

BATH AND NORTH EAST SOMERSET

CABINET

Wednesday, 13th July, 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 15th to 21st Jul. These minutes are draft until confirmed as a correct record at the next meeting.

Present:

Councillor Paul Crossley
Councillor Nathan Hartley

Leader of the Council
Deputy Leader of the Council and Cabinet Member for Early Years, Children and Youth
Cabinet Member for Community Resources
Cabinet Member for Wellbeing
Cabinet Member for Homes and Planning
Cabinet Member for Sustainable Development
Cabinet Member for Neighbourhoods
Cabinet Member for Transport

Councillor David Bellotti
Councillor Simon Allen
Councillor Tim Ball
Councillor Cherry Beath
Councillor David Dixon
Councillor Roger Symonds

1 WELCOME AND INTRODUCTIONS

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

2 EMERGENCY EVACUATION PROCEDURE

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

3 APOLOGIES FOR ABSENCE

There were no apologies for absence.

4 DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972

Councillor David Dixon declared a personal and non-prejudicial interest in Item 14, Price of Primary School Meals, as a parent of children who sometimes eat school meals.

Councillor Cherry Beath declared a personal and non-prejudicial interest in item 15, Voluntary Organisation Grants for Museums and Heritage, by virtue of being a past Chair of the Standing Committee of the Charter Trustees of The City of Bath.

5 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

6 QUESTIONS FROM PUBLIC AND COUNCILLORS

There were 18 questions from the following people: Councillors: Steve Hedges, Nigel Roberts, Will Sandry, Francine Haerberling, Tim Warren (3), Tony Clarke (2), Vic Pritchard, Sarah Bevan, Patrick Anketell-Jones (2), Charles Gerrish (2), Members of the Public: Rae Harris, Nigel Fenwick, Ian Barclay.

[Copies of the questions and response, 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.]

Add QA sheet here

7 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

There were 11 registered statements, some of which were made at the relevant agenda item.

Lin Patterson (Save Our 6/7 Buses Campaign) made a statement [*a copy of which is attached to these Minutes as Appendix 3 and is available on the Council's website*] relating to item 22 on the Agenda, in which she thanked the Cabinet for the allocation of £85K to increase the frequency of the 6/7 Bus Service (Agenda Report 22) but pointed out that the frequencies stated in the report were incorrect.

The Chair referred the statement to Councillor Symonds, and to the Cabinet for consideration at the item.

David Redgewell made a statement relating to items 12 and 17 on the agenda, in which he welcomed some aspects of the proposals but appealing to the Cabinet to consider the need for much improved bus and rail services in the area and to ensure effective independent scrutiny of decisions taken at the regional level.

Councillor Paul Crossley asked David Redgewell if he was aware that the LEP scrutiny panel had been set up and was now operational. David acknowledged this.

The Chair referred the statement to Cabinet for their consideration at item 17.

Amanda Leon (Radstock Action Group) made a statement [*a copy of which is attached to these Minutes as Appendix 4 and is available on the Council's website*] appealing to the Cabinet to reconsider the proposals for the redesign of the roads around Radstock Town Centre.

Councillor Cherry Beath thanked Amanda for her statement and asked whether she was aware that in order to bring forward the regeneration plans wanted by Radstock, it was necessary to introduce a new road system. Amanda noted this but said that the proposals would lead to degeneration, not to regeneration in Radstock. She felt that Frome Road should be straightened.

Councillor Tim Ball asked Amanda whether she was aware that Radstock Town Council was no longer opposing the scheme. Amanda replied that the Town Council had not withdrawn its objections to the scheme, only to an extension of the time allowed for objections to be made.

Councillors Paul Crossley and Cherry Beath agreed to visit Radstock to explore the points made by the speaker.

Pamela Galloway made a statement on behalf of the Warm Water Inclusive Swimming Network, in which she asked the Cabinet to note the support for warm

water swimming evident from the Recreation Ground Trust consultation, from the previous Administration and from the Overview and Scrutiny Panes.

The Chair referred the statement to Councillor David Dixon for his attention.

8 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

There were none.

9 CONSIDERATION OF MATTERS REFERRED BY OVERVIEW AND SCRUTINY BODIES

There were none.

10 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

The Cabinet agreed to note the report.

11 EVERY DISABLED CHILD MATTERS

Councillor John Bull made an *ad hoc* statement reminding the Cabinet that the proposals before them were the result of an original initiative from the Labour Group. He was pleased to see progress and thanked officers for their commitment to the issue.

Councillor Francine Haeberling made an *ad hoc* statement welcoming the continuation of what the previous Administration had set in motion.

Councillor Nathan Hartley, in proposing the motion, acknowledged the hard work of ex-Councillor David Spiers and of Councillor Chris Watt for their hard work in reaching this point. He explained that the Charter would work to the benefit of disabled children.

Councillor David Bellotti seconded the motion because it had been a longstanding aim of his to see this adopted. He paid tribute to the hard work done by officers and members to date. He particularly drew attention to Objective 12, which expressed a determination to ensure a smooth transition to adult service provision for disabled young people preparing for adulthood.

On a motion from Councillor Nathan Hartley, seconded by Councillor David Bellotti, it was

RESOLVED (unanimously):

- (1) To ADOPT the Every Disabled Child Matters Charter on behalf of the Council;
- (2) To AUTHORISE the Cabinet Member for Early Years, Children and Youth to sign the Charter on behalf of the Council.

12 LOCAL DEVELOPMENT SCHEME REVIEW

Caroline Kay (Chief Executive, Bath Preservation Trust) made a statement [*a copy of which is attached to these Minutes as Appendix 5 and is available on the Council's*

website] welcoming the revised LDS but making some observations, in particular about the need for the specific mention of a building heights strategy.

The Chair referred the statement to Cabinet for their consideration.

David Dunlop (The Bath Society and London Road Residents Association) made a statement in which he reminded the Cabinet that government advice PVS25 requires the Council to address flood risk. On the grounds of flood risk, and for other reasons, he questioned the viability of the proposed Bathampton Park and Ride site, which included a lowering of the site so that it would be more likely to flood.

Councillor Paul Crossley asked David Dunlop by how much the site was to have been lowered under the proposals. David replied that the original proposals showed the site being lowered by 8.8 metres.

Councillor Tim Ball asked David Dunlop how many lorry loads of soil this would be. David replied that it would not be difficult to remove the soil because it could be disposed of at the gasworks site – but the project would bring no discernable improvement to congestion on the London Road.

The Chair referred the statement to Cabinet for their consideration.

Councillor John Bull made an *ad hoc* statement in which he drew attention to paragraph 5.4(e) where the Inspector had expressed concern that the affordable housing needs were not adequately addressed by the original proposals.

Councillor Paul Crossley asked Councillor Bull whether he would agree that it was essential for the Council to insist on 35% affordable housing provision. Councillor Bull readily agreed.

Councillor Les Kew made an *ad hoc* statement in which he expressed the concern that actions being taken by the Cabinet might put the Core Strategy at risk. He felt that Cabinet must address the need for economic growth and a transport network to sustain it.

Councillor Paul Crossley asked whether Councillor Kew would agree that it was essential to get flood protection measures in place to protect western Riverside. Councillor Kew agreed.

Councillor Roger Symonds asked whether Councillor Kew's concern extended to Bathampton Meadows. Councillor Kew agreed that it did.

Councillor Tim Ball, in proposing the motion, emphasised the need to find a way forward which the Inspector could agree with. He felt that this would be achieved by the document being presented for adoption.

Councillor Roger Symonds seconded the motion. He pointed out that the original growth assumption of the Regional Spatial Strategy had been 3% per annum but the new realities of 1.8% growth demanded a less ambitious Local Development Scheme, and that this also applied to the realities of the less ambitious Bath Transport Package. He emphasised that the proposals met all the prescribed criteria listed in paragraph 5.2 of the report.

On a motion from Councillor Tim Ball, seconded by Councillor Roger Symonds, it was

RESOLVED (unanimously):

- (1) To ADOPT the revised Local Development Scheme 2011 to 2014 for B&NES;
- (2) To RESCHEDULE the Core Strategy examination hearings to enable consideration of the issues raised by the Inspector in his letter dated 3rd June 2011.

