

# Minutes

of the Meeting of

## The Council

### Tuesday, 10 January 2023

New Council Chamber - Town Hall

Meeting Commenced: 6.00 pm

Meeting Concluded: 8.20 pm

#### Councillors:

Karin Haverson (Chairperson)

Wendy Griggs (Vice-Chairperson)

Mark Aplin

Nigel Ashton

Mike Bell

Mike Bird

Steve Bridger

Peter Bryant

Gill Bute

Mark Canniford

Ashley Cartman

John Cato

Caroline Cherry

James Clayton

Sarah Codling

Andy Cole

Peter Crew

Ciaran Cronnelly

Donald Davies

Catherine Gibbons

Hugh Gregor

Ann Harley

Sandra Hearne

David Hitchins

Steve Hogg

Nicola Holland

Ruth Jacobs

Huw James

Patrick Keating

Stuart McQuillan

Phil Neve

Robert Payne

Lisa Pilgrim

Terry Porter

Geoffrey Richardson

David Shopland  
Mike Solomon  
James Tonkin  
Richard Tucker  
Richard Westwood  
Roz Willis

**Apologies:** Councillors: Caritas Charles, John Crockford-Hawley, Mark Crosby, John Ley-Morgan, Bridget Petty and Timothy Snaden.

**Absent:** Councillor Caroline Goddard.

**Officers in attendance:** Jo Walker (Chief Executive), Amy Webb (Director of Corporate Services), Nicholas Brain (Assistant Director Legal & Governance and Monitoring Officer), Hayley Verrico (Director, Adults' Support and Safeguarding), Mike Riggall (Information and ICT Security Manager) and Alex Hearn (Assistant Director (Placemaking & Growth)).

**Partaking via Microsoft Teams:** Councillors: Ian Parker, Marcia Pepperall

Officers: Sheila Smith (Director of Children's Services), Matt Lenny (Director of Public Health) and Hazel Brinton (Committee Services Manager)

**COU Chairperson's Welcome**

**81**

The 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 Public Participation, petitions, and deputations (Standing Orders 2 (vi) and 82 17)**

None.

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

**83**

None declared.

**COU Minutes**

**84**

**Resolved:** that the minutes of the meeting of 8 November 2022 be approved as a correct record.

A minor typographical error was noted under COU56 paragraph 2 – “had been” to replace “has been”

**COU Medium Term Financial Plan - Update Report**

**85**

Councillor Cartman presented the report. He reminded members that the report before them was not the final budget for 2023/24 and that this report was an update following the recent publication of the Local Government Finance Settlement which had also updated the council's financial assumptions.

Savings, cuts and efficiencies had reduced the budget gap from £17m to £2.536m with the details of the proposed savings in the current report and that which had been presented to the Executive in December 2022. He noted that the council's costs were rising by over 10% as was demand for services in Children's Services and Adult Social Care and funding was not keeping up.

He highlighted to members that the report was based on a Council Tax rise of 2.99% but the government was permitting local authorities to raise this by up to 4.99% this year. Taking the additional 2% rise would mean the council could set a balanced budget for next year or if not, additional savings would need to be identified. Consultation and engagement with members would continue.

Councillor Cartman brought recommendation 2 to members' attention in respect of the Safety Valve funding settlement discussions that were ongoing with the government in relation to the cumulative deficit on the Dedicated Schools Grant and the delegation to the council's s151 officer to continue those discussions.

In debating the report members voiced concerns over the changes to the Home to School Transport policy and safeguarding issues with unaccompanied children on buses. Concerns were noted over the level of increase in funding for Home to School Transport which would bring the funding up the level being spent in the current year with no increase for future cost pressures. The level of bus service was deteriorating and leaving pupils standing on the pavement as buses did not turn up.

Concern was raised over the funding of the current year overspend and that insufficient budget was being allocated the following year to those areas which historically overspent such as Children's Services as the increase in budget for 2023-24 just brought spending up to that of 2022-23. Similarly, a concern was raised over funding for Adult Social Care.

Members also asked that a strategic and aggregated consideration be given to the impact of the budget proposals on equality groups and that any consultation took account of those who were "digitally excluded".

Councillor Cartman responded that transformation work was needed in the area of Home to School transport and conversations had already started to determine best practice. He acknowledged the use of the financial risk reserve to support the funding gap in the current year budget due to the higher than expected pay award and rising energy costs. He added that he shared members' concerns over the level of funding for Children's Services in not anticipating further growth. He would pick up on the point made around aggregated impact assessments and consider the matter further to try and ensure no one group was excessively impacted and agreed that there were real concerns in the area of funding for Adult Social Care.

