

# **BATH AND NORTH EAST SOMERSET COUNCIL**

## **CABINET**

Wednesday 04 November 2009

### **PRESENT:**

Councillor Francine Haerberling – Leader of the Council  
Councillor Malcolm Hanney – Resources and Deputy Leader  
Councillor Vic Pritchard – Adult Social Services and Housing  
Councillor Terry Gazzard – Development and Major Projects  
Councillor Charles Gerrish – Customer Services  
Councillor Chris Watt – Children's Services

### **31 WELCOME AND INTRODUCTIONS**

The Chair was taken by Councillor Francine Haerberling, Leader of the Council.  
The Chair welcomed everyone to the meeting.

### **32 EMERGENCY EVACUATION PROCEDURE**

The Chair drew attention to the emergency evacuation procedure as set out on the Agenda

### **33 APOLOGIES FOR ABSENCE**

Apologies had been received from Councillor David Hawkins.

### **34 DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972**

There were none.

### **35 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR(PERSON)**

There was none.

### **36 QUESTIONS FROM PUBLIC AND COUNCILLORS**

There were 17 questions from the following people: Cllr Nigel Roberts, Cllr John Bull, Cllr Cherry Beath, Cllr Nathan Hartley, Cllr Nicholas Coombes, Cllr Gerry Curran, Cllr Tim Ball, Cllr Paul Crossley, Cllr Dine Romero, Cllr Caroline Roberts

*[Copies of the questions and responses, including supplementary questions and responses if any, have been placed on the Minute book as Appendix 1 and are available on the Council's website.]*

### **37 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC AND COUNCILLORS**

Mike Mapstone made a statement [a copy of which is attached to the Minutes as Appx 2]

in which he appealed to the Cabinet not to support any proposals for a wet house in Bath. The Chair referred the statement to Cllr Vic Pritchard for his consideration. Cllr Pritchard asked Mike Mapstone if he was aware that the building in James Street was designated as a hostel, not as a wet room.

Mr Mapstone said he had not been made aware of that.

### **38 MINUTES: WEDNESDAY 2<sup>nd</sup> September 2009**

On a motion from Councillor Francine Haeberling, seconded by Councillor Malcolm Hanney, it was

**RESOLVED** that subject to one amendment the minutes of the meeting held on Wednesday 2<sup>nd</sup> September 2009 be confirmed as a correct record and signed by the Chair(person)

### **39 CONSIDERATION OF SINGLE MEMBER ITEMS NOW REQUISITIONED TO CABINET**

There were none.

### **40 CONSIDERATION OF MATTERS REFERRED BY OVERVIEW AND SCRUTINY BODIES**

There were none.

### **41 SINGLE MEMBER CABINET DECISIONS PUBLISHED SINCE PREVIOUS CABINET MEETING (Report 11)**

The Cabinet noted the report.

### **42 JOINT WASTE CORE STRATEGY: PUBLICATION AND SUBMISSION TO THE SECRETARY OF STATE (Report 12).**

Councillor Paul Crossley made an *ad hoc* statement welcoming the report as the next stage towards a comprehensive waste strategy. He had wished for a solution involving many small facilities but was relieved to see that the proposed solution involved a few medium sized facilities instead of a single, huge one. He was very disappointed to note the woefully low attendance at the public engagement sessions and called upon the Cabinet to work to improve the levels of public involvement in the debate. He felt strongly that the Council should object to SITA's proposed commercial incinerators in Yate and Avonmouth.

Councillor Caroline Roberts made an *ad hoc* statement agreeing with Cllr Crossley. She asked for an assurance that there would be no incineration.

Councillor Charles Gerrish, in proposing the item, said that there had been a long debate, including briefings, consultation with the public and with professional bodies. He had been disappointed at the low turnout to the public sessions but he believed that the public turned out when they were unhappy with proposals. He pointed out that, of the two possible sites in B&NES, the Council owned one and so was in a good position to keep control of activity.

He emphasised that the Council was committed to move waste management away from landfill and towards composting.

He pointed out that South Gloucestershire and North Somerset had both already adopted the strategy; and Bristol would consider it later in the month. He asked Cabinet to recommend the strategy to Council for publication in December, with public representations on soundness during January/February, and for submission to the Secretary of State during April.

Councillor Terry Gazzard seconded the proposal.

Councillor Francine Haeberling said in response to Cllr Roberts' statement that the Council had already given a guarantee that incineration would not be considered as a solution. She too was dissatisfied with the levels of public response to the consultation.

### Rationale

The four West of England Authorities are committed to working together to plan for the changing waste needs of the sub-region. This work must be underpinned by a robust policy framework. Not to prepare a waste Core Strategy jointly with West of England Authorities would create a risk that waste planning policy for the sub-region was inconsistent, potentially leading to an unbalanced and unsustainable distribution of waste facilities.

The preparation of a Joint Waste Core Strategy for the West of England is in accordance with the provisions of The Planning and Compulsory Purchase Act 2004 which requires local authorities to prepare development plan documents for the use and development of land in their area. The Act also permits two or more local authorities to work together to prepare one or more joint development documents.

To progress through the statutory process for the production and adoption of a Local Development Framework it is necessary for the strategy to be approved by the Council so that it can be published and move forward to the formal Examination stage. The publication will allow for representations to be made as to the "soundness" of the strategy and following this process when the Strategic Director is satisfied that the strategy meets the test of "soundness" ie it is in general conformity with national planning policy and guidance, it can be submitted to the Secretary of State for the next stage of the process prior to its formal adoption by the Unitary Authorities as part of their respective Local Development Framework.

### Other Options Considered

To prepare waste planning policies for Bath and North East Somerset, independently of other West of England Authorities. Not to prepare a waste Core Strategy jointly with West of England Authorities would create a risk that waste planning policy for the sub-region was inconsistent, potentially leading to an unbalanced and unsustainable distribution of waste facilities.

On a motion from Councillor Charles Gerrish, seconded by Councillor Terry Gazzard, it was

### **RESOLVED** (unanimously)

(1) To RECOMMEND to Council the Joint Core Waste Strategy for the West of England, for the purposes of:

- Publication in December 2009 in order for representations relating to issues of soundness to be made during January/February 2010; and
- Submission in April 2010 to the secretary of State after taking into account comments received.

(2) To AUTHORISE the Divisional director (Planning and Transport Development) to make changes in consultation with Directors in the other three Unitary Authorities and the Cabinet member for Customer Services, to amplify or clarify the Joint Waste Core Strategy prior to its submission to the Secretary of State.

The meeting ended at 17:23

Chair(person) \_\_\_\_\_  
Date Confirmed and Signed \_\_\_\_\_

**Prepared by Democratic Services**