

Cabinet Single-Member Decisions and Responses to Recommendations from PDS Panels

published 25-Jan-2019 to 1-Jul-2019

Further details of each decision can be seen on the Council's Single-member Decision Register at <http://democracy.bathnes.gov.uk/mgDelegatedDecisions.aspx?&dm=3>

West of England Waste Treatment procurement outcomes - approval to award contract

Following a competitive procurement process under EU regulations, the West of England Waste Partnership is now in a position to award the waste treatment contract which is to come into effect 1st April 2020 when the current contract expires. Approval is now required for the contract to be awarded.

Decision Maker: Cabinet Member for Climate Emergency and Neighbourhood Services

Decision published: 04/06/2019

Effective from: 03/06/2019

Decision:

The Cabinet Member agrees that:

The Council enter into three contracts as a party to the West of England Waste Partnership (the Partnership), for the provision of residual waste treatment from April 2020.

Lot 1 – Residual waste

- a) A Contract with Viridor Waste Management Limited for treatment of up to 120,000 tonnes of residual waste across the partnership;
- b) A Contract with SUEZ Recycling and Recovery UK Limited for treatment of up to 50,000 tonnes of residual waste across the partnership; and

Lot 2 – Bulky Waste, a Contract with ETM Recycling Limited for treatment of up to 45,500 tonnes of bulky residual waste across the partnership.

Delegates Authority to the Director of Environment to negotiate and enter into all necessary legal agreement relating to the operation of the Contracts including an Inter-Authority Agreement to deal with tonnages, extensions and termination.

Lead officer: Sarah Alder

Future management of Moorland Road Library building

The proposal to lease the current branch library building to Moorland Road Community Library charity. This forms part of the Modern Libraries programme.

Decision Maker: Cabinet Member - Finance and Efficiency

Decision published: 07/05/2019

Effective from: 15/05/2019

Decision:

The Cabinet Members agree to :-

- Delegate to the Head of Estates authority to complete the disposal of Moorland Road Library into a final lease with Moorland Road Community Library in line with the Heads of Terms attached.
- Abate the rent to a peppercorn subject to the Moorland Road Community Library satisfying the Council that they will use the premises for the purposes set out in their Business Plan.

Lead officer: Tracey Long

The Former Radstock Infants School – Payment of tax liabilities arising from a property transaction and authority to dispose of asset

Authority is required to market the former Radstock Infants School and pay capital gains tax.

Decision Maker: Cabinet Member - Finance and Efficiency

Decision published: 16/04/2019

Effective from: 26/04/2019

Decision:

The Cabinet Member agrees to :

- a) Authorise a disposal of the subject property on the open market on behalf of the trustees.
- b) Authorise payment of a tax bill to HMRC.

Lead officer: Hayley Ponsford

B&NES Local Development Scheme Review

The B&NES Local Development Scheme needs to be reviewed in order to update the programme for the preparation of planning policy documents.

Decision Maker: Cabinet Member - Development and Neighbourhoods

Decision published: 15/04/2019

Effective from: 25/04/2019

Decision:

The Cabinet Member agrees:

- a) The revised Bath & North East Somerset Local Development Scheme 2019 – 2021 as set out in Appendix 1 to the Single Member Decision Report, subject to a minor amendment in respect of the West of England Joint Spatial Plan programme to reflect latest information on the Examination hearings timetable; and
- b) That it should come into effect following the expiry of the decision call-in period

Lead officer: Simon De Beer

Appointment of Directors to the Board of ADL

To agree the appointment of a non executive chair and non executive director to the Board of Aequus Developments Limited and to determine the remuneration for these roles.

Decision Maker: Leader of the Council

Decision published: 01/04/2019

Effective from: 01/04/2019

Decision:

The Leader, as shareholder on behalf of the Council, agreed for Aequus Developments Limited to:

- 1) Appoint Charles Gerrish to be the non executive chair of Aequus Developments Limited with effect from 7 May 2019.
- 2) Appoint Les Kew to be a non executive director of Aequus Developments Limited with effect from 7 May 2019.
- 3) Agree the remuneration for the roles of non executive chair and all non executive directors at £10,000 and £4,000 respectively.

Lead officer: Michael Hewitt

Public Protection Fees and charges

To obtain agreement to the fees and charges for specified services provided within Public Protection, in line with proposals agreed in the February 2019 budget setting by Full Council.

Decision Maker: Cabinet Member - Development and Neighbourhoods

Decision published: 01/04/2019

Effective from: 09/04/2019

Decision:

The Cabinet Member agrees:

- 1) Formal adoption of the new fees and charges for Public Protection and that these are to be implemented in April 2019 to minimise the loss of potential income to the Authority.

2) That delegated authority be given to the Head of Building Control and Public Protection to agree fees and charges (where in accordance with the financial plan) which vary from the standard inflation clause, if the cost base changes or new services are introduced and that this can be done throughout the year if external factors influence the cost base significantly throughout the financial year.

