

Minutes

of the Meeting of

The Executive

Wednesday, 6 September 2023

New Council Chamber

Meeting Commenced: 6.00 pm

Meeting Concluded: 7.09 pm

Councillors:

Mike Bell (Chairperson)

Catherine Gibbons (Vice-Chairperson)

Mark Canniford

James Clayton

Jenna Ho Marris

Mike Solomon

Annemieke Waite

Roger Whitfield

Hannah Young

Also in attendance: Councillors Steve Bridger, Peter Burden and Luke Smith.

Officers in attendance: Jo Walker (Chief Executive), Amy Webb (Director of Corporate Services), Nicholas Brain (Assistant Director Legal & Governance and Monitoring Officer), Lucy Shomali (Director of Place), Carolyn Fair (Interim Director of Children's Services), Mike Riggall (Information and ICT Security Manager), Sally Varley (Service Leader - Strategic Planning and Governance), Jenny Ford (Head of Development), Helen Caldwell (Strategic and Policy Development Manager), Lucy Harris (Marketing and Communications Officer), Luke Johnson (UKSPF Programme Manager) and Jane Harrison (Head of Economy).

Partaking via Microsoft Teams:

Councillors: Mike Bird, Clare Hunt, Sue Mason

Officers: Matt Lenny (Director of Public Health), Hayley Verrico (Director of Adult Social Services), Helen Caldwell (Strategic and Policy Development Manager), Pip Hesketh (Assistant Director - Education Partnerships), Hazel Brinton (Committee Services Manager)

EXE Chairperson's Welcome

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The Chairperson welcomed everyone to the meeting which was being livestreamed on the internet.

EXE 21 Addresses by Members of the Public (ESO 6)

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None received.

EXE 22 Declaration of Disclosable Pecuniary Interest (Standing Order 37)

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None declared.

EXE 23 Minutes 21 June 2023

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Resolved: that the minutes be approved as a correct record.

EXE 24 Non-Executive Councillors' Addresses

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None.

EXE 25 Matters referred to the Executive and not dealt with elsewhere on this agenda

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None.

EXE 26 West of England Sub-Region: items not dealt with elsewhere on this agenda

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None.

EXE 27 Forward Plan dated 31 August 2023

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Resolved: that the Forward Plan be noted.

EXE 28 Independent review of Clevedon Seafront Scheme

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Councillor Young introduced the report which covered the independent review of the life of the Clevedon Seafront / Hill Road scheme carried out by the Internal Audit Service (Audit West). She explained that the review was not the final review which was currently being carried out by AECOM. The AECOM report would look forwards and consider the community's view of the changes, potential redesign options and how the project should now progress. This report was expected towards the end of October/early November.

She noted that the report before members looked back at the initiation, development and funding of the project and presented key findings on budgeting, financing, governance and lessons learned. She advised that changes had already been made to the council's processes around governance, capital project and their management and the availability and training frameworks for officers. A central Project Management Office was now in place to support officers. She added that the report recommended that time should be allowed for the scheme to bed in and for technical reviews to be undertaken before any retrospective changes to the scheme are considered.

She informed members that a detailed Action Plan was now in place which she would review with the Director of Place and her teams and the Director of Corporate Services. The Action Plan would be made public as she was

committed to openness and transparency in the future.

Councillor Young responded to questions on data on the Clevedon vote in respect of the consultation responses and the costs associated with the improvements to Hill Road which were added to the scheme.

Resolved: that the Executive noted the outcomes of the review of the Clevedon Seafront Scheme by Audit West and endorsed the approach to monitoring these

Reasons for the decision:

As set out in the report and discussed above.

Alternative options considered and rejected:

As set out in the report and discussed above.

**EXE
29 North Somerset Local Plan**

Councillor Canniford introduced the report which resulted from a request at the Executive meeting of September 2022 that a revised Local Plan should be developed recognising the constrained nature of North Somerset and offering greater protection to Green Belt and other sensitive sites including consideration of Flood Zone 3 areas. This was a result of concerns from residents during consultation, local MPs and the government that the Green Belt should be protected.