13 HOUSING RENEWAL POLICY REVIEW

Councillor Vic Pritchard made an *ad hoc* statement welcoming the policy. He drew attention to the proposal to allow exceptional circumstances awards to be determined by an officer under delegated powers but said that he felt these decisions should be made by the Cabinet member.

Councillor Tim Ball, in proposing the motion, thanked Councillor Pritchard for his support and noted his comment. He said that the policy would come back to Cabinet in one year and that would allow an opportunity for the arrangements to be reconsidered.

Councillor Roger Symonds seconded the motion.

Councillor Simon Allen welcomed the policy and said that it would enable people to remain healthy, independent and safe in their own homes for as long as possible.

On a motion from Councillor Tim Ball, seconded by Councillor Roger Symonds, it was

RESOLVED (unanimously):

(1) To ADOPT the Home Health and Safety Policy 2011 as the Council's Housing Renewal Policy;

(2) To AGREE that the budget allocations detailed within the policy are applied in conjunction with the policy;

(3) To AGREE that the policy is reviewed in 1 year.

14 PRICE OF PRIMARY SCHOOL MEALS

Councillor Nathan Hartley, in proposing the motion, emphasised the financial pressures on parents at this difficult time and said that the Cabinet wished to alleviate this wherever possible. Despite a recommendation from the Schools Forum that the price should increase by 5p per child per day, the Cabinet had expressed its wish to keep the price the same for another year by funding the shortfall out of contingency. This would cost £31K in a full year.

Councillor Tim Ball seconded the motion. He was delighted for parents and particularly felt this would help large families.

Councillor David Dixon welcomed the proposals, particularly since some families depended on a decent school meal each day.

Councillor David Bellotti asked Councillor Hartley if he would obtain research findings on attainment and attention spans of children who had eaten a good meal at lunch time.

On a motion from Councillor Nathan Hartley, seconded by Councillor Tim Ball, it was

RESOLVED (unanimously):

(1) To AGREE that the price of a school meal for a pupil in the Council's primary schools will not increase from 1 September 2011 and will stay at £2.00 per meal.

15 VOLUNTARY SECTOR MUSEUMS AND HERITAGE GRANTS 2011-2012

Councillor Cherry Beath, in proposing the motion, said that the previous administration had put in place a very good set of criteria for judging applications. She drew attention to Annex B, Item 10 (Radstock Museum) and said that the funds of up to £4000 were being withheld until such a time as the museum had identified the costs of training for staff, trustees and volunteers following its reorganisation.

Councillor Roger Symonds seconded the motion.

On a motion from Councillor Cherry Beath, seconded by Councillor Roger Symonds, it was

RESOLVED (unanimously):

(1) To AWARD the following grants for 2011-2012 and for officers to subsequently make a grant of up to £4,000 under delegated authority to Radstock Museum.

Applications received	Request £	Purpose	Recommendation £
Bath & NE Somerset Museums Group	5,000	Co-operative events programme [retained and funded direct by the Service]	5,000
Bath Postal Museum	3,022	Visual display equipment	2,400
Bath Royal Literary & Scientific Institution	2,000	Exhibition and meeting room plinths	0
Beckford Tower Trust	2,000	'Beckford's Ride' project	2,000
Building of Bath Collection	2,000	World Heritage events programme	1,000
Holburne Museum	4,474	Interpretation project for families and the visually impaired	3,415
Mayor's Honorary Guides	5,000	Walking tours of Bath for residents and visitors	5,000
Museum of Bath at Work	4,000	Two community exhibitions	3,500
No.1 Royal Crescent	1,600	Education and interpretation programme	1,000
Radstock Museum	5,000	Appointment of temporary staff and training for volunteers and trustees	4,000
Somerset & Dorset Railway Heritage Trust	4,000	Purchase of a road-rail vehicle	0
Total:	38,096		27,315

16 VISITOR ACCOMMODATION STRATEGY

Leslie Redwood (Co-Chairman, Bath Independent Guest Houses Association), made a statement [a copy of which is attached as Appendix 6 to these minutes and is

available on the Council's website] in which he emphasised that a violent explosion in growth in visitor accommodation would only have short term benefits for developers and shareholders outside of Bath, and would be to the long term detriment of the city. So he welcomed the proposed policy, which he said had very wide support across the city.

David Greenwood (ex Chairman, Bath Independent Guest Houses Association), made a statement [*a copy of which is attached as Appendix 7 to these minutes and is available on the Council's website*] in which he asked the Cabinet to adopt the Visitor Accommodation Strategy into the local planning guidelines, thus guiding developers and planners with an evidence based framework which he felt would highlight the opportunities for balanced growth.

Councillor Eleanor Jackson observed that the survey was focussed almost entirely on the city of Bath. She felt that the tourist economy of north east Somerset deserved equal attention.

Councillor Les Kew observed that even though the strategy had not been official policy, it had for a long time been taken into consideration when applications had been considered by the Planning Committee.

Mary Lynch (Chair, Bath Tourism Plus), made an *ad hoc* statement reminding the Cabinet of the need to reconcile all of the tensions so as to make Bath very attractive for business. She felt that the proposed strategy would provide a consistent message.

Councillor Tim Ball, in proposing the motion, reminded Councillor Eleanor Jackson that the strategy was a B&NES wide strategy. He felt that there was room in the area for a mix of different kinds of hotel. He shared the regret expressed by others that the strategy had not been adopted a number of years before when it had been prepared.

Councillor Roger Symonds seconded the motion. He emphasised the need for a clear vision for the future and stressed the need to avoid an inappropriate level of stag and hen parties. He was keen to see small hotels in the Radstock area succeed.

On a motion from Councillor Tim Ball, seconded by Councillor Roger Symonds, it was

RESOLVED (unanimously):

- (1) To PUBLISH the Visitor Accommodation Strategy for consultation; and
- (2) To ASK the Divisional Director Tourism Leisure and Culture to arrange that the results of the public consultation, along with any suggested amendments arising, are reported to a future Cabinet meeting, with options for adoption as Council Policy.

17 BATH TRANSPORT PACKAGE

Peter Davis made a statement [*a copy of which is attached to these Minutes as Appendix 8 and is available on the Council's website*] welcoming the removal from the Package of the Rapid Transport and the A4 P&R proposals.

Major Tony Crombie (The Bath Society) made a statement welcoming the removal of Bathampton Meadows Park and Ride from the proposals.

Councillor John Bull made an *ad hoc* statement welcoming the removal of the rapid transport proposals and the Bathampton Park and Ride proposals. However, he was bemused that the total Council contribution had not reduced.

Councillor Tim Warren made an *ad hoc* statement pointing out that there had been no new alternatives put forward by Cabinet. He felt that the new scheme lacked substance.

David Dunlop made an *ad hoc* statement emphasising that a Park and Ride in Batheaston would not reduce congestion on the London Road because “suppressed demand” would take up the slack. He encouraged the Cabinet to consider rail options.

Councillor Roger Symonds, in proposing the motion, referred to the amended recommendations which he wished to move [*copies of which had been placed in the public gallery and are attached to these Minutes as Appendix 2*]. The update document also contained details of the Financial Implications of the new proposals. He said that the previous plans had not attracted government funding and so it had been necessary to put together a realistic bid for government funding in the short time since the local elections. Only 6 weeks still remained before the final submission had to be made to government. He agreed with others that the bus provision should be much better, and promised to improve the Council’s relationship with First Bus so as to have greater influence in their commercial decisions. He also emphasised that there was tremendous demand for rail transport but to capitalise on this it would be essential for trains to stop at stations such as Keynsham.

Councillor Symonds referred to clauses 2.15 to 2.21 of the amended recommendations and said that officers would work with the Cabinet to look at these in the time remaining until September when the application would be finalised.

Councillor Paul Crossley seconded the motion. He said that the previous administration’s policy had been designed when money was no object but the new financial realities meant that it was necessary to give careful consideration to priorities and value for money.

