

Democratic Services

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Date: 24th November 2015

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To: All Members of the Cabinet

Councillor Tim Warren	Leader of the Council and Conservative Group Leader
Councillor Liz Richardson	Cabinet Member for Homes and Planning
Councillor Patrick Anketell-Jones	Cabinet Member for Economic Development, Conservative Deputy Group Leader Bath
Councillor Charles Gerrish	Cabinet Member for Finance and Efficiency, Conservative Deputy Group Leader North East Somerset
Councillor Vic Pritchard	Cabinet Member for Adult Social Care and Health
Councillor Anthony Clarke	Cabinet Member for Transport
Councillor Martin Veal	Cabinet Member for Community Services
Councillor Michael Evans	Cabinet Member for Children's Services

Chief Executive and other appropriate officers
Press and Public

Dear Member

Cabinet: Wednesday, 2nd December, 2015

You are invited to attend a meeting of the **Cabinet**, to be held on **Wednesday, 2nd December, 2015** at **4.00 pm** in the **Council Chamber - Guildhall, Bath.**

The agenda is set out overleaf.

Yours sincerely

Jack Latkovic
for Chief Executive

The decisions taken at this meeting of the Cabinet are subject to the Council's call-in procedures. Within 5 clear working days of publication of decisions, at least 10 Councillors may signify in writing to the Chief Executive their wish for a decision to be called-in for review. If a decision is not called-in, it will be implemented after the expiry of the 5 clear working day period.

If you need to access this agenda or any of the supporting reports in an alternative accessible format please contact Democratic Services or the relevant report author whose details are listed at the end of each report.

This Agenda and all accompanying reports are printed on recycled paper

NOTES:

- 1. Inspection of Papers:** Any person wishing to inspect minutes, reports, or a list of the background papers relating to any item on this Agenda should contact Jack Latkovic who is available by telephoning Bath 01225 394452 or by calling at the Guildhall Bath (during normal office hours).
- 2. Public Speaking at Meetings:** The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group. Advance notice is required not less than two full working days before the meeting (this means that for meetings held on Wednesdays, notice must normally be received in Democratic Services by 4.30pm the previous Friday but Bank Holidays will cause this to be brought forward).

The public may also ask a question to which a written answer will be given. Questions must be submitted in writing to Democratic Services at least two full working days in advance of the meeting (this means that for meetings held on Wednesdays, notice must normally be received in Democratic Services by 4.30pm the previous Friday but Bank Holidays will cause this to be brought forward). If an answer cannot be prepared in time for the meeting it will be sent out within five days afterwards. Further details of the scheme can be obtained by contacting Jack Latkovic as above.

- 3. Details of Decisions taken at this meeting** can be found in the minutes which will be published as soon as possible after the meeting, and also circulated with the agenda for the next meeting. In the meantime details can be obtained by contacting Jack Latkovic as above.

Appendices to reports are available for inspection as follows:-

Public Access points - Reception: Civic Centre - Keynsham, Guildhall - Bath, The Hollies - Midsomer Norton. Bath Central and Midsomer Norton public libraries.

For Councillors and Officers papers may be inspected via Political Group Research Assistants and Group Rooms/Members' Rooms.

- 4. Recording at Meetings:-**

The Openness of Local Government Bodies Regulations 2014 now allows filming and recording by anyone attending a meeting. This is not within the Council's control.

Some of our meetings are webcast. At the start of the meeting, the Chair will confirm if all or part of the meeting is to be filmed. If you would prefer not to be filmed for the webcast, please make yourself known to the camera operators.

To comply with the Data Protection Act 1998, we require the consent of parents or guardians before filming children or young people. For more information, please speak to the camera operator

The Council will broadcast the images and sound live via the internet www.bathnes.gov.uk/webcast An archived recording of the proceedings will also be available for viewing after the meeting. The Council may also use the images/sound recordings on its social media site or share with other organisations, such as broadcasters.

- 5. Attendance Register:** Members should sign the Register which will be circulated at the meeting.

6. THE APPENDED SUPPORTING DOCUMENTS ARE IDENTIFIED BY AGENDA ITEM NUMBER.

7. Emergency Evacuation Procedure

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are sign-posted.

Arrangements are in place for the safe evacuation of disabled people.

8. Officer Support to the Cabinet

Cabinet meetings will be supported by the Senior Management Team.

9. Recorded votes

A recorded vote will be taken only when requested by a member of Cabinet.

Cabinet - Wednesday, 2nd December, 2015

in the Council Chamber - Guildhall, Bath

A G E N D A

1. WELCOME AND INTRODUCTIONS

2. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as set out in the Notes

3. APOLOGIES FOR ABSENCE

4. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to indicate:

(a) The agenda item number in which they have an interest to declare.

(b) The nature of their interest.

*(c) Whether their interest is **a disclosable pecuniary interest** or an **other interest**, (as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)*

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer or a member of his staff before the meeting to expedite dealing with the item during the meeting.

5. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

6. QUESTIONS FROM PUBLIC AND COUNCILLORS

Questions submitted before the deadline will receive a reply from an appropriate Cabinet member or a promise to respond within 5 days of the meeting. Councillors may ask one supplementary question for each question they submitted, up to a maximum of two per Councillor.

7. STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

Councillors and members of the public may register their intention to make a statement if they notify the subject matter of their statement before the deadline. Statements are limited to 3 minutes each. The speaker may then be asked by Cabinet members to answer factual questions arising out of their statement.

