

## **BATH AND NORTH EAST SOMERSET**

### **CABINET**

These minutes are draft until confirmed as a correct record at the next meeting.

Thursday, 16th December, 2021

#### **Present:**

Councillor Kevin Guy	Leader of the Council, Liberal Democrat Group Leader
Councillor Richard Samuel	Deputy Council Leader (statutory) and Cabinet Member for Economic Development and Resources
Councillor Sarah Warren	Deputy Council Leader and Cabinet Member for Climate and Sustainable Travel
Councillor Tom Davies	Cabinet Member for Adults and Council House Building
Councillor Manda Rigby	Cabinet Member for Transport

#### **109 WELCOME AND INTRODUCTIONS**

The Chair, Councillor Kevin Guy, welcomed everyone to the meeting and made the following statement:

“This meeting is being held as part of the contingency arrangements put in place, recognising the need to remain cautious. For this reason, there is only a quorum of Cabinet Members in the Chamber this meeting. A virtual ‘informal’ meeting of the full Cabinet took place last night to inform voting at this meeting. That meeting is available to view on the Council’s YouTube channel.”

The Democratic Services Officer read the Emergency Evacuation Procedure.

#### **110 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

#### **111 DECLARATIONS OF INTEREST**

There were none.

#### **112 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

The Chair made the following statement: “I am giving notice that I intend to call a special meeting of Cabinet (rule 4D, 7) in late January to agree the City Region Sustainable Transport Settlement before it is submitted by WECA to the Department for Transport. In so doing, I am also using rule 4D, 20 to suspend the necessary rules so that no public or councillor questions are permitted at this meeting, and only statements on the agenda item. This is to enable a focussed debate on the issue, and the usual public and councillor opportunities to engage with Cabinet will operate at the next scheduled meeting in February. Please can I have a seconder for this proposal and then ask Cabinet to indicate their support.”. Councillor Sarah Warren seconded the proposal.

**RESOLVED** that rule 4D, 20 be used as outlined above regarding the January 2022 meeting of the Cabinet.

It was noted that Councillor Alison Born made a statement at the virtual meeting on 15<sup>th</sup> December 2021 regarding the sale of Virgin Care to the Private Capital company Twenty20 Capital. A copy will be in the minutes of that meeting.

### **113 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS**

The Chair explained that members of the public and Councillors who wished to make a statement did so at the virtual meeting on 15<sup>th</sup> December 2021. Their statements, where provided, are attached to the minutes of the meeting.

### **114 QUESTIONS FROM PUBLIC AND COUNCILLORS**

The Chair stated that the Question and Answer sheet (with any supplementary questions) will be published with the minutes of the 15<sup>th</sup> December 2021 meeting of the Cabinet.

### **115 MINUTES OF PREVIOUS CABINET MEETINGS**

**RESOLVED** that the minutes of the meetings held on Wednesday 10<sup>th</sup> November 2021 and Thursday 11<sup>th</sup> November 2021 be confirmed as a correct record and signed by the Chair.

### **116 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET**

There were none.

### **117 MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES**

There were none.

### **118 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING**

The Cabinet agreed to note the report.

### **119 BATH CLEAN AIR PLAN- UPDATE DECEMBER 2021**

On a motion from Councillor Sarah Warren, seconded by Councillor Tom Davies, it was

**RESOLVED** (unanimously) that the Cabinet agreed to:

- 1.1 Note the performance report and the ongoing progress which has been made towards improving air quality and associated public health

outcomes, together with the ongoing increasing proportion of compliant vehicles entering the CAZ and achieving success with the Ministerial Direction.

- 1.2 Note the continued performance of the scheme against the scheme's financial model, ensuring it covers its costs of operation and avoids placing an additional burden on the Council and local taxpayers.
- 1.3 Note that after assessing over 2,500 applicants who applied to the financial assistance scheme and finding 1,495 vehicles eligible for replacement or retrofit treatment, the current round of funding for the financial assistance scheme will be concluding. However, a waiting list is being held, should further funding become available.
- 1.4 Note the success achieved at key hotspot monitoring locations in reducing nitrogen dioxide levels e.g. Gay Street, acknowledge the risk that more intervention may be required at some locations, e.g. Wells Road and note the work that Officers have already been doing in anticipation of this outcome.
- 1.5 Request an options appraisal for making further improvements to air quality in the city, as part of our next published report about the Clean Air Zone.