Councillor David Bellotti said that it was important to pause for thought about the financial implications. £7M had already been spent by the previous administration and it was essential to get some value for that money. He acknowledged the point made by Councillor Bull about the Council’s contribution being the same, for a smaller package, but said that made it all the more important to get good value. It still remained to persuade the Minister to fund the scheme.

On a motion from Councillor Roger Symonds, seconded by Councillor Paul Crossley, it was

RESOLVED (unanimously):

(1) To AGREE and RECOMMEND to Council that the following elements of the BTP should not be included in the Best & Final Bid to DfT:

- The Bus Rapid Transit Segregated Route.
- The A36 Lower Bristol Road Bus Lane.
- The A4 London Road Lambridge Bus Lane.
- New A4 Eastern P&R (1400 spaces), plus bus lane priority on the A4/A46 slip road.
- And in addition reduce the size of the P&R expansion at Newbridge.

(2) To AGREE that as a result the BTP would comprise of the following elements:

- Upgrades to bus stop infrastructure on 9 service routes, including real time passenger information.
- Expansion of Odd Down P&R by 250 spaces, of Lansdown P&R by 390 spaces and of Newbridge P&R by 250 spaces on the proposed site or a suitable alternative.
- Variable Message signs on the main approaches to Bath, and within the city centre.
- City centre works: High Street improvements and timed access restrictions (currently ongoing).
- Works to support BWR including a bus rapid transit system serving the site.

(3) To AGREE as a result of the above to formally withdraw the CPOs agreed at its meeting on 3rd September 2008 and subsequently served to allow for the implementation of the BTP.

(4) To AGREE and RECOMMEND to Full Council that the Council contribution towards the BTP would be no more £17.8m as set out in the updated Financial Implications. The schemes costs as recommended in this report have been reduced from £58.8m to £34.3m.

(5) To AGREE and RECOMMEND to Full Council that the final submission to DfT be approved by the Strategic Director Service Delivery and Chief Executive in consultation with the portfolio holder, the S151 officer and monitoring officer, and with a report back to Cabinet only if necessary notably if there is a material change in the financial costs or scope of the scheme which go beyond the parameters set out in this report.

(6) To RECOMMEND to Full Council additional borrowing of £3M to fully finance the costs of the Council contribution of up to £17.8M with an additional annual revenue cost of approximately £190K which will need to be included in revenue budgets for future years following completion of the scheme.

(7) To NOTE the revenue reversion risk as set out in the report and the potential need to fund the costs of project work on aspects of the scheme which are no longer going ahead from reserves with the appropriate financing to be dealt with in a later report to Cabinet and Council as appropriate and if the need arises.

(8) To AGREE and RECOMMEND to Full Council to instruct officers to:

- work on alternatives to Bathampton Meadows P&R, possibly involving rail, as part of our future Transport Strategy
- work with the Highways Agency to improve signage on the A46 to direct more traffic to an extended Lansdown Park and Ride
- talk to Wiltshire Council about measures to remove some of the through traffic along the London Road and other cross border transport issues
- evaluate measures to remove HGVs from London Road - this 10% of traffic creates 40% of the pollution
- examine how we can obtain substantial "modal shift" from the private car to rail in recognition of potential for rail expansion with the electrification of the GWR and the awarding of an extended rail franchise

- evaluate options to address the problems caused by a lack of affordable home to school transport
- consider measures to make the whole area much more cycle friendly - we have already secured Govt funding through the Regional Sustainable Transport Fund to link Batheaston to NCR 4 on the canal towpath, thereby taking many cyclists off the London Road and encouraging others to get out of their cars and cycle into Bath.

18 WEST OF ENGLAND PARTNERSHIP TRANSITION ARRANGEMENTS TO A LOCAL ENTERPRISE PARTNERSHIP

Councillor Paul Crossley, in proposing the motion, reported that the Cabinet was talking to the Local Enterprise Partnership to see if they could help to set up business forums in Keynsham and Bath.

Councillor David Bellotti seconded the motion.

On a motion from Councillor Paul Crossley, seconded by Councillor David Bellotti, it was

RESOLVED (unanimously):

- (1) To AGREE that Bath & North East Somerset shall become a member of the "West of England Local Enterprise Partnership Limited" being a Company Limited by Guarantee;
- (2) To APPOINT the Leader of the Council as the Council's Director of the above company;
- (3) To AUTHORISE the Chief Executive, in consultation with the Leader of the Council, to conclude all necessary documentation, including signing the Articles of Association, and to take all necessary steps to effect these objectives.

19 FUTURE DEVELOPMENT OF BATH CITY LIAISON FORUM

David Dunlop (London Road Residents Association) made an *ad hoc* statement in which he pointed out that the lack of support for some meetings was caused by late notice for meetings. He appealed to the Cabinet to plan and advertise dates well in advance to maximise involvement.

David Redgewell underlined what David Dunlop had said and observed that the Council was still not reaching the hard-to-reach groups.

Councillor Paul Crossley introduced the report and proposed the recommendations. He agreed that it would be essential to move towards planned, scheduled meetings and that the involvement must extend beyond residents associations. He called for more task and finish ideas to make the forum more successful.

Councillor David Dixon seconded the motion and pointed out that the Street Cleansing Equipment decision, which had been signed off that very day, had arisen out of the task and finish group from the forum.

Councillor Roger Symonds wished to emphasise that what was needed was the involvement of interest groups such as Women's Institute, Townswomen's Guild etc.

Councillor Tim Ball said that in order to involve the harder-to-reach communities, it would be essential to have concrete proposals to discuss so that the forum did not become merely a talking shop.

Councillor Crossley agreed to make the point about interest groups to the officers, so that it could be built in as the arrangements were developed.

On a motion from Councillor Paul Crossley, seconded by Councillor David Dixon, it was

RESOLVED (unanimously):

(1) To ADOPT the approach to the future development of the Bath City Liaison Forum as set out in the report;

(2) To ESTABLISH an Interim Steering Group with the membership as set out in the report;

(3) To REQUEST the Interim Steering Group to prepare detailed Terms of Reference, membership and working arrangements to be agreed by the Leader of Council and presented for approval to the first meeting of the revised Forum.

20 TREASURY MANAGEMENT OUTTURN REPORT 2010/11

Councillor Charles Gerrish in an *ad hoc* statement said that with world markets in such a state of flux, the Council must be very cautious in its financial management. He asked whether the debt figures included the Council's share of the ex-Avon debt.

Councillor David Bellotti proposed the motion. In response to Councillor Gerrish's question, he observed that under the previous administration the Council had borrowed £90M on top of the ex-Avon debt.

Councillor Paul Crossley seconded the motion.

On a motion from Councillor David Bellotti, seconded by Councillor Paul Crossley, it was

RESOLVED (unanimously):

(1) To NOTE the 2010/11 Treasury Management Annual Report to 31st March 2011, prepared in accordance with the CIPFA Treasury Code of Practice;

(2) To NOTE the 2010/11 actual Treasury Management Indicators.

21 REVENUE AND CAPITAL OUTTURN 2010/11

On a motion from Councillor David Bellotti, seconded by Councillor Paul Crossley, it was

RESOLVED (unanimously):

(1) To NOTE the provisional revenue budget outturn for 2010/11;

(2) To APPROVE the revenue carry forward proposals and write-off requests as exceptions to the Budget Management Scheme;

(3) To INCREASE the revenue Budget Contingency by £65k;

(4) To APPROVE the revenue virements for 2010/11 and 2011/12;

(5) To NOTE the resulting reserves position and that unearmarked reserves remain at the target level of £10.5m;

- (6) To NOTE the provisional outturn of the 2010/11 capital programme and the funding laid out in the table in Appendix 1 Paragraph 1.24 of the report;
- (7) To APPROVE the capital rephasing and write-off of net underspends;
- (8) To APPROVE the capital programme 2011/12 items;
- (9) To NOTE the adjustments to the 2010/11 to 2015/16 capital programme and the final capital programme for 2010/11.

