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BATH AND NORTH EAST SOMERSET

CABINET

Wednesday, 2nd March, 2011

The decisions contained within these minutes may not be implemented until the expiry of the 5 working day call-in period which will run from 4th to 10th March. These minutes are draft until confirmed as a correct record at the next meeting.

Present:

Councillor Francine Haeberling	Leader of the Council
Councillor Malcolm Hanney	Deputy Leader and Cabinet Member for Resources
Councillor Terry Gazzard	Cabinet Member for Development and Major Projects
Councillor Charles Gerrish	Cabinet Member for Service Delivery
Councillor Vic Pritchard	Cabinet Member for Adult Social Services and Housing
Councillor Chris Watt	Cabinet Member for Children's Services

150 WELCOME AND INTRODUCTIONS

The Chair was taken by Councillor Francine Haeberling, Leader of the Council.

The Chair welcomed everyone to the meeting.

151 EMERGENCY EVACUATION PROCEDURE

The Chair drew attention to the evacuation procedure as set out in the Agenda.

152 APOLOGIES FOR ABSENCE

Apologies had been received from Councillor David Hawkins.

Councillor Terry Gazzard had sent notice that he would be arriving late to the meeting.

153 DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972

There were none.

154 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

155 QUESTIONS FROM PUBLIC AND COUNCILLORS

There was 1 question from Councillor David Dixon. *[A copy of the question and response is attached to these Minutes as Appendix 1 and is available on the Council's website.]*

156 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

There were none.

157 MINUTES OF PREVIOUS CABINET MEETING

On a motion from Councillor Malcolm Hanney, seconded by Councillor Vic Pritchard, it was

RESOLVED that the minutes of the meeting held on Wednesday 2nd February 2011 be confirmed as a correct record and signed by the Chair.

158 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

There were none.

159 CONSIDERATION OF MATTERS REFERRED BY OVERVIEW AND SCRUTINY BODIES

There were none.

160 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

The Chair referred to the report, which had been placed in the public gallery before the meeting [*and a copy of which is attached to these Minutes as Appendix 2*]. The Cabinet agreed to note the report.

161 REVENUE AND CAPITAL BUDGET MONITORING, CASH LIMITS AND VIREMENTS - APRIL 2010 TO JANUARY 2011

Councillor Malcolm Hanney, in moving the recommendations, said he was very pleased that the Council was expected to end the financial year within budget. He reported that a recent one-off VAT refund had enabled the Cabinet to allocate an extra £368K to various community engagement projects.

Councillor Charles Gerrish seconded the proposal. He agreed with Councillor Hanney and welcomed the additional funds made available for community engagement.

Rationale

The report was presented as part of the reporting of financial management and budgetary control required by the Council

Other Options Considered

None

On a motion from Councillor Malcolm Hanney, seconded by Councillor Charles Gerrish, it was

RESOLVED (unanimously):

(1) To ASK Strategic Directors to continue to work towards managing within budget in the current year for their respective service areas, and to manage below budget where possible by not committing unnecessary expenditure, through tight budgetary control;

(2) To NOTE the revenue budget position;

- (3) That subject to the final Outturn position, the one-off VAT refund of up to £368,000 should be used to support the Community Engagement Fund in 2011/2012;
- (4) To NOTE the capital expenditure position for the Council in the financial year to the end of January and the year end projections;
- (5) To AGREE the revenue virements listed for approval;
- (6) To NOTE the changes in the capital programme;
- (7) To APPROVE the additions to the 2010/11 Capital Programme.

162 JOINT WASTE CORE STRATEGY DEVELOPMENT PLAN DOCUMENT

Councillor Paul Crossley made an *ad hoc* statement in which he said that it had taken too long to get to the present point, but observed that the plans had come a long way since the initial attempts to persuade the partnership to endorse incinerators.

Councillor Charles Gerrish said that he understood Councillor Crossley's sense of frustration but observed that a great deal of work had been required. He referred to paragraph 5.1 of the report, and said that the words "locating the development" should read "identifying the location for".

Councillor Gerrish said that the Inspector's findings were binding on the Council and that there was now a need to move promptly to adopt the plan to enable the partnership to move forward with the plan. Given that there would be no full Council meeting until May (which would cause a delay) he was asking the Cabinet to advise the Chief Executive to exercise his urgency powers to endorse the plan.

Councillor Vic Pritchard seconded the proposal.

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 adopt a Waste Core Strategy jointly with the other 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 Chief Planner (Communities & Local Government) wrote to all Local Authority Chief Executives 10 January 2011 and outlined that the EU Waste Framework Directive means that all waste planning authorities need to have waste management plans in place that allocate sufficient land for waste management facilities. The Government wants to ensure waste plans are adopted to meet EU requirements and to avoid the UK incurring infraction proceedings and fines as a result of unsatisfactory progress. In the event that local authorities do not comply, the Government has included a power in Part 2 of the Localism Bill to pass on some or all of any fines from the European Court of Justice to any authority which causes the UK to be in breach of its obligations under the Directive. It is therefore important that the West of England Authorities adopt the Joint Waste Core Strategy.