Councillor Hogg acknowledged the concern over safe routes to school and was meeting Banwell Parish Council shortly on the matter. He added that BSIP funding would provide transformational change to bus services within the authority area. He noted members' comments over bus driver shortages and the difficulty First was having in recruitment.

The Director of Corporate Services commented on the level of risk in the draft budget as presented and noted that the summary report showed growth and cost pressures of £33.4m for 2023-24. Demand pressures, inflation and contract variation had been scrutinised in detail. As s151 officer, she was responsible for ensuring the budget was robust and sustainable. She noted that the base budget in some of the areas mentioned by members had been increased beyond the overspend experienced in 2022-23. The council would look to re baseline budgets and ideally would not seek to use reserves but would make a risk assessment of budget against the reserve position. She added that the budget presented a sustainable and balanced view albeit with a gap due to demand and cost pressures

**Motion:** proposed by Councillor Cartman and seconded by Councillor Bridger and

**Resolved:** that

1. Council noted the updated revenue budget position and assumptions included within the Medium Term Financial Plan (MTFP) for the period 2023-2027 as detailed within the report and also the revised budget gap of **£2.536m**.
2. Council granted approval for the S151 Officer, in consultation with the Executive Member for Corporate Services, to review the council's reserves and identify sums which could be considered for reallocation and used as part of the Council's Safety Valve funding settlement discussions.

## **COU 86    Recommissioning of the Support to Live at Home Domiciliary Care Contracts**

Councillor Bell presented the report noting that it concerned a range of domiciliary care contracts in the social care area for Adults. The recommissioning process was being started as a number were due to expire in September 2023. Engagement with key stakeholders and partners had taken place to look at areas for improvement. The pressure on social care services underlined how important domiciliary care was in enabling people to stay in their own homes and live independently. This was for their own well-being but also to protect the NHS from pressures of individuals being admitted to hospital unnecessarily and the council's own costs in terms of long term residential and nursing care. The council was working with good care providers in North Somerset, but the transfers of providers were indicative of the cost pressures being felt in the social care area.

In debating the report, members noted concerns over the support for those caring for loved ones at home. Support was needed for them over bank holidays also. The low level of pay for domiciliary social care workers was highlighted.

Councillor Bell responded that he acknowledged the comments resulted from a desire of members to drive improvements. He added that End of Life care was a critically important area and had been underdeveloped and underfunded historically but the Bristol, North Somerset and South Gloucestershire Integrated Care System has made this area a priority and Weston Hospicecare was supporting across a number of partnership organisations to determine what the support should look like. He added there were challenges across all areas of social care in all settings and that no amount of money would be enough. He had been highlighting the practical issues to the Care Minister over a number of

months and improvements in NHS pressures went hand in hand with improvement in social care.

**Motion:** proposed by Councillor Bell and seconded by Councillor Canniford and

**Resolved:** that the Council recommission the Support to Live at Home domiciliary care contracts for a seven-year term.

**COU 87 Winterstoke Road Bridge - funding and Memorandum of Understanding.**

Councillor Hogg presented the report to members. He advised that the report was seeking to increase the capital programme for the Winterstoke Road Bridge project by £5.1m to reflect the cost of the replacement scheme. An additional £9.46m funding would be received from the Ministry of Defence (MoD) as a result and £2.5m of revenue funding would also be received as a commuted sum to cover revenue costs in 2024.

Councillor Hogg gave the background to the construction and use of the bridge which remains the property of the MoD. In recent years the bridge had fallen into poor condition and has required expensive repairs. The land ownership and management of the bridge was complicated but the current condition of it meant that there were weight restrictions now in place and if it was not replaced, there would be a permanent closure with the decade. It was a vital route in Weston-s-Mare and acted as an emergency diversionary route for the M5 when closed. The MoD has accepted full liability for the bridge and wanted the council to adopt and maintain the bridge at public expense. As part of the adoption, 120 years of maintenance expense would be made available to the council. As costs had risen, the council has requested an additional sum of £9.46m to cover these increases. The MoD has requested additional assurance via a Memorandum of Understanding which would provide a formal framework of protections to both the MoD and the council.

Members considered the report and noted the impact on local residents of the closure of the bridge particularly those living in Haywood Village. They asked whether this project set a precedent for other bridges owned by parties other than North Somerset in the authority area as there were many and requested that the intended Memorandum of Understanding did not increase the council's exposure. They asked that the council carefully considers the traffic management around the site particularly to the south of the bridge and that bus pull ins were constructed to facilitate traffic movement in and out of the local housing estates.