22 REVENUE BUDGET CONTINGENCY 2011/12 - ALLOCATION OF FUNDING

Councillor Charles Gerrish made an *ad hoc* statement pointing out that the allocation of £2500 to locally important buildings list SPD appeared to conflict with the response given by Councillor Tim Ball to question 19. The Chair referred this statement to Councillor Tim Ball to respond during the debate.

Councillor Eleanor Jackson in an *ad hoc* statement referred to the allocation of £50K for redundant toilets and asked whether the 3 locations included Radstock Victoria Square.

Councillor David Bellotti, in proposing the motion, pointed out that this item had been added to the agenda under the Council's General Urgency (Rule 15), so it had not appeared in the Executive forward Plan and it would not be subject to Call-in. He expressed his sadness that the Council appeared to leave redundant toilets in mothballs to disintegrate slowly and he assured Councillor Jackson that the Radstock toilet would be included in the list of those to be secured and maintained.

Councillor Bellotti pointed out the funding which had been allocated for the internet café in Paulton and said he was particularly pleased about this.

Councillor David Dixon seconded the motion.

Councillor Roger Symonds responded to the comments made earlier about the regularity of the 6/7 bus service and agreed that the wording had been confusing. He acknowledged that funding had still to be found for subsequent years. He was delighted to welcome the Frome/Radstock rail link feasibility study.

Councillor Tim Ball responded to Councillor Charles Gerrish's observation about the important buildings SPD by saying that it was the intention to complete the SPD but that the urgency of the MOD site work had prevented officer time from being spent on it.

Councillor Nathan Hartley expressed his delight at the allocation of £20K for Peasedown Youth Arts Room.

On a motion from Councillor David Bellotti, seconded by Councillor David Dixon, it was

RESOLVED (unanimously):

- (1) To NOTE the report.

The meeting ended at 9.10 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services

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CABINET MEETING 13th July 2011

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

REGISTERED SPEAKERS

There were 11 notices of intention to make a statement at the meeting. Where the intention is to speak about an item on the Agenda, the speaker will be offered the option to speak near the beginning of the meeting or just before the Agenda item.

- Pamela Galloway, Save Our 6/7 Buses Campaign
Re: 6/7 Buses
- David Redgewell
Re: Transport Issues
- Amanda Leon, Radstock Action Group
Re: Roads in Radstock
- Pamela Galloway, Warm Water Inclusive Swimming and Exercise Network
Re: Sports Centre
- Major Tony Crombie, Bath Society
Re: Local Development Scheme Review (Agenda Item 12)
- Caroline Kay, Chief Executive, Bath Preservation Trust
Re: Local Development Scheme Review (Agenda Item 12)
- David Dunlop, The Bath Society and London Road Residents Association
Re: LDS - Flooding Risk Strategy and Bathampton Meadows (Agenda Item 12)
- Leslie Redwood, Bath Independent Guest Houses Association
Re: Visitor Accommodation Strategy (Agenda Item 16)
- David Greenwood, Bath Independent Guest Houses Association
Re: Visitor Accommodation Strategy (Agenda Item 16)
- Major Tony Crombie, The Bath Society
Re: Bath Transportation Package (Agenda Item 17)
- Peter Davis
Re: Bath Transportation Package (Agenda Item 17)

QUESTIONS AND ANSWERS

01	Question from:	Councillor Steve Hedges
<p>In February 2011 I asked the then executive councillor the following questions. With increasing numbers of people on the waiting list, please could he answer the same questions.</p> <ol style="list-style-type: none"> 1. What target has the Cabinet Member set for bringing empty homes back into use? That is, coming back into use by direct action from the Council, not by normal means. 2. Will he use the Council's compulsory purchase powers to deal with the worst offenders? 		
Answer from:		Councillor Tim Ball
<p><i>1. Housing Services are using a target of 10 properties p.a. to be recovered through their direct actions.</i></p> <p><i>2. The Council's Empty Property Policy has not changed since my colleague asked his previous question in February, and as such, I can do no more that refer to the previous response by Vic Pritchard, former Cabinet Member for Adult Social Services & Housing who responded by stating that the Empty Policy confirms that:</i></p> <p style="padding-left: 20px;"><i>"Housing Services will....consider the use of enforcement action in the following circumstances:</i></p> <ol style="list-style-type: none"> <i>(1)The Council has made numerous attempts to engage with the owner, all reasonable offers of assistance have been made to the owner and these offers have not been acted upon; and</i> <i>(2) There is no prospect of the house being brought back into use by the owner within a reasonable time period; and</i> <i>(3) There is a housing need and/or the property is causing a significant problem in the local neighbourhood: and</i> <i>(4) A cost-benefit analysis demonstrates that enforcement action is both financially viable and appropriate.</i> <p><i>Enforcement action to bring the property back into use will only be taken when the above criteria is met. Enforcement action with significant financial implications will only be taken following a single member decision by the Executive Member for Adult Social Services & Housing. Should the case for enforcement action not be demonstrated then no enforcement action will be taken."</i></p> <p><i>As such this decision will be based upon the facts of the case whist having regard to the above policy statement and in light of the new decision making structures.</i></p> <p><i>In addition and as previously advised, Housing Services have been visiting each of the estimated 500 properties specified as empty according to Council tax records with the aim of prioritising future enforcement activities. The results of this exercise have been very informative and indeed suggest that we have substantially fewer empty properties than first thought. I will be providing more information on this, and our future actions in the near future.</i></p>		

02	Question from:	Councillor Nigel Roberts
<p>Last winter the cycle path Between Bath and Bristol was impassable due to the ice at the end of the path into Bath.</p> <p>The cycle path is a well used commuter link into Bath. Major transport routes into Bath are gritted, this route has nothing. The steepness of the path means it becomes impassable.</p> <p>Would the executive member arrange for a grit bin to be installed before the winter at the entrance to the path?</p>		
Answer from:		Councillor Roger Symonds
<p><i>The Bristol - Bath Railway Path is recognised as a valuable route for commuters and leisure users. Under the current arrangements grit bins are only provided on the public highway. The Bristol Bath Railway path is not an adopted highway and also fails to meet the gradient criteria to qualify for a grit bin.</i></p> <p><i>During the coming winter Path Wardens will be provided with a small quantity of salt in a bagged form. This will enable the path to be salted during severe weather.</i></p> <p><i>Criteria for grit bins is included in the Winter Maintenance Plan previously considered by the Overview and Scrutiny Panel for Safer and Stronger Communities. This Plan will be the subject to further consideration and a decision by the Cabinet before the onset of winter.</i></p>		

03	Question from:	Rae Harris
<p>'My Question is in two parts, and concerns an exceptional Planning Policy report (B&NES Riverside Footpath Feasibility Study by New Leaf Studio, revised at June 2007 but not yet released to the public) and two Section 106 Agreements where the Council will be a signatory as the freeholder and can therefore influence the negotiations without compromising the Development Control process (Planning Applications 09/01970/FUL and 09/01987/FUL for Walcot Yard, Walcot Street, City Centre, Bath BA1 5BG):</p> <p>(1) how soon can action be taken to implement the Riverside Footpath Feasibility Study, initially between Pulteney Bridge and Walcot Yard, which could probably be managed as part of the Council's Public Realm/ Public Movement Regeneration Project?</p> <p>(2) a key element of the report - and one that could be the catalyst for a new chapter in the continuing economic and community regeneration of the Walcot Street area - is that the Riverside Walkway in Walcot Yard should not only connect to the neighbouring properties but should also provide a link to Walcot Street itself. As freeholder, what can the Council do to ensure that all these links are included in the S106 Agreements currently being negotiated?</p> <p>It will undoubtedly be a help to the Council that Edward Nash, whose firm Nash Partnership is architect/agent for both the above planning applications, is also Chair of the Council's Committee tasked with making better use of the river.'</p>		
Answer from:		Councillor Tim Ball

(1) The Walcot Riverside Footpath has been a long standing Council aspiration, and over the course of the past thirty years various elements have either been implemented or legally safeguarded where opportunities have arisen. A relatively small number of gaps remain in the route that once completed would result in a continuous riverside path from Pulteney Bridge to the open space at Walcot Gate. The Scheme is included in the adopted B&NES Local Plan

The completion of this project was identified most recently in the Council's adopted Public Realm and Movement Strategy (PRMS). Whilst the riverside path was not included in the agreed 5 year capital programme for the implementation of the PRMS, it is being considered for inclusion in the extended 10 year capital programme, currently identified for implementation in 2014/15 & 2015/16. Clearly this would be subject to the availability of capital receipts and a political decision to proceed. It is also possible that the funding for the completion of the riverside path could be undertaken on the back of a major development, such as of the Cattlemarket Site, if and when this might occur.