He added that reforms to the National Planning Policy Framework were still awaited but the decision requested in the report would enable officers to move toward drawing up a pre-submission plan ("Regulation 19") to be considered at the next Executive meeting and thereafter to go out to consultation. A report into the requirements for locally derived housing had reduced the number of homes required over the 15-year timeframe being considered.

Councillor Canniford responded to members' questions and concerns on whether there was an alternative plan should one be required, whether the council would take a nuanced approach to building on the Green Belt and at what point the emerging local plan would gain weight in council planning and appeal decisions.

Councillor Bell thanked officers for their work during the Local Plan development process.

Resolved: that the Executive agreed that pursuant to the Executive's resolution of 7th September 2022, the pre-submission (Reg 19) version of the plan be prepared using a locally derived housing requirement of 14,985 dwellings over the plan period 2024-2039 as the basis for identifying an appropriate scale and location of development to offer greater protection to the Green Belt and other sensitive sites

Reasons for the decision:

As set out in the report and discussed above.

Alternative options considered and rejected:

As set out in the report and discussed above.

EXE 30 Budget Monitor 2023-24 Month 3

Councillor Bell presented the report noting that long-standing financial pressures remained leading to a current forecast overspend of 1% of the net revenue budget by financial year end. The main challenges and cost pressures were being felt in Children's Services particularly around placement costs and supporting disabled children's packages as a result of demand growth and the cost of providing specialist support, waste disposal costs and Home to School Transport.

He urged Executive members and Policy and Scrutiny Panels to work with directorates and officers to understand issues and mitigations being put in place. The emphasis would be on a balanced budget by financial year end.

Resolved: that the Executive

- i. Noted the projected revenue and capital budget forecasts as detailed within the report and also the issues and assumptions that underpinned the forecasts,
- ii. Noted the financial risks being assessed by the council, which may have an impact on future monitoring reports,
- iii. Approved the in-year amendments to the revenue and capital budgets as detailed in Appendices 1A and 5 to the report.

Reasons for the decision:

As set out in the report and discussed above.

Alternative options considered and rejected:

As set out in the report.

EXE 31 Medium Term Financial Plan Update

Councillor Bell presented the report which provided an update on the assumptions underpinning the council's Medium Term Financial Plan, covering a new 4-year period to 2027/28 and which was last considered by the Executive in February 2023.

He noted that the latest financial modelling, which has been extended to cover a 4-year horizon, showed that the council's financial position had deteriorated over recent months as the budget gap had increased to £50m, with a short-fall of £17m in 2024/25. He added that the circumstances were not unique or exceptional as local government had been experiencing significant cost pressures over the last 10 years. The council was currently undergoing consultation on the Medium Term Financial Plan and encouraged residents, communities and businesses to participate in shaping the council's priorities.

He invited the s151 officer to comment further. She added that following the news that some councils were issuing s114 notices, she wished to reassure members that whilst the council was facing significant cost pressures, North Somerset

Council was not in similar financial territory at this time and the council had reasonable reserves. The council's risk management mitigations were considered on a frequent basis.

Members asked questions around the council's assets and whether the council could divest some to support the budget. The s151 officer responded that whilst assets could be sold, they could not then be used to support the revenue budget and would have to be ringfenced for further capital expenditure

Resolved: that the Executive noted

- i. The updated range of budget projections for inclusion within the Medium Term Financial Plan (MTFP) as detailed within the report, and
- ii. The process, next steps, engagement plans and timescales associated with finalising the MTFP for the period 2024-2028, and also for setting the revenue budget for the 2024/25 financial year.

Reasons for the decision:

As set out in the report and discussed above.

Alternative options considered and rejected:

As set out in the report.

EXE 32 UK Shared Prosperity Fund Year 3 Allocation

Councillor Canniford introduced the report which followed the submission of North Somerset Council's UK Shared Prosperity Fund (UKSPF) Investment Plan in August 2022 (approved by the government in December 2022), and successful delivery of the first two years of the Fund. Approval was now being sought to receive the allocation for UKSPF Year 3 from the government and authorise an increase in the council's revenue and capital budgets for Financial Year 2024/25, and gain approval to spend North Somerset's UKSPF on the projects set out in Section 5 of the report.

