. Surpluses will be used to offset the deficit from earlier years before a distribution of dividends to the parent Council will be considered – this is subject to agreed dividend policy.

<b>New Income Stream</b>	<b>Turnover (rounded to nearest £000)</b>	<b>Costs</b>	<b>Forecast net profit over 5 year period</b>
Driver Academy	1,879	1,719	160
Event Cleaning	308	266	42
Commercial Waste	1,966	1,772	193
Commercial Vehicle Servicing	612	551	61
<b>Total</b>	<b>4,765</b>	<b>4,308</b>	<b>456</b>

### **3.4.2. Expansion of Council services**

#### **3.4.2.1. Highways**

On 8 November 22 Council agreed to progress the highway reactive and cyclical maintenance work package via direct contract award under Teckal exemptions to North Somerset Environment Company for an initial term of 7 years commencing 1 April 2024.

The contract value is expected to be in the region of £2.2m per year and deliver a variety of benefits to the Council:

“The business case clearly shows that delivering the reactive and cyclical maintenance service through NSEC delivers the best financial value, the most social value, the best alignment to the council’s strategic priorities and helps to deliver the NSEC business plan. A full NSEC business case for expansion to include this service has also been produced and analysed in tandem with the options analysis work and has been approved by the company board and shareholder.”

Benefits to the Company will include economies of scale, back office and management efficiencies and greater use of assets and capabilities within the company. It is expected that this contract will yield £65k of overhead savings per year over the life of the contract which will be available to offset cumulative deficits. The proposal submitted by NSEC was approved by the Shareholder prior to submission to the Council.

#### **3.4.2.2. Expanding waste delivery elements**

NSEC has submitted a bid to the Authority for 2 lots of the Waste Processing contracts as of 31/01/23, the bid is currently being reviewed by the Client Officers.

The first Lot is for the 7-year contract to run the Waste Transfer Station on Aisecombe Way, currently operated by Enovert and up for renewal in April 2024. This is where NSEC already deposit the Residual (Black Bag) and Garden Waste adjacent to the existing Household Waste Recycling Centre. There are several potential synergy opportunities as NSEC would gain end to end control of the supply chain and would assist with a key Business Plan objective to increase Commercial Waste collections.

The second Lot is for the haulage, or onward forwarding, of the Residual and Garden Waste to the end destination processing facilities, currently located in Avonmouth and Cheltenham. This would sit well within the NSEC portfolio as it would be an extension of their existing HGV operations.

### **3.4.2.3. Plan to recover deficit**

NSEC first year performance reflects the period of six months from the registration of the Company on 26/10/2020, through to the mobilisation of the Waste and Recycling contract on 27/03/21, in addition to the full trading year from April 21 through to March 22.

The audited accounts of NSEC for 21/22 reported a trading deficit of 339k. For the trading year 22/23 NSEC posted a further deficit of £276k, the total being £615k trading deficit after the first two years.

The circumstances which contributed to the losses included the impact of the COVID pandemic, HGV Driver shortage and hire fleet costs, which are all now significantly improved in the third quarter of 22/23. Whilst most of the Fleet assets sit with the accounts of North Somerset Council, a further targeted objective has been to make investment in assets directly for NSEC to improve contract delivery, which total £ 250k to date and are being depreciated over the next 5 years. NSEC has incurred no capital borrowing to date.

The plan to recover the incurred deficit involves two key initial elements over the five years of trading from April 2023 to March 2028, the first being the successful award of the Highways Cyclical and Reactive Maintenance Contract which is budgeted to deliver a surplus of £325k over the first 5 years. The second key element being the launch of commercial services as outlined in the Business Plan with a forecast surplus nett profit of £455k at the end of the first 5 years trading. Combining the two forecasts therefore includes a contingency of some £181k being over 30% of the deficit total. Our intention will be to avoid any further cost overrun within the delivery of the Waste and Recycling Contract to prevent increasing the deficit. Through effective delivery of the Business Plan and new service Contracts the Company will aim to outperform the financial forecast and reduce the amount of time taken to clear the deficit and take the Business into a profitable position by 2026-27.

<b>Financial year</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>	<b>2027-28</b>
Highways Contract Contingency	-	65	65	65	65
Business Plan Net profit	16	51	88	129	172
Total operating profit	16	116	153	194	237
Deficit/Surplus Carried forward	(599)	(483)	(330)	(136)	101

## **4. Consultation**

N/A

## **5. Financial Implications**

NSEC has not utilised any loan facilities offered by the council to support day to day operations or any other investment.