Lead officer: Cathryn Brown

Future management of Radstock Library Building

The proposal is to lease the current Library building to Radstock Town Council. This forms part of the Modern Libraries programme.

Decision Maker: Cabinet Member - Finance and Efficiency

Decision published: 25/03/2019

Effective from: 02/04/2019

Decision:

The Cabinet Members agree to:

- Delegate to the Head of Estates to complete the disposal of the Radstock Library premises into a final lease with Radstock Town Council in line with the draft Heads of Terms attached, subject to financial review.
- Abate the rent to a peppercorn subject to the Radstock Town Council satisfying the Council that they will use the premises for the purposes set out in their draft Business Plan.

Lead officer: Tracey Long

Confirmation of the Article 4 Direction on conversion offices to residential in Bath City Centre

This report recommends confirming a previously made non-immediate Article 4 Direction to restrict Permitted Development Rights (PDR) on the Change of Use from Office to Residential uses in parts of central Bath. If confirmed, the Article 4 Direction will be effective from May 24th 2019.

Decision Maker: Leader of the Council

Decision published: 18/03/2019

Effective from: 26/03/2019

Decision:

The Cabinet Member agrees that Bath & North East Somerset Council confirms and brings into force the non-immediate Article 4 Direction dated 28thFebruary 2018, the effect of which is to withdraw Permitted Development Rights for the change of use from office (Class B1) to residential uses (Class C3) in those parts of central Bath shown in the Direction.

Lead officer: Simon De Beer

Voluntary sector funding for provision of community transport services 2019-20

To award grants to voluntary sector groups to maintain provision of community transport in 2019-20.

Decision Maker: Cabinet Member - Transport and Environment

Decision published: 14/03/2019

Effective from: 22/03/2019

Decision:

The Cabinet Member agrees that, under authority delegated by the West of England Combined Authority (WECA), the funding proposals in Appendix 2 of the Report be approved and implemented.

Lead officer: Andy Strong

Fees and Charges 2019/20 - Highways and Traffic

The purpose of the report is to obtain agreement to the fees and charges for specified services provided within the Highways and Traffic Service.

Decision Maker: Cabinet Member - Transport and Environment

Decision published: 14/03/2019

Effective from: 22/03/2019

Decision:

The Cabinet Member agrees that:

1. The recommendation for the new fees, charges and commuted sums for relevant services - as proposed in Appendix 1 and 2
2. That these are to be implemented on 1st April 2018.
3. That delegated authority be given to the Highways and Traffic Group Manager in consultation with the Cabinet Member for Transport to agree fees and charges which vary from the standard inflation clause, if the cost base changes or new services are introduced, and that this can be done at 6 month intervals if external factors influence the cost base significantly throughout the financial year

Lead officer: Gary Peacock

School Term and Holiday Dates 2020-21

To agree the recommended school holiday dates for the 2020-21 academic year.

Decision Maker: Cabinet Member - Children and Young People

Decision published: 13/03/2019

Effective from: 21/03/2019

Decision:

The Cabinet Member agrees that:-

- 1) To note that Multi Academy Trusts, Academies, Foundation, Free Schools and Voluntary Aided Schools have the power to determine their own term and holiday dates.
- 2) In order to maximise consistency of dates for the benefit of children and their parents, to recommend to all schools the Council's preferred calendar of School Term and Holiday dates for the academic year 2020-21 based on a 195 day calendar, as set out in Appendix A.

Lead officer: Kevin Amos

Capital approval for Waste & ES Depots relocation project - development and planning stages

The report will recommend draw-down from the existing provisional allocation in the capital programme for the Waste and Environmental Services depots project, in order to progress through the feasibility, appraisal and detailed design stages to planning applications and consents, in 2019/20 and 2020/21.

Decision Maker: Cabinet Member - Finance and Efficiency

Decision published: 04/03/2019

Effective from: 12/03/2019

Decision:

The Cabinet Members agree to fully approve £1.9m from the provisional capital budget to progress development and feasibility work through to planning applications for the relocation of the waste, recycling and transfer station operations from the Midland Road site, and allowing vacant possession to follow.

And the authority is delegated to the Director of Environment in consultation with the Leader, Chief Executive, the Council's S.151 Officer and Monitoring Officer to take all necessary acts to finalise and complete the Council's Accelerated Construction grant funding offer with Homes England.

Lead officer: Carol Maclellan

Planning Obligations Supplementary Planning Document (SPD) amendment and related Community Infrastructure Levy Regulation 123 List amendment relating to new development green space requirements

To make a minor amendment to the SPD to better facilitate the delivery of public open space.

Decision Maker: Cabinet Member - Development and Neighbourhoods

Decision published: 04/03/2019

Effective from: 12/03/2019

Decision:

The Cabinet Member agrees the Planning Obligations SPD draft amendments for consultation with stakeholders for a six week period from 14 March 2019 to 25th April 2019 relating to S106 green space obligations, and updated costs for tree replacement.

The Cabinet Member agrees the Regulation123 draft amendments for consultation with stakeholders from 14 March 2019 to 25th April 2019 relating to off-site green space requirements.