8. MINUTES OF PREVIOUS CABINET MEETING (Pages 9 - 14)

To be confirmed as a correct record and signed by the Chair

9. CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

This is a standard agenda item, to cover any reports originally placed on the Weekly list for single Member decision making, which have subsequently been the subject of a Cabinet Member requisition to the full Cabinet, under the Council's procedural rules

10. MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

This is a standing agenda item (Constitution rule 14, part 4D – Executive Procedure Rules) for matters referred by Policy Development and Scrutiny bodies. The Chair of the relevant PDS Panel will have the right to attend and to introduce the Panel's recommendations to Cabinet.

11. SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING (Pages 15 - 22)

This report lists Cabinet Single Member decisions taken and published since the last Cabinet meeting.

12. PLACEMAKING PLAN FOR BATH AND NORTH EAST SOMERSET (Pages 23 - 32)

This report seeks Cabinet approval of the Pre-submission Draft Placemaking Plan for public consultation prior to submission to the Secretary of State for examination.

NOTE: Given the large file size of the pre-submission draft B&NES Placemaking Plan it can be only viewed on Council's website at <http://www.bathnes.gov.uk/services/planning-and-building-control/planning-policy/placemaking-plan/placemaking-plan-pre>.

13. SPEND OF COMMUNITY INFRASTRUCTURE LEVY INCOME (Pages 33 - 36)

The B&NES Community Infrastructure Levy (CIL) came into effect in April 2015 and the process for determining spend of the CIL income was agreed by Cabinet in July 2015.

14. YOUR CARE, YOUR WAY: OUTLINE BUSINESS CASE, MARKET TESTING & SERVICE OUTCOMES (Pages 37 - 96)

The Your Care, Your Way community health and care services review programme has four key phases. The analysis and planning phase was completed in May 2015, the Programme then progressed into its current design phase. The key focus of this stage was to develop and formally consult on a set of commissioning intentions that set out the overarching strategy, outcomes framework and potential models on which service design could be based.

Before commissioners can progress to developing the service delivery model during the next phase, there are a number of key outcomes that form the body of this report and will need to be considered by Governing Bodies, which are Council Cabinet and BaNES CCG Board:

- a) The analysis of consultation findings that set out what our community has told us about our plans as detailed in September Cabinet report "Proposals to Review Community Services Consultation Document".
- b) The findings of our market engagement with providers and our proposed methodology to market test and contract in order to develop a process to identify the most capable providers for future service delivery.
- c) The outline financial planning process that will set out the factors that will impact funding going forwards and the principles against which the funding envelope will be derived.

15. ESTABLISHMENT OF A LOCAL PROPERTY AND DEVELOPMENT COMPANY (Pages 97 - 118)

The establishment by the Council of a local authority wholly owned company (the Company) to develop, deliver, own and manage property as well as new development on a case by case basis using either Public Works Loan Board (PWLB) funding or external financing dependent which is the most viable option.

The company will initially focus on the refurbishment of existing properties suitable for residential lettings. Consideration will also be given, on a case by case basis to the delivery of new build property developments, if deemed financially viable.

16. LOCAL FLOOD RISK MANAGEMENT STRATEGY (Pages 119 - 540)

The Flood and Water Management Act 2010, makes Bath and North East Somerset Council a Lead Local Flood Authority and as such the Council is responsible for managing flood risk from surface water, groundwater and ordinary watercourses in the area. Under provisions in the Act, the Council must develop, maintain, monitor and apply a Local Flood Risk Management Strategy (and assist in the management of local flood risk).

17. ADOPTION OF THE BATH AND NORTH EAST SOMERSET COUNCIL GREEN SPACE STRATEGY (Pages 541 - 546)

Bath and North East Somerset Council's Parks service has recently completed a review of the Council's Green Spaces Strategy. The review is designed to provide an assessment of both current open space and any surpluses or deficiencies in open spaces throughout the district. The findings of the review will help inform the policies within the B&NES Placemaking Plan, establish local provision standards and create an up to date evidential basis that can be maintained and used to aid the implementation of the policies and the provision of open spaces, during the life of the plan period.

The findings of this study have been drawn upon by the Parks Service to develop a set of nine objectives to guide the development and management of our open space assets until 2029.

NOTE: Given the large file size for these reports they can be viewed online as a series of pdf documents at:

<http://www.bathnes.gov.uk/services/sport-leisure-and-parks/parks-green-spaces-information/green-space-strategy-review>

The Committee Administrator for this meeting is Jack Latkovic who can be contacted on 01225 394452.

Protocol for Decision-making

Guidance for Members when making decisions

When making decisions, the Cabinet/Committee must ensure it has regard only to relevant considerations and disregards those that are not material.

The Cabinet/Committee must ensure that it bears in mind the following legal duties when making its decisions:

- Equalities considerations
- Risk Management considerations
- Crime and Disorder considerations
- Sustainability considerations
- Natural Environment considerations
- Planning Act 2008 considerations
- Human Rights Act 1998 considerations
- Children Act 2004 considerations
- Public Health & Inequalities considerations

Whilst it is the responsibility of the report author and the Council's Monitoring Officer and Chief Financial Officer to assess the applicability of the legal requirements, decision makers should ensure they are satisfied that the information presented to them is consistent with and takes due regard of them.