(2) Circular 05/2005 deals with planning obligations and provides detailed guidance on what can be included as part of a Section 106 legal agreement. It sets out five tests that must be met before a particular obligation can be entered into. These include that the requirement is necessary to make the proposed development acceptable in planning terms, that it is directly related to the proposed development and that it is fairly and reasonably related in scale and kind to the proposed development.

The applications referred to by the questioner are for developments close to, but not immediately adjoining, the riverside walkway. Against this background, officers are seeking to negotiate with the applicants and their agents to secure the maximum benefit possible in relation to the riverside walkway in this area, bearing in mind the tests in the Circular and the aspirations to complete the walkway and provide further links to Walcot Street.

04	Question from:	Councillor Will Sandry
<p>Following the debate I initiated on behalf of the community in Oldfield Park, and the other communities in Bath effected by large numbers of homes in multiple occupation (HMOs); Council resolved (unanimously) on the 16th November 2010:</p> <p style="padding-left: 40px;"><i>"To request that the Cabinet Member for Service Delivery investigates further the practicalities and budgetary implications of introducing the Article 4 Direction and, if deemed practical and financially viable seek to implement such a Direction."</i></p> <p>Following May's election, the implementation of an Article 4 direction is within your portfolio. Please could you outline the progress made?</p>		
Answer from:		Councillor Tim Ball
<p><i>An assessment of the practicalities and budgetary implications of introducing an Article 4 Direction relating to Houses in Multiple Occupation in B&NES has been undertaken. The Preparation of an article 4 Direction will cost around £45,000 and the budget to proceed with this work has been identified as set out in the report to Cabinet (Item 22 Revenue Budget Contingency 2011/12 - Allocation of Funding). Progress on the preparation of the Article 4 Direction will be reported to Cabinet.</i></p>		

05	Question from:	Nigel Fenwick
<p>The path from St Gregory's to Southstoke and The Cross Keys has been used for years by walkers, it passes alongside the Wansdyke, an ancient scheduled monument. The footpath is recognised by the council as an officially designated footpath, and in parts is owned by the council.</p> <p>In recent years the path has become impassable in places after rain (for at least six months of the year), and due to raised drain covers presents the very real potential for serious injury to the many pedestrians using the amenity.</p> <p>Please could the executive councillor, explain what is going to be done in the future to allow this footpath to remain open at all times of the year in a safe and useable condition please?</p>		
Answer from:		Councillor David Dixon
<p><i>I met Mr Fenwick and Councillor Nigel Roberts to discuss the concerns about this matter. Subsequently, officers have recently met Mr Fenwick and walked this section of path, which immediately borders the Wansdyke scheduled Ancient Monument, together with him. From this meeting there are three actions currently planned or taking place:</i></p> <ul style="list-style-type: none"> <i>• Sensitive vegetation management including cutting back overgrowth to widen the path (now that the nesting season is over) and making safe the ground around raised drain covers to spread the intensity of use in order to alleviate pressure on the current narrow section which is prone to becoming muddy after heavy rainfall.</i> <i>• A report has been commissioned from the Land Manager of the Cotswold AONB (which borders the path of the Wansdyke in this location) to make recommendations to improve long-term accessibility and safe passage along the path throughout the year, whilst ensuring the necessary protection measures to ensure the conservation of the Wansdyke as a scheduled Ancient Monument. The report will assess the level of work required and costs involved.</i> <i>• Dealing with fly tipping and other issues. A number of private properties in Mendip Gardens, together with properties under the management of Knightstone Housing Association, adjoin the Wansdyke. Work is required to ensure that they are aware of the importance of the Wansdyke and to minimise the risk of any unauthorised excavation or dumping of vegetation and green waste along the Wansdyke or adjoining path. There is also a periodic problem with fly-tipping taking place along this stretch of path. Addressing these issues will be a case winning 'hearts and minds' to ensure wider understanding and care, so that the Council is not left to face the costs of removing litter and dumped green waste and take enforcement action against unauthorised fly-tipping. In addition to these measures, there is an opportunity to work with nearby St. Gregory's school and the local community to raise educational understanding and awareness over the value and importance of the Wansdyke and ensure it is conserved and cared for by all who live nearby and use the path as a passage out into the adjoining green space and countryside.</i> 		

06	Question from:	Councillor Francine Haerberling
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I have been interested to hear some of the positive statements made by Cabinet members recently regarding the possibility of reopening various local train stations, such as Saltford, Box and Corsham, following on from the Government's plan to electrify the Great Western Mainline. Can the Cabinet Member please provide further information on what discussions have so far been held with the Department for Transport (or other relevant rail authorities and operators) on this possibility and what indications have been given on the potential for these reopenings to take place.

Answer from:

Councillor Roger Symonds

We will be invited by DfT to comment, through our joint arrangements with the West of England Local Enterprise Partnership (WoE LEP), on the new Great Western Franchise specifications in the run up to the tendering of this new franchise early next year. DfT have confirmed that they would need to see a Business Case for any enhancements to this specification i.e. opening of new railways stations etc. and "... that any additional services which local authorities may wish to secure above the base specification would need to be funded by the local authorities." A compelling business case might mean that the requirement could be put into the 'base specification'.

In addition the DfT has asked us, again through the WoE LEP, to consider how the detailed design of the GW electrification might provide 'passive provision' for future enhancements to local services. They have confirmed, again, that the provision of enhancements themselves will have to be paid for by third parties.

No discussions have yet taken place on the provision of the new stations mentioned in this question.

07

Question from:

Councillor Tim Warren

Can the Cabinet Member please provide an update on how negotiations are progressing with bus operators over the Quality Bus Partnerships for Corridor 6 and Corridor 3 of the GBBN, and confirm that there will be an expectation of service improvement as part of these partnership agreements, particularly with regard to securing a more frequent service for the Radstock/Midsomer Norton to Bristol corridor (Corridor 6).

Answer from:

Councillor Roger Symonds

Formal consultation on the quality partnership scheme for the Greater Bristol Bus Network Corridor 3 (Bath to Bristol) is in progress at the moment. The draft document sets a minimum requirement for the current level of service to be provided. First recently increased the frequency of their Service X39 in the morning peak hours on this corridor. It is intended that the scheme will start in November 2011 when the road improvement works at Brislington have been completed.

Consultation on Corridor 6 (Midsomer Norton to Bristol) has not started yet because the infrastructure works are not programmed for completion until March 2012. Bristol City Council will be acting as "lead authority" on that corridor and will carry out the consultation with bus operators in conjunction with B&NES Council.

Operators are being encouraged to make full use of the new and improved facilities on all the GBBN corridors. A more frequent direct service between Midsomer Norton and Bristol has been one of the aspirations for Corridor 6 for many years but, hitherto, no operator has been willing to provide such a service on a commercial basis. The quality partnership schemes for the GBBN corridors will set the minimum standards of service provision. They will be supplemented by voluntary partnership agreements which will set a framework for service improvements.