He informed members that the proposed projects to be supported were focused on community and place, supporting local businesses, people and skills. It was hoped that the council would be successful in bidding for more funding based on the success of the current projects.

Resolved: that the Executive

1. Approved receipt of the UK Shared Prosperity Fund (UKSPF) Year 3 allocation.
2. Approved the inclusion of gross expenditure and income of £1,267,394 in the revenue budget for 2024/25 to reflect the grant.
3. Approved the inclusion of £333,128 in the capital budget for 2024/25, to be funded by the grant.
4. Approved spend of UKSPF Year 3 allocation on the projects set out in the report.

Reasons for the decision:

As set out in the report and discussed above.

Alternative options considered and rejected:

As set out in the report and discussed above.

EXE Adoption of Moving Traffic Enforcement Powers**33**

Councillor Young presented the report and noted that moving traffic manoeuvres included several illegal manoeuvres but did not include speeding which remained in the sole remit of the police. She added that since May 2022, councils now had the power to apply to the Department for Transport for the right to enforce powers around moving traffic violations within their administrative boundary in conjunction with the police. This would mean that the council would be able to better enforce existing traffic regulation orders.

She noted that engagement plans with communities were required to apply for the enforcement powers as the Department for Transport had set out clear guidance on this. Any new locations would require consultation and governance processes. Revenue raised would be used to support the identification of new sites not to support other services as there were limitations on what the revenue could be used for, and the council was committed to engaging with communities in identifying appropriate locations.

Resolved: that the Executive

1. Agreed that the council applies to the Department for Transport for powers to undertake civil enforcement of Moving Traffic contraventions under Part 6 of the Traffic Management Act 2004.
2. Agreed that future locations for moving traffic enforcement be delegated to the Head of Highway and Parking Operations in consultation with the Executive Member for Highways and Transport.
3. Approved a revenue budget virement as detailed in section 5 of the report.

Reasons for the decision:

As set out in the report and discussed above.

Alternative options considered and rejected:

As set out in the report and discussed above

EXE Commissioning Procurement Plan for garden waste treatment**34**

Councillor Waite presented the report. She informed members that the council's current contract expired at the end of February 2024. Following consultation, it has been agreed that the contract would be broken down into four parts of which garden waste treatment was one. She noted that this commissioning procurement plan was solely for North Somerset Council but that Bath and North East Somerset had expressed an interest at a future date. The council was looking to generate a revenue stream from the waste produced.

Resolved: that the Executive approved the commissioning and procurement plan for the treatment and disposal of garden waste.

Reasons for the decision:

As set out in the report and discussed above.

Alternative options considered and rejected:

As set out in the report and discussed above.

EXE 35 Commissioning and Procurement Plan for residual waste treatment

Councillor Waite introduced the report noting that this was a contingency plan for the treatment of residual waste. She added that most of the treatment was contracted out and that this report dealt with only the contingency arrangements should the council's main site be unavailable. She noted the council's desire for zero waste to be transferred to landfill. To enhance the attractiveness of the contract to potential bidders, it was recommended that the council co-procure the arrangement with Bath and North East Somerset council.

Resolved: that the Executive approved the commissioning and procurement plan for the treatment and disposal of residual waste.

Reasons for the decision:

As set out in the report and discussed above.

Alternative options considered and rejected:

As set out in the report and discussed above.

EXE 36 Commissioning Plan for delivery of SEND interventions

Councillor Gibbons presented the report. She explained the functions of a resource base and the reasons for setting them up which were articulated in the Equality Impact Assessment accompanying the report. The focus of the resource bases would be to maintain children with an SEND need in a mainstream school in the local area wherever possible with onsite support for their needs as detailed in their Education, Health and Care Plan. The focus of the nurture groups would be to offer short term intervention for children and young people with social or emotional difficulties which created a barrier to learning in a mainstream class.

In discussing the report, members asked whether an appropriate level of contribution was being received in respect of the gaps in local provision identified in the report.