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 Vic Pritchard, it was

RESOLVED (unanimously):

- (1) To WELCOME the Inspector's binding findings;
- (2) To NOTE the need to move quickly to the adoption of the JWCS;
- (3) To COMMEND the report to Council;
- (4) To ASK the Chief Executive to consider exercising his urgency powers to ensure the timely adoption of the plan.

163 STRATEGY FOR COMMUNITY ENABLEMENT

Councillor Paul Crossley made an *ad hoc* statement which was very supportive of the proposals. He pointed out some particularly encouraging progress made in Whiteway and on the Southdown estate. He endorsed the strategy because it would mean that the Council would learn to trust communities and to engage better with them.

[Councillor Terry Gazzard joined the meeting at this point.]

Councillor Malcolm Hanney, introducing the report, referred to the case studies in appendix 2 of the report. He was delighted that £2M was being ploughed back into the community against a backdrop of government grants cuts.

Councillor Francine Haeberling said that through careful management the Council had been able to make funds available for community enablement.

Councillor Chris Watt was delighted that the VAT rebate was being made available for community use, and particularly that £150K had been added to the Youth Community fund.

Councillor Vic Pritchard was enthusiastic about the positive effect on the community of these extra funds. He referred to the case study of Chew Valley Village Agents and the Whiteway regeneration, both of which had had a positive effect on the community.

Councillor Malcolm Hanney agreed with the previous speakers and observed that the strategy would enable communities to determine their own priorities.

Rationale

It is appropriate for the Cabinet to receive a report on the approach to this issue given the decisions made at Council

Other Options Considered

None

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

RESOLVED (unanimously):

- (1) To AGREE the overall approach to community enablement across Bath and North East Somerset;

- (2) To NOTE the arrangements for each element of the Community Enablement Fund;
- (3) To NOTE the examples of local initiatives, along with potential next steps;
- (4) To AGREE that where possible the Community Enablement Fund will be used to build on and extend learning from this work ;
- (5) To AGREE to update the Local Strategic Partnership on this report;
- (6) To NOTE the appropriate LSP governance arrangements relating to the LAA Reward Grant.

The meeting ended at 5.35 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services

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CABINET MEETING 2nd March 2011

The following Statements and Questions had been registered by the time of publication.

REGISTERED SPEAKERS

There were no notices of intention to make a statement at the meeting.

QUESTIONS AND ANSWERS - COUNCILLORS

01

Question from:	Councillor David Dixon
<p>Residents in the Bathwick Estate have been keen to open up the footpath from Powlett Road to Bathwick Street for shared use for cyclists. The last email on this subject from officers was in December and contained the following.</p> <p><i>"I have not been able to progress as many small cycling schemes as I had hoped this year as I have had an unexpected expenditure from this budget. However, I have got to a certain stage with some other schemes where I may have time to progress this one soon with the possibility of installing it next financial year depending on future budgets."</i></p> <p>Such a small and simple cycle scheme should never take so long to progress. Could the cabinet member please confirm whether or not funding for the above scheme will be made available in the 2011/12 budget?</p>	
Answer from:	Councillor Charles Gerrish
<p><i>Although implementing the physical works for a shared use path are minimal, the Powlett Road to Bathwick Road scheme requires a time-consuming consultation and legal procedure to be followed, to allow cyclists to legally use this route as well as pedestrians. Subject to this being successful it is proposed that this cycle scheme is implemented in the coming financial year as part of the Bath Cycle Network budget in the draft programme for 2011/12.</i></p>	

QUESTIONS AND ANSWERS - PUBLIC

There were none

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Bath & North East Somerset Council
Cabinet Single-Member Decisions
 published 28-Jan-11 to 18-Feb-11

Agenda
 Item
 Number

11

Further details of each decision can be seen on the Council's Single-member Decision Register

Date Reference	Title	Decision Maker/s
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Cllr Charles Gerrish

31-Jan-11	Cycle Contra-flow, The Avenue, Combe Down, Bath TRO	CG
E2184		
<p><i>The Cabinet member agreed that the proposal be implemented as advertised subject to Department for Transport sign authorisation; and that the objectors be advised accordingly</i></p>		

31-Jan-11	Quality Partnership Scheme, Corridor 10, GBBN	CG
E2192		
<p><i>The Cabinet member agreed the Quality Partnership Scheme; delegated power to the Divisional Director (Planning & Transport Development) to determine the appropriate standard of services in the Quality Partnership Scheme and to decide on any revisions to the standard of services in the QPS arising from the formal review process</i></p>		

31-Jan-11	Greenway Lane/Lyncombe Hill Traffic Calming and 20mph Zone	CG
E2210		
<p><i>The Cabinet member agreed to note the objections; and that in the light of the support for the scheme and the safety benefits arising from reduced traffic speeds, the proposals for the 20mph zone and speed humps should be implemented</i></p>		

Cllr Vic Pritchard

02-Feb-11	Community Learning Service - Future Option	VP
E2226		
<p><i>The Cabinet Member agreed that the Skills Funding Agency allocation for informal adult learning be transferred to the City of Bath College with effect 1 August 2011</i></p>		

09-Feb-11	Shaping Up - A Strategy for Healthy Weight	VP
E2228		
<i>The Cabinet Member agreed the strategy</i>		