08	Question from:	Councillor Tim Warren
<p>Can the Cabinet Member please explain the reason for the current delay to approval of the Transport Capital Programme and advise whether alterations are currently being made to the Capital Programme or to the previously announced criteria for including items in the Programme? If any alterations to the criteria are to be made, please also advise when Members will be briefed on these alterations and any impact this delay may have on the Council's relationship with its contractors?</p>		
Answer from:		Councillor Roger Symonds
<p><i>A review of the capital programme is currently being carried out in the light of recently adopted Joint Local Transport Plan 3 objectives to improve walking, cycling and public transport and the cabinet's own transport priorities. There are also budget pressures to address a result of the higher cost of delivering the 2010/11 capital programme. The review will include discussions with the Council's contractors to ensure any changes cause the minimum of disruption to delivery. Following the review, a consultation with ward members is expected to commence within the 7 days.</i></p>		
Supplementary Question:		
<p>Can the Cabinet member tell us whether the delay is causing any problems with the contractors?</p>		
Answer from:		Councillor Roger Symonds
<p><i>I am not aware of any such problems but I will investigate promptly whether any action is necessary to avoid any possible problems.</i></p>		

09	Question from:	Councillor Tony Clarke
<p>Can the Cabinet Member please detail how the Youth Service Community Enablement Fund is to be distributed this year and to what organisations?</p>		

Answer from:	Councillor Nathan Hartley
<p><i>I am sure you will be pleased to know that The Youth Service have now appointed the new Voluntary Sector Development worker, her contact details are: Vicky Britton, Voluntary Sector Development Worker, Bath & North East Somerset Council. E: victoria_britton@bathnes.gov.uk P: 01225 396916 M: 07530263214 That means that we are now in a position to send out the Youth Enablement grant pack to all groups/individuals that request one. Groups are asked to request a pack from Vicky direct. That way Vicky can keep and record of all groups who have requested information and follow up with support / help as required. The funding will be allocated against the criteria as stated in the Pack to all groups who meet the criteria on a first come first served basis, although some funding is going to be held back for the 2nd and 3rd rounds to ensure that money is allocated as fairly as possible. Grants awarded will be in the region of £5000. If groups require larger amounts of funding we will support them to find other sources of funding and Vicky will be happy and able to help support them through the process. Although there was a press release sent out jointly with Policy & Partnership (which is where we have the names on a waiting list) in approx. May of this year, Vicky will also be sending out another press release next week to promote it again now the pack is ready. She has already made contact with all of the known voluntary sector groups both those well established and those smaller embryonic groups that we are aware of as well. The first panel meeting will be meeting in September which will give people a few weeks to put their application together. Details of the panel is in the pack.</i></p>	

10	Question from:	Councillor Tony Clarke
<p>Can the Cabinet Member please detail what provision is to be made to mitigate the impact of any future teacher strikes, particularly in Primary Schools where parents have particular difficulty in making alternative childcare arrangements.</p>		
Answer from:		Councillor Nathan Hartley
<p><i>It is expected that schools are open for all 190 days of the school year unless there are exceptional circumstances that require closure and that in these circumstances partial closure rather than full closure should be considered if at all possible. Detailed advice is given to schools in relation to potential strike action that may involve their staff. This includes undertaking a risk assessment so that any closure or partial closure ensures the health and safety of children attending school and is proportionate to the reduction in staffing available. Staff participating in strike action are acting in breach of their contract of employment. Head Teacher must ensure that employees are notified of this and that their action will result in a break in their service and the deduction of a day's pay for each strike day. However where strike action takes place it is not always possible for schools to replace striking staff. For example, Regulation 7 of the Conduct of Employment Agencies and Employment Businesses Regulations 2003 (SI 2003/3319) precludes the provision of</i></p>		

temporary workers to perform the duties normally performed by a worker who is taking part in a strike or other industrial action.
In the recent strike on 30th June 49 Bath and North East Somerset Schools were open 27 were partially open and 20 were closed.

11	Question from:	Councillor Bryan Chalker – WITHDRAWN
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12	Question from:	Councillor Vic Pritchard
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Can the Cabinet Member please provide an update on the Council's application for Homes and Communities Agency funding to support the provision of new hostel facilities in Bath.

Answer from:	Councillor Tim Ball
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Bids to the HCA under the Homelessness Change Programme were required to be submitted by Registered Providers - the Local Authority is acting in an enabling role in pursuing its aim to secure new hostel facilities in Bath and has not applied on its own behalf. Two bids were submitted by potential RP partners that would if successful undertake the project. Each bid will be scrutinised by the HCA and hopefully one will be supported to provide a viable development partner by which to undertake and deliver the project.

The HCA have been concentrating on its National Affordable Housing Programme as a priority and has not progressed with its other investment programmes. It is anticipated that these bids, including the Homelessness Change Programme, will be dealt with later in the year. As further information becomes available I will update you and others accordingly, unfortunately at this time there is nothing I can add.

Supplementary Question:	
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The previous administration committed £3M to new hostels – a commitment which you inherited. Will you confirm this?

Answer from:	Councillor Tim Ball
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I am very supportive of finding a solution to improving our direct access homeless provision. The HCA have recently announced that their decision on the "Homeless Change" bids has now been delayed until the end of September. I will therefore use this time to ensure, particularly in light of the current financial environment, that we do all we can to find a suitable solution to this issue.

13	Question from:	Councillor Sarah Bevan
<p>Could the cabinet member for transport allow funding for a bus shelter at the most well used bus stop in Peasedown, to encourage more use of public transport, especially among vulnerable residents, who might be put off due to the current lack of shelter from adverse weather conditions?</p>		
Answer from:		Councillor Roger Symonds
<p><i>The bus stop lies on a GBBN showcase bus route and a request for funding for a bus shelter will be made to the GBBN Project Board.</i></p>		
Supplementary Question:		
<p>Thank you for your reply. When will the outcome of the request for funding be known and how much will it cost?</p>		
Answer from:		Councillor Roger Symonds
<p><i>The plans for the route are almost complete. I will give a full answer within 7 days.</i></p>		

14	Question from:	Councillor Patrick Anketell-Jones
<p>The uncertainty over the future of the regeneration of Keynsham town centre is clearly a cause of concern for local residents. Following the announcement that no further consultation is to take place until the autumn to allow the cabinet to reassess the scheme, could the Cabinet Member please offer reassurance to the residents of Keynsham that any plans the Cabinet brings forward will still include:</p> <p>a) new Council offices to provide an anchor for the centre and ensure a level of footfall that will attract retailers and deliver significant reduction in office accommodation costs and the Council's carbon footprint; and</p> <p>b) a new library, a One Stop Shop for access to public services and display space for items of national historic importance.</p>		
Answer from:		Councillor Cherry Beath
<p><i>The Council remains fully committed to the regeneration of Keynsham town centre as part of a wider approach to attracting private sector investment that will create new opportunities, new jobs, and greater prosperity for residents.</i></p> <p><i>I can confirm that the administration's plans are for a scheme for the Temple Street site that will kickstart the delivery of the regeneration strategy for Keynsham. Our ambition is to put Keynsham on the map as a complementary commercial location to Bristol and Bath, with a strong retail offer focused on the High Street, enabling people to live and work in the town, and significantly reducing out commuting. We are also working with Kraft to ensure development at Somerdale responds to this strategy.</i></p> <p><i>The proposals for the Town Hall site include new retail space, new streets and spaces,</i></p>		

a library and one-stop-shop as well as new, more sustainable, Council offices. We're listening to the Keynsham Business Association to hear what's important for retailers in Keynsham, as well as taking advice from our Retail advisors DTZ. We recognise the need to anchor the southern end of the town centre. It's likely that there will be a range of retail units that offer the opportunity for national chains as well as independent retailers.

The One Stop Shop offers the opportunity to bring a variety of public services under one roof and we're working with key partners such as health and parts of the voluntary sector, and also other key public sector partners to ensure the new building meets their needs. The library and one stop shop is planned to contain space that is available for community use as well as the opportunity to display some of Keynsham's historic artefacts.

We are concerned about the future use of Riverside. During the previous administration, a worked up plan for Riverside was not completed and we will be looking to help facilitate alternative uses for this site. We believe this is important for Keynsham.

Officers have been working with local stakeholders since the beginning of the year to shape the emerging proposals through setting up a Community Focus Group as well as holding two rounds of stakeholder workshops. The timescale for the wider consultation is intended to allow the new Cabinet to consider options about the best way to deliver a well thought out scheme that will support the regeneration of Keynsham, including the Riverside building, and provide the best possible value for money for the local taxpayer.

Supplementary Question:

Will the Cabinet member give an assurance about the provision of new retail space in Keynsham?

Answer from:

Councillor Cherry Beath

The question is a repeat of the original question and my original reply answers it, so I have nothing to add.