As the parent company and sole shareholder of NSEC, the council is ultimately responsible for any losses of the company. The ongoing profit and loss situation of NSEC is being closely monitored and the Council may need to consider making provision in its own accounts, if the deficit recovery plan is not successful. The accumulated losses for 2022-23 are not considered to be material to the council.



## **5.1. Costs**

N/A

## **5.2. Funding**

None arising from this report

## **6. Legal Powers and Implications**

Local Authority Trading Companies (LATCOs) are contracted by the parent council (or councils) to provide services back to the council(s) via a service contract. The council opted to apply the Teckal or in-house exemption when establishing NSEC which allows the contracting for services without the requirement for a procurement exercise. It is based on case law and was been codified in the Public Contracts Regulations 2015. In general, the terms of exemption require:

- the council to control the vehicle as if it were an internal department, with there being no direct private share or ownership participation in the company (this is known as the control test)
- more than 80% of the vehicle's activities to be with its 'parent' council (this is known as the function test)
- If the council decides to undertake an open procurement, the Teckal requirements do not need to be in place.

NSEC is required to comply with the Companies Act 2006 and other legislation applicable to a limited company.

## **7. Climate Change and Environmental Implications**

None arising from this report

## **8. Risk Management**

Risk Management activities are undertaken by the board of NSEC and reported to the shareholder board and to the client team. There are no specific risks arising from this report. The risks associated with the council's shareholder function are identified in Appendix 1.

## **9. Equality Implications**

None arising from this report

## **10. Corporate Implications**

As identified throughout this report

## **11. Options Considered**

N/A

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### **Appendices:**

Appendix 1 – Shareholder risk register

### **Background Papers:**

Report to council on set up of NSEC 22/09/20 (Confidential)  
NSEC articles of association (available on Companies House)

<https://n-somerset.moderngov.co.uk/documents/s3991/6.%20Committee%20Report%20NSC%20-%20Commissioning%20Plan.pdf>

## Appendix 1 – Shareholder risk register

Theme	Risk	Lead officer	Inherent likelihood (where 1 is very low and 5 is very high)	Inherent impact (where 1 is very low and 5 is very high)	Inherent risk	Inherent risk treatment	Mitigating / exploiting actions	Residual likelihood (where 1 is very low and 5 is very high)	Residual impact (where 1 is very low and 5 is very high)	Residual risk	Risk treatment
Corporate governance	Lack of robust governance leading to lack of clarity on performance and decision making	Director of Corporate Services/ s151	3	5	HIGH	MITIGATE	Appointment of highly qualified and experienced executive and non-executive directors of the company Shareholder board meetings Shareholder MOU and reserved matters Company articles of association, board meetings	2	4	MED	ACCEPT
Corporate governance	Other actions taken by, or issues with a parent company or major shareholder;	Director of Corporate Services/ s151	3	5	HIGH	MITIGATE	Appointment of highly qualified and experienced executive and non-executive directors of the company Shareholder board meetings Shareholder MOU and reserved matters Company articles of association, board meetings	2	3	LOWMED	ACCEPT
Residents and communities	Reputational impact of company activities	Director of Corporate Services/ s151	4	3	MEDHIGH	MITIGATE	Appointment of highly qualified and experienced executive and non-executive directors of the company Client team monthly meetings Communications lead for NSEC feeding in to corporate team/ planning Shareholder MOU Shareholder reserved matters CEO 1-1 meetings with Chair and MD	2	2	LOWMED	ACCEPT
Finance and resources (inc. staff)	The financial position and/or credit worthiness of a parent company or major shareholder;	Director of Corporate Services/ s151	4	4	HIGH	MITIGATE	Appointment of highly qualified and experienced executive and non-executive directors of the company Financial monitoring, Company business plan development including expansion of services providing contribution to overhead costs Deficit recovery plan	3	3	MED	ACCEPT

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## North Somerset Council

### Report to Full Council

**Date of Meeting: July 11<sup>th</sup> 2023**

**Subject of Report: Corporate Parenting responsibilities**

**Town or Parish: All**

**Officer/Member Presenting: Cllr Catherine Gibbons**

**Key Decision: No**

**Reason: The report draws members' attention to their corporate parenting responsibilities**

### Recommendations

Members are asked to:

Recognise their corporate parenting responsibilities  
Commit to gaining a better understanding of their role as corporate parents  
Consider ways in which they can support our young people

### 1. Summary of Report

The report provides background information on the role of corporate parents. It is intended that there will continue to be a report at all future Council meetings so that members are kept informed of the progress of our children and young people. This will provide members with the opportunity to consider how they are meeting their role as an effective corporate parent alongside colleagues.