## **120 CLEVELAND BRIDGE REVIEW**

On a motion from Councillor Manda Rigby, seconded by Councillor Richard Samuel, it was

**RESOLVED** (unanimously) that the Cabinet agreed to:

1. Note that in the absence of a solution to restrict HGV movements over the bridge which has been agreed with the haulage trade associations, neighbouring authorities, National Highways and the Secretary of State, all unilateral options carry high degrees of risk of a PRN appeal and/or a legal challenge.
2. In light of the resolution made at the 9 September Cabinet Meeting (E3303) to adopt recommendation 2.1 in the corresponding Officer report, recognise the need to maintain good working relationships with the Council's neighbouring authorities and National Highways so as not to undermine the investment being made into a wider, strategic study into north-south connectivity between the M4 and the Dorset Coast with an aim of making the A350 the strategic route and thereby limiting HGV use of Cleveland Bridge as part of the Government's Road Investment Strategy 2 (2020-25).
3. Consider strengthening the Council's transport policies to: protect the amenity of the Bath World Heritage Site setting, continue to improve air quality standards, reduce vehicular demand on road space, and respond to the climate and ecological emergencies already declared by the Council. This could include, if necessary, the introduction of further restrictions and/or increased charges on vehicles entering Bath. In line with the legislation, note that any net revenues generated from any

proposed charging scheme would be applied to facilitate the achievement of these policies.

4. Consider early engagement with the haulage trade associations, neighbouring authorities, National Highways and the Secretary of State with a view to exploring a variation to the Bath Clean Air Zone Charging Order 2021 so that all Euro VI diesel powered vehicles with weight exceeding 12 tonnes<sup>1</sup> become chargeable under the scheme, for the benefit of air quality and the amenity of the CAZ area (including the Grade II\* Cleveland Bridge) and the wider Bath World Heritage Site setting. As part of this and with a view to protecting local SMEs and their supply chains that may have recently invested in Euro VI diesel vehicles, explore the option of also introducing a time-limited exemption to complement the existing exemptions for hybrid, electric and alternatively fuelled vehicles. Subject to undertaking further feasibility work and being able to develop and implement a workable scheme, this would have the net effect of disincentivising all diesel-powered HGVs weighing over 12 tonnes from using the CAZ area as a through route.
5. Noting the high risk of appeal and/or legal challenge, and the resource implications highlighted in the report below, do not proceed with the TRO option at this time.

## **121 BRISTOL TO BATH STRATEGIC CORRIDOR, STRATEGIC OUTLINE CASE**

On a motion from Councillor Sarah Warren, seconded by Councillor Manda Rigby, it was

**RESOLVED** (unanimously) that the Cabinet agreed to:

1. Note that WECA Joint Committee on 28<sup>th</sup> January 2022 will be asked to delegate authority to approve the Strategic Outline Case to Chief Executives on 17<sup>th</sup> February 2022 for progression to Outline Business Case.
2. Note early public engagement will be carried out Spring/Summer 2022 if the Strategic Outline Case is approved.

## **122 2020/21 QUARTER 2 PERFORMANCE REPORT**

On a motion from Councillor Richard Samuel, seconded by Councillor Kevin Guy, it was

**RESOLVED** (unanimously) that the Cabinet agreed to:

1. Note progress on the delivery of key aspects of the Council's service delivery, details of which are highlighted in section 3.7 and Annex 1.

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<sup>1</sup> In accordance with the Road User Charging and Workplace Parking Levy (Classes of Motor Vehicles) (England) Regulations 2001.

2. Indicate any other key service areas to be highlighted and included in the strategic indicator report.
  
3. Agree to receive update reports on a quarterly basis

The meeting ended at Time Not Specified

Chair \_\_\_\_\_

Date Confirmed and Signed \_\_\_\_\_

**Prepared by Democratic Services**