15 Question from: Councillor Tim Warren

In view of the fact that the Cabinet's position over the future of an East of Bath Park and Ride remains unclear, can the Cabinet Member please provide details of what alternative East of Bath Park and Ride sites are currently being investigated by the Council, having regard to the statement by the Leader of Council that two sites within Wiltshire are under consideration. What consultation and/or discussion has taken place on this with Wiltshire Council and what indications have been given by Wiltshire Council as to the likelihood of a Wiltshire Park & Ride proving acceptable to Wiltshire Council and its residents?

Answer from:

Councillor Roger Symonds

Officers meet with Wiltshire County on a regular basis to discuss transport policies and

priorities. The potential for new P&R site were discussed at the most recent meeting but officers from Wiltshire were unable to give an indication on the likely merits of individual proposals.

Meetings have taken place between the Leaders of both councils and a meeting of Transport Cabinet members has been arranged. This will be the first of regular contacts. These meetings will involve a number of cross border issues, besides P&R and rail services. Discussions will include bus services and HGV routes.

16	Question from:	Councillor Patrick Anketell-Jones
<p>Has there been any consultation with the Council's Transport Commission or Urban Regeneration Panel on the revised BTP bid and/or are there any plans to seek the views of the Transport Commission and the Urban Regeneration Panel before the final bid is submitted in September?</p>		
Answer from:		Councillor Roger Symonds
<p><i>There have not been any direct consultations between the Transport Commission and the Urban Regeneration Panel on the revised BTP bid. The Transport Commission will be asked to give its views on the BTP prior to its submission to Government in September.</i></p>		

17	Question from:	Councillor Charles Gerrish																		
<p>Can the Cabinet Member please provide a breakdown of the costs of the component elements of the proposed revised best and final Bath Transport Package bid as set out in Cabinet Report E2281 and the proposed funding sources for each element (e.g DfT, Council or third party).</p>																				
Answer from:		Councillor Roger Symonds																		
<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 80%;"></th> <th style="text-align: right;"><u>June</u> <u>Update</u></th> </tr> </thead> <tbody> <tr> <td>Bid preparation costs</td> <td style="text-align: right;">7,952,000</td> </tr> <tr> <td>Property net</td> <td style="text-align: right;">990,487</td> </tr> <tr> <td>Main scheme</td> <td style="text-align: right;">19,241,777</td> </tr> <tr> <td>City Centre</td> <td style="text-align: right;">1,616,500</td> </tr> <tr> <td>Other Works</td> <td style="text-align: right;"><u>1,500,000</u></td> </tr> <tr> <td></td> <td style="text-align: right;">31,300,765</td> </tr> <tr> <td>Vehicles</td> <td style="text-align: right;"><u>2,950,000</u></td> </tr> <tr> <td></td> <td style="text-align: right;"><u>34,250,765</u></td> </tr> </tbody> </table> <p>The funding for the revised scheme costs are subject to ongoing discussions, as part of formulating the best and final bid to the DfT for the 9th September 2011</p>				<u>June</u> <u>Update</u>	Bid preparation costs	7,952,000	Property net	990,487	Main scheme	19,241,777	City Centre	1,616,500	Other Works	<u>1,500,000</u>		31,300,765	Vehicles	<u>2,950,000</u>		<u>34,250,765</u>
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Supplementary Question:	
<p>Thank you for your efforts in providing this response. I am concerned that the “Main Scheme” costs of £19.2M could hide a lot of detail. Please could the Cabinet member provide a breakdown of this figure? Could he also confirm that the £1.6M listed for “City Centre” is the same as that shown in paragraph 2.9 of the report?</p>	
Answer from:	Councillor Roger Symonds
<p><i>I will provide a full response within 7 days.</i></p>	

18	Question from:	Councillor Charles Gerrish
<p>The Leader of Council made a welcome commitment at the last Full Council meeting regarding the Cabinet’s intention to include a Council Tax freeze in next year’s (2012/13) budget proposals. Can the Cabinet Member please confirm what the revenue cost of such a freeze would be over the period 2012-2015, and offer reassurance that front-line services and services to vulnerable residents will not be reduced as a result of this commitment?</p>		
Answer from:		Councillor David Bellotti
<p><i>The estimate amount currently included in the Medium Term Financial Planning assumptions, which this Administration inherited from the old Administration, is for a 2.5% increase in Council Tax for 2012/13 which amounts to £2.016M. The old administration was also planning a further 2.5% rise in each of the following two years. The Government has funded this current year’s freeze in Council Tax and I can confirm that the new Cabinet will aspire to a budget next year (2012/13) which will include a Council Tax Freeze but will take into account the Government settlement. This aspiration will be factored in as part of the overall prioritisation of resources, including the contribution from efficiency, change programme and service level savings. The new Cabinet will do its best to avoid reductions in front line services and services to vulnerable people, such as the cuts to youth provision which the previous administration made whilst at the same time unnecessarily increasing reserves for pensions.</i></p>		

19	Question from:	Ian Barclay
<p>Please could the Executive Member provide an update on the Locally Important Buildings SPD since the consultation draft was published in April 2008, and a future programme for the protection of locally important buildings, including an account of national and local developments in this area since April 2008</p>		
Answer from:		Councillor Tim Ball

The Cabinet has assessed the list of outstanding planning documents that need to be prepared and has sought to progress those of highest priority. The Cabinet is aware of the importance of this SPD but in light of the imminent departure of the MoD from their sites in Bath, resources need to be devoted instead to the formulation of a more detailed planning framework for each of these sites. These will provide clear development principles that will help to ensure high quality and responsive development that delivers the corporate priorities of the Council. The locally important historic buildings SPD will form part of a future work programme.

Lin Patterson Statement to Cabinet 13-Jul-11

Save Our 6-7 Buses campaign statement to B&NES Cabinet 13-07-11

The Save Our 6-7 Buses campaign has been fighting over a year to reinstate a decent bus service. We are very grateful to both the present Council and the past one for all that has been done to enable the motion to come before you today under Agenda Item number 22:4.1 for £85,000 from the Revenue Budget Contingency fund. It is the fruit of hard work by Councillors of all parties, officers and supporters and is truly something to celebrate.

However, as a campaign, regrettably, we cannot rest while the future of this vital service remains in jeopardy in two respects:

1. The first threat is the limited one year funding. Most subsidised routes are not adopted with the proviso that funding is for one year only, so this is unusual. *What are the prospects for "identification of recurring funding" which other subsidised routes receive?* We would like to hear an answer to that question.

2. The second threat is the misleading, inaccurate and damaging terminology of the motion which refers to a "combined 20 minute frequency" being upgraded to a "combined 15 minute frequency." People very familiar with the route are baffled by those terms. They describe what for most of our residents is a 40 minute service. The only place it has been a 20 minute service is in the city centre, where desperate passengers board whichever bus arrives in order to avoid a 40 minute wait. Often it is the wrong bus, requiring double the length of journey, filling the bus so it leaves others behind. I am getting daily reports of this.

The misleading terminology fails, once again, to appreciate the crucial importance of the connection between Snow Hill and the Health Centre, and the link between Larkhall and Fairfield Park. For residents to get to and from essential local shops, the Health Centre, Post Office and Morrisons, it is indeed a 40 minute service.

The 4th bus will ease this problem and create a user-friendly 30 minute timetable. We are grateful that you are recognising this need and strenuously urge you to change the wording of the motion to *"increase frequency of the service from a 40 minute frequency to a 30 minute frequency"* to reflect the reality of passengers' experience, so that when next year's budget is considered and they refer back to this motion, there will not be a built in flaw making further Council support even more difficult.

I hope we can be assured of an Emergency Registration of this new timetable soon.

We also look forward to the launch of the Public Transport Liaison Panel.
Thank you.