Lead officer: Simon De Beer

Mendip Hills Area of Outstanding Natural Beauty (AONB) Management Plan 2019 - 2024 and Cotswolds AONB Management Plan 2018-2023

To consider the request of the Mendip Hills AONB Partnership to adopt the Mendip Hills AONB Management Plan and consider the request of the Cotswold Conservation Board to endorse their AONB Management Plan.

Decision Maker: Cabinet Member - Development and Neighbourhoods

Decision published: 27/02/2019

Effective from: 07/03/2019

Decision:

The Cabinet Member agrees that B&NES:

- i) Adopt the Mendip Hills AONB Management Plan 2019 – 2024 as the basis for safeguarding and managing the unique beauty and distinctive character of the AONB.

- ii) Do not endorse the Cotswold AONB Management Plan 2018-2023 at this time given that the Management Plan's stated ambition to promote the case to be designated as England's next National Park has not been properly assessed and is not adequately justified.

Lead officer: Simon De Beer

RULE 15 Acquisition of income generating investment to incorporate within the Commercial Estate to move to full approval from provisional

This report sets out the terms of the proposed acquisition of income generating investment property to move to full budget approval from provisional budget approval.

Decision Maker: Leader of the Council

Decision published: 18/02/2019

Effective from: 18/02/2019

Decision:

The Cabinet Members agree:

- 1.1 The acquisition of an investment property which is in line with MHCLG guidelines as it is within the Bath and North East Somerset boundary; and
- 1.2 Capital expenditure on the acquisition of the property and any necessary adjustments to the 2018/2019 capital budget to reflect this approval.

Lead officer: Richard Long

Housing Services Decent Homes Policy Update

The changes to the Policy are intended to improve support for Disabled Facilities Grants applicants, improve access to health related urgent repair grants, and encourage the use of low cost loans through Wessex Resolutions. The grants and loans are intended to promote health and independent living by helping with home adaptations, making homes safer and warmer and carrying out essential repairs. The Empty Property Loans are intended to support owners of Empty Properties by helping with bringing them back in to use.

Decision Maker: Cabinet Member - Economic and Community Regeneration

Decision published: 12/02/2019

Effective from: 20/02/2019

Decision:

The Cabinet Member agrees that the amended Decent Homes Policy be formally adopted.

Lead officer: Chris Mordaunt

Aequus Construction Limited - Approval of Development Proposal

To seek shareholder approval for the provision of funding for Aequus Construction Limited to deliver a housing development scheme in Bath.

Decision Maker: Leader of the Council

Decision published: 04/02/2019

Effective from: 31/01/2019

Decision:

Approval to progress the purchase and development of the Sladebrook Road site.

Lead officer: Michael Hewitt

Homeseach Allocation Scheme Update

The Homeseach Policy is the document that articulates how the Council prioritises and allocates social housing to those on the waiting list. This update provides a

range of amendments to the scheme following recent legislative changes and designed to improve the operation of the scheme.

Decision Maker: Cabinet Member - Economic and Community Regeneration

Decision published: 04/02/2019

Effective from: 12/02/2019

Decision:

The Cabinet Member agrees to adopt the amended allocation scheme, known as the Homesearch Allocation Scheme 2019.

Lead officer: Graham Sabourn

Care homes recommissioning and procurement strategy

Commissioners have developed a new commissioning approach to purchasing residential and nursing care home placements that is consistent with the Council's published commissioning intentions for care homes.

Decision Maker: Cabinet Member - Adult Care, Health and Wellbeing

Decision published: 30/01/2019

Effective from: 07/02/2019

Decision:

The Cabinet Member agrees to:

- 1) Give an approval to officers to develop the procurement strategy & documentation and undertake procurement processes for both the initial and longer term objectives of the project.
- 2) Delegate authority for the outcome of procurement processes and any subsequent contract award decisions, to the Director of Integrated Health & Care Commissioning, subject to Joint Commissioning Committee reviewing detail of the proposed framework prior to procurement.

Lead officer: Vincent Edwards

Neighbourhood CIL for Bath - Approval of the fourth round of project recommendations

This report sets out the recommendations from the Bath City Forum relating to the fourth allocation of funding to eight projects from Bath's "neighbourhood portion" of the Community Infrastructure Levy.

Decision Maker: Cabinet Member - Development and Neighbourhoods

Decision published: 29/01/2019

Effective from: 06/02/2019

Decision:

The Cabinet Member agrees that funding be provided from Neighbourhood CIL Project Funding for Bath:

- £2,450 allocation from the Bath CIL neighbourhood portion for Bathwick St Mary School Road Safety Application BA047
- £41,076 allocation from the Bath CIL neighbourhood portion for Sydney Gardens Improvements Application BA050
- £15,000 allocation from the Bath CIL neighbourhood portion for SCP Administration CIL Application BA054
- £18,000 allocation from the Bath CIL neighbourhood portion for Moorland Road Library CIL Application BA052

Lead officer: Mark Hayward