Officers in the Major Projects Team were thanked for the close oversight of the project, and it was noted that the original Design and Build contractor had been challenged in the area of value for money. A request for better HGV signage was made as was consideration to the weight of future electric refuse vehicles.

Councillor Hogg responded to say that he did not believe the scheme set a precedent for other bridges within North Somerset and that officers had assured him that the intended Memorandum of Understanding (MoU) would not increase the council's exposure in any way. The MoU would mean the costs would be met in full by the MoD. He added that where there were obvious synergies with the BSIP capital funding, he was keen that solutions to current issues were explored.

**Motion:** proposed by Councillor Hogg and seconded by Councillor Solomon and

**Resolved that**

1. the Council agreed to increase the NSC Capital Programme by £5.156m to reflect the current cost of the scheme and as a result:

a. accepted £9.46m of additional funding from the Ministry of Defence (MOD) excluding VAT and

b. noted that the revenue budget would need to be grossed up to include the commuted sum due to be paid by the MOD to cover revenue costs in 2024 of £2.5m

2. the Council delegated authority to the Executive Member for Major Infrastructure Project Delivery with advice from the Director of Place, S151 Officer and Assistant Director Legal & Governance to agree the terms of a Memorandum of Understanding

**COU 88 Castlewood Redevelopment (PART EXEMPT)**

Councillor Cartman presented the report and explained that it was a follow on from the Council decision in May 2022 to transition out of Castlewood, remove it from the council's office requirement and release it for development. The report outlined options for redevelopment of the site that had been considered including use for residential, office, industrial, hotels and a mixed use. He added that environmental and social aspects had been considered as well as financial.

He noted that there was a typographical error in recommendation 2 in that it should refer to paragraphs 3.69 – 3.71 and not as written in the report.

Councillor Cartman advised that he was aware of the importance of the development to residents, councillors and the town of Clevedon and the desire to make the site a landmark development. In light of these concerns and to allow for better and more detailed member involvement and democratic oversight, he proposed an amendment to the recommendations to include the following:

**Recommendation 7** "Establish a working group of up to 7 Members, supported by Officers, to inform the development of the Outline Planning Application and the Procurement Plan. The Executive Member for Corporate Services shall, in consultation with the group, and prior to the Outline planning application and procurement tendering, establish the key priorities for the redevelopment of the Castlewood site taking into account environmental, social, and financial considerations as well as the latest evidence and best practice."

In debating the report, members voiced concerns around officer availability to both members and members of the public with difficulties in establishing contact with them together with some need for council representation in the north of the district. Members referred to the need to not duplicate the work of the Policy and Scrutiny Panels and working groups which were already looking at the options.

Members also referred to concerns raised by the Clevedon Civic Society around the demolition of the building and future use of the site. In addition, concerns were

raised around the issues of vacant possession of the building and restrictive covenants on the use of the site. Members wished to see tight control over the project with the early engagement of the Major Projects Team.

In responding to the points made, Councillor Cartman confirmed that the redevelopment would be residential led but with commercial space which would give the council an option to retain office space in the north. He added that as ward member Councillor Shopland had an open invitation to any working group and his membership of the group of 7 members to inform the Outline Planning Application would be considered alongside requests from any other member.

**Motion:** a motion to amend the recommendations was proposed by Councillor Shopland and seconded by Councillor Bryant that the decision be deferred for further consultation and a decision is left to the next Council with a recommendation made.

In debating the amendment to the motion, members noted that there was one Council meeting before the elections in May and that the decision was of such import to Clevedon that it should be considered carefully by the next Council. However, it was also highlighted that the decision to transition out of Castlewood had already been taken and there was a danger this decision was being re-visited. Additionally, the procurement plan would be considered by Council in any event and deferring the decision would mean that all work would stop immediately, reducing the ability to make revenue savings.

The amendment to the motion was lost.

**Motion:** proposed by Councillor Cartman and seconded by Councillor McQuillan and

**Resolved:** that

1. Council noted the findings of the Outline Business Case as presented in the report and approved the preferred option of a residential-led redevelopment of the Castlewood site based on demolition of the existing building and replacement with newbuild homes and small-scale commercial development.
2. Council approved the Commissioning Plan and associated actions as set out in paragraphs 3.69 – 3.71 for the selection of a developer to take forward the redevelopment of the site, in particular the choice of a Development Agreement as the preferred route to market, noting that further detail will be agreed by the Executive Member for Corporate Services through the approval of a Procurement Plan.
3. Council approved the allocation of one-off revenue resources of £0.8m to fund costs associated with the preparation of a planning application, procurement of a development partner and resolution of covenants to enable the recommended route to delivery for the preferred option.
4. Council noted that further capital/revenue investment will be required to support delivery of the Accommodation Strategy and the transition out of

Castlewood by North Somerset Council and its partners/tenants. This will be subject to future approvals/reports.