Resolved: that the Executive agreed the Commissioning Plan as presented and approved the allocation of £3,045,000 of funding for the projects named below to progress works to deliver 3 extra Resource Bases and a Nurture Group in Phase 3 of the Children's Services Safety Valve Capital Programme using the High Need Provision Capital Allocation (HNPCA), Safety Valve (SV) and assigned s106 funding as detailed below:

- Resource Bases at:
 - Hannah Moore & Grove (HMG) Infant and Junior Schools - £850,000 of

HNPCA

- Worle Academy - £985,000 made up of £468,126 of HNPCA and £516,874 of SV funding.
 - Hans Price Academy - £380,000 made up of £305,698 of HNPCA and £74,302.67 of s106 funds (XCE520)
- A Nurture Group at:
 - Christ Church CE Primary School - £830,000 made up of £174,220 of HNPCA and £655,780 of SV funds.

And further

- Approved the increase to the capital programme for the allocation of £74,302.67 of S106 funding for Hans Price Academy.

Reasons for the decision:

As set out in the report and discussed above.

Alternative options considered and rejected:

As set out in the report and discussed above.

EXE 37 Commissioning and Procurement Plan for the provision of the Holiday Activities and Food (HAF) Programme 2024

Councillor Gibbons introduced the report and informed members of the background to the programme. She hoped that the new plan would increase attendance by eligible children from the current levels and particularly by those with an Education, Health and Care Plan. She added that the framework had been designed to deliver consistency of provision and that there was no impact by the programme on the Medium Term Financial Plan. Funding was provided by the Department for Education and costs could not exceed the allocated grant.

Resolved: that the Executive approved the joint Commissioning and Procurement Plan for the provision of Holiday Activities and Food (HAF) Programme 2024.

Reasons for the decision:

As set out in the report and discussed above.

Alternative options considered and rejected:

As set out in the report and discussed above.

EXE 38 Public Space Protection Orders Review 2023

Councillor Clayton presented the report and informed members that a review of the council's Public Space Protection Orders (PSPOs) was required every 3 years. The recommendation was to retain all current PSPOs and the inclusion of a new provision in the area wide order that no person would be able to walk more than 6 dogs at any one time. The proposed PSPOs had gone out for public consultation and support for the measures had been shown. He noted that out of control dog cases had risen since 2020. He informed members that the council was also looking to extend existing powers to tackle substance misuse. Further engagement with town and parish councils would be undertaken with a view to

introducing orders more localised to a specific area.

Members raised concerns around the order in relation to walking more than 6 dogs at one time.

Resolved: that the Executive agreed

1. To renew all unchanged and existing Public Space Protection Orders in accordance with section 60 of the Anti-social Behaviour Crime and Policing Act 2014 as set out in Appendix 1 of the report
2. To make amendments to the Area Wide Public Space Protection Orders as set out in Section 3 of the report and
3. To undertake further engagement with Town and Parish Council's and other stakeholders for the more localised area specific orders. Decisions on the localised Area Specific Orders will be made at a later date by the relevant portfolio holder for PSPOs in accordance with the report to the Council dated February 2023. Decisions relating to the Area Specific Orders need to be made prior to 15 October 2023 which is when the current Area Specific Orders expire.

Reasons for the decision:

As set out in the report and discussed above.

Alternative options considered and rejected:

As set out in the report and discussed above.

EXE 39 Wraxall and Failand Neighbourhood Plan submission

Councillor Canniford introduced the report and explained that the process now required a formal 6 week consultation to take place after which an examiner would be sought to examine the soundness of the plan. North Somerset Council's role was to ensure the proper legal process was followed.

Resolved: that the Executive

- (i) Agreed that the Wraxall and Failand Neighbourhood Plan met the necessary conditions in accordance with Schedule 4B of the 1990 Town and Country Planning Act (as amended) and that it can proceed to examination following the requisite six-week period of public consultation.
- (ii) Agreed that North Somerset Council's comments on the submitted Wraxall and Failand Neighbourhood Plan as set out in the appended table to the report be submitted to the Neighbourhood Plan examiner; and
- (ii) Agreed that the Director of Place be given the authority to make any subsequent changes or alterations to the Council's comments which may arise from the consultation process.

Reasons for the decision:

As set out in the report and discussed above.

Alternative options considered and rejected:

As set out in the report and discussed above.

EXE 40 Oral reports of Executive Councillors

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None.

EXE 41 Urgent business permitted by the Local Government Act 1972 (if any)

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None.

Chairperson