### 2. Policy

While the concept of members viewing themselves as the parents of all children who are looked after came from the Quality Protects initiative launched in 1998 by Frank Dobson, the then Secretary of State for Health, the Children and Social Work Act 2017 defined for the first time in law the responsibility of corporate parents to ensure, as faster as possible, secure, nurturing and positive experiences for 'our' children. This means that they should:

- act in their best interests, and promote their physical and mental health and wellbeing;
- encourage them to express their views, wishes and feelings, and take them into account, while promoting high aspirations and trying to secure the best outcomes for them;
- make sure they have access to services;
- make sure that they are safe, with stable home lives, relationships and education or work;
- prepare them for adulthood and independent living.

### **3. Details**

, The Children and Social Work Act 2017 confirms that members are responsible for:

- being aware of the corporate parenting role and the shared responsibility for ensuring that the needs of children looked after and care leavers are met;
- having some knowledge of the profile and needs of the children and how they might be changing;
- understanding the impact on children looked after of all council decisions;
- receiving information about the quality of care and the quality of services that children are experiencing;
- considering whether this would be good enough for their own child;
- ensuring that action is being taken to address any shortcomings opinion the service and to constantly improve the outcomes for children and young people who are looked after.

It is suggested that members would find it helpful to increase their knowledge of this important role through:

- Attendance at the Corporate Parenting Panel (which is attended by care experienced young people, Children's Services staff and colleagues from other agencies)
- Reading of the regular Full Council report
- Reading the reports that CYPS Policy and Scrutiny Panel receive
- Considering the information within the Local Government Association's (LGA) resource pack (link at the bottom of this report)

### **4. Consultation**

None

### **5. Financial Implications**

None

### **Costs**

N/A

### **Funding**

N/A

### **6. Legal Powers and Implications**

Children and Social Work Act 2017

### **7. Climate Change and Environmental Implications**

This report outlines the opportunity for members to elicit the views of North Somerset's children and young people in regard to future strategies and plans: climate change and environmental issues are issues about which young people feel strongly and many of them have shown that they are keen to influence local as well as national decisions.

**8. Risk Management**

None

**9. Equality Implications**

No

**10. Corporate Implications**

None

**11. Options Considered**

None

**Author:**

Sheila Smith  
Director of Children's Services

**Appendices:**

None

**Background Papers:**

[Corporate parenting resource pack | Local Government Association](#)

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## Report to North Somerset Council on Avon Fire Authority, July 2023

The AGM of the Fire Authority took place on 13 June 2023.

New members were welcomed to the authority following the local elections. There is a significant change as half of the members are new. The political balance has now changed as a result of the elections and there are now 6 Liberal Democrats, 5 Labour, 5 Conservatives, 3 Green Party and 1 Independent member, as well as the PCC.

Cllr Brenda Massey was re-elected as chair of the authority. This will be her final year as a member of the authority. Cllr Ben Nutland, a Lib Dem councillor from South Gloucestershire was elected as vice-chair.

Following a review of the governance of the authority, a new committee structure has been put in place with the intention of streamlining business, avoiding delays and duplications, and to reduce the officer time spent producing reports. There are now two committees instead of three. There have also been changes to procurement policy and changes to the delegation of recruitment to Chief Fire Officer/CEO.

Members considered the financial updates.

- There was a small underspend in the net revenue budget for 2022-23 of £417,000, which is seen as a positive outturn position given the additional pay and inflationary pressures.
- Under the capital programme, during 2022-23, the authority invested £1.47m in its premises, £2.56m in its fleet, and £0.12m in operational equipment.  
There has been a significant underspend of £2.12m on premises, which was principally due to the pausing of projects to rebuild fire stations in Weston-super-Mare and Bath. These projects will still go ahead, but the rising costs and, in the case of Bath, reaching agreements with other services have delayed them.  
There has also been an underspend of £500,000 in fleet due to supply issues which have delayed completion of appliance orders. We are assured that these delays will not affect operational service.
- Finally members approved the reserves strategy, and general reserves remained consistent at £1.5million which is the recommended level.

The authority resolved to refer senior officers' pay for an independent review to ensure they are aligned to national averages for the relevant population band and ensure that salary percentages reflect the responsibilities of senior officers.

Robert Payne



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