5. Council agreed to capture further revenue savings of £858k per annum in the Council's Medium Term Financial Plan from 2026/27 onwards, reflecting the saving on revenue costs that will be achieved from the decommissioning of this building after the repayment of one-off costs. This is in addition to the £250k per annum already reflected in the Medium Term Financial Plan making the total saving £1.1m.
6. Council delegated authority to the Section 151 Officer to authorise the submission and acceptance of funding bids (including to the Brownfield Land Release Fund) that will assist in the delivery of the re-development of the site as agreed above.
7. Council would establish a working group of up to 7 Members, supported by Officers, to inform the development of the Outline Planning Application and the Procurement Plan. The Executive Member for Corporate Services shall, in consultation with the group, and prior to the Outline planning application and procurement tendering, establish the key priorities for the redevelopment of the Castlewood site taking into account environmental, social, and financial considerations as well as the latest evidence and best practice

**COU 89 Reports and matters referred from the Executive - dated 7 December 2022**

None.

**COU 90 Petitions to be presented by Members (Standing Order No. 16)**

None.

**COU 91 Motions by Members (Standing Order No. 14)**

None.

**COU 92 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 93 Matters referred from previous meeting**

None.

**COU 94 Chairperson's announcements**

The Chairperson expressed hers and the Council's condolences to Councillor Harley on her recent bereavement.

She noted the invitation extended to the authority's foster families to watch the Weston Carnival from the Winter Gardens was warmly received and appreciated



by the families.

**COU  
95 Leader's announcements**

The Leader expressed his and the Executive's condolences to Councillor Harley on her recent bereavement.

**COU  
96 Chief Executive's announcements**

The Chief Executive offered her condolences to Councillor Harley on her recent bereavement on behalf of herself and the council's officers.

**COU  
97 Forward Plan dated 3 January 2023**

The Leader presented the Forward Plan.

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

**COU  
98 Policy and Scrutiny Panel Report**

None.

**COU  
99 Corporate Parenting Report**

Councillor Gibbons introduced the report informing members that it was in the form of an advent calendar highlighting the work carried out in Children's Services over the past year.

**Resolved:** to note the Corporate Parenting Report

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

None.

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

At the invitation of the Chairperson, Councillor Cato presented the report.

Councillor Cato informed members of the nature of the Audit Committee work and areas of remit noting that they covered a wide range. He added that the committee saw itself as being an analytical friend to officers who were recognised as carrying out good work. The committee membership amongst councillors had changed over the year and now also included two independent members. The Chief Executive, Director of Corporate Services, Assistant Director of Legal and Governance, Head of Finance and the Head of Business Insight Policy and Partnerships were all thanked for their support to the committee in the areas of independent membership recruitment, risk management improvements, risk monitoring, control of longer-term treasury assets, improved governance of major projects and a review of the Council's Constitution.

Members were invited and encouraged to attend Audit Committee meetings and review the risk register which could now be found online. There was more work for the Audit Committee to do and the participation of all councillors in this journey for continuous improvement would be welcomed.

**Resolved:** that the Council received the Audit Committee Annual Report for 2021-22

**COU 102 Reports and matters referred from other working groups and review panels**

The Assistant Director, Legal and Governance introduced the report from the Code of Conduct Working Group and explained the background to the new Local Government Association Model Code of Conduct.

**Resolved:** that Council

(i) adopted the new Local Government Association Model Code of Conduct 2020, as set out in Appendix 1 to the report, with immediate effect.

(ii) would encourage the adoption of the new Code of Conduct by all Town and Parish Councils within the North Somerset District.

(iii) would encourage the use of the Local Government Association Guidance (Appendix 2 to the report) to the New Model Code of Conduct 2020 by all Town and Parish Councils within the North Somerset District.

**COU 103 Reports on joint arrangements and external organisations and questions relating thereto**

(1) **Avon Fire Authority**  
Written report from Councillor Davies

**Resolved:** that the report be noted

**COU 104 Urgent business permitted by the Local Government Act 1972 (if any)**

None.

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Chairperson

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