Lin Patterson
10 Brookleaze Buildings, Larkhall, Bath, BA1 6RA

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Some numbers about Radstock and about Trucks

- **69m** from Charltons on Frome Road to the Fortescue Road end of the Post Office
- **178m** from Charltons to the A367
- **91m** from the A367 end of Automania to the Post Office
- **25m** from the wall of the Post Office to the wall of Victoria Hall
- **8m** width of the Street
- **16.5m** the longest truck allowed under EU regulations for articulated vehicles
- **18.75m** for drawbar combinations
- **12m** overall maximum length for rigid vehicles
- **2.55m** maximum width for goods vehicles and trailers
- **44 tonnes** maximum weight for the above lengths in UK
- **Turning circle** - All vehicles now have to comply with turning circle legislation originally introduced for artics. This stipulates that when steering, the **vehicle should not pass outside a 12.5m outer circle and a 5.3m inner circle**. Rigid vehicles can alternatively meet a swing-out measurement of 8000mm (1000mm for vehicles with lift-axles)
www.roadtransport.com/roadlegal/11947/weghts-dimention-plating.html.

Some other facts about Radstock

- The buildings of Radstock cannot withstand the pressure of heavy traffic.
- Not only Radstock traffic will be inconvenienced. Traffic coming along the A367 between Bath and Wells will get stuck at the roundabout at the end of the Street as traffic from The Street tries to do a 360° turn back into the Street.
- Traffic coming down the A367 from Wells will be met at the bottom of a very steep slope, by the above major roundabout.
- Traffic coming down the A367 from Wells and having to turn right into The Street will have to negotiate a right hand bend on the steep slope and a difficult camber which is inevitable given the road and alleys layout in The Street.
- Traffic coming from Haydon down Church Street will have to go along The Street, doing a 360° turn back if it wishes to go to Frome.
- A new rat run may develop for vehicles wishing to avoid coming from Haydon to the centre of Radstock, by going instead across through Kilmersdon. Other villages stand to experience a negative impact on their roads.
- A minimum of 500 vehicles an hour go along Frome Road outside Charltons in the rush hour.
- The results of the analysis of the 2009 traffic survey have never been published by BANES which has claimed that there are insufficient staff to do the work.
- Air pollution in Radstock is already at unusually high levels.
- Radstock has empty shop units – one in Fortescue Road and one in Waterloo Road, but the traders are finding it hard.
- No-one can explain how this road proposal will benefit the people of Radstock

**Statement to Cabinet re the LDS from
Bath Preservation Trust, 13 July 2011 – as delivered**

Bath Preservation Trust welcomes the publication of the revised LDS and in particular the recognition of the need for a compliant and responsive planning framework.

We would like to make the following observations.

- 1) The current Core Strategy was a substantial improvement on the earlier draft and we have welcomed many of its changes. The Inspector now wants to examine about the evidence base for the removal of urban extensions from the Strategy. For this, we think it is essential to emphasise Bath's **special national and international status** as a World Heritage Site and would be willing to support the Council in doing so.
- 2) We hope the proposed delay in the Examination in Public will offer the opportunity to strengthen the arguments in support of the Core Strategy and hope that if the EIP takes place after the Localism Bill is enacted, the need to comply with the RSS will pass. Has the Council taken legal advice on this matter?
- 3) We have repeatedly asked that the 'stock' statement of corporate priorities recognises the existing qualities of the area, with the priority areas always expressed in terms of enhancing and building on the existing strengths of

environment and built infrastructure which play such a significant part in Bath's World Heritage designation.

- 4) We welcome the fact that the Council sees the need to take a lead on neighbourhood forums, especially in Bath. We would ask that in doing so they recognise the key role that various amenity groups such as ourselves play within neighbourhoods and in particular in the City of Bath.
- 5) We particularly welcome that the WHS management plan, the World Heritage Site Setting Study and the Retrofitting Policy are to have SPD status. On the setting study, the work is complete and the Trust is keen that its methodology for assessing potential harm to the setting is used now, in advance of the SPD's adoption, to inform LPA decision making as soon as possible. On the retrofitting policy we hope our publication 'Warmer Bath' has done much of the groundwork for Council officers in preparing the SPD.
- 6) However we believe there is a notable omission in the LDS in the form of a building heights strategy for the City of Bath. This is an essential tool to inform sustainable development in various locations. Its work should be incorporated into the Placemaking Plan and we would like to see an explicit reference to it.
- 7) The Placemaking Plan will give the Core Strategy meaning. It must be location-specific, with separate plans for different areas. As part of the work in delivering the

plan, the Conservation Area Appraisal for Bath needs to be upgraded and made compliant with current expectations. It is ironic that this has happened in many of B&NES villages, but not in its World Heritage City.

- 8) We would encourage the Council to look closely at whether its planning services team are sufficiently resourced to undertake the challenging work ahead of them.
- 9) Finally the Trust hopes constructively to engage with this, as with the previous, Council and Cabinet in delivering benefit to Bath. We reserve the right to be critical but we would like to emphasise that we all have Bath's successful future, built on its past, at heart.

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Minute Annex

BANES Cabinet statement on adoption of VAS 13/7/11

Councillors, before my main statement, I would just like to repeat again a point we at BIGHA have been making, right from the start of this issue, over 4 years ago. BIGHA is not against growth in Bath- in fact, we welcome, sensible, managed, sustained growth in the city accommodation offer, as this brings valuable benefits to all of us as business owners, residents and visitors. However, what we do not support is a violent explosion in growth that only has short term benefits for developers and shareholders outside of Bath, and is to the long term detriment of the city.

You will all be aware that BIGHA have been calling for the VAS to be adopted for nearly 3 years now, ever since the study was born out of the Destination Management Plan for Bath, which essentially called for a quality expansion of Bath's accommodation offer, not a quantity expansion. BIGHA have always supported this. The VAS provides an evidence based blueprint for the future growth of accommodation in the city, up to 2026. This is your document, as BANES councillors, not BIGHA's document. The council commissioned, and paid £37,000 for this independent study, but has still not formally adopted this as planning policy for the last 3 years. The reasons for this were purely political, and self interest, under the previous administration, and we are hoping that you will put this mistake right tonight.

You are our elected representatives, and you are our elected councillors to make policy - not the planning department, or other council officers. It is you that we call on to decide and implement policy, and then for the officers to execute these policies. Officers should not dictate to members what they can and cannot do.

We have secured support for the adoption of the VAS as planning policy from the BTP board on 26th Nov 2010, from the FBP board on 13th December 2010, and also from the Chamber of Commerce in Ian Bell's letter of 29th November 2010. Don Foster has also called for adoption. Support has also been mentioned in letters from BTP as a councillors briefing in April 2011, and in opposition to the inappropriate Premier Inn application on 4th July 2011. The Federation of Small Businesses, Bath Small Business Focus, numerous local councillors, including Paul Crossley, Andy Furse and Doug Nichol have also called for adoption. Residents groups have also voiced support, including FOBRA.

BANES own Economic Development and Regeneration team, The City Centre Management Board, and The Urban Regeneration Panel have also called for the VAS to be adopted. This document has also already had reference made in 3 planning applications, and also in the Draft Core Strategy.

Elected representatives- hopefully you can see the huge mass of support for adoption of this VAS as planning policy as soon as possible from the key business organisations, many of the residents and their representatives, and numerous councillors of the city. Even more hotel rooms are coming forward every day, including the new casinos, and we need to have a viable strategy for the future of our beautiful city. It is because of this that we call on you to do the right thing for our future accommodation offer of our city and adopt this VAS as planning policy as soon as possible.

Many thanks, Leslie Redwood, Co- Chairman, BIGHA

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Recommendation to adopt the Visitor Accommodation Study

I was until recently the owner of a bed and breakfast in the city centre and the former Chairman of Bath Independent Guest house and Hotel Association.

It is important to state from the outset that we are not against adding more hotel rooms to the city and broadly support the conclusions reached although 3+ years on, this look highly optimistic in light of the present economic climate.

We want to see development that "add value" to the Bath offer. No visitor ever comes to a city because there is a Travel Lodge there. The study anticipates that 350 more rooms would be required by 2016 and a further 350 by 2026.

The study identified the priority was for a 5 star branded hotel which we now have in the Gainsborough, next 1 or 2 Boutique hotels (Hotel de Vin or Malmaison) which we do not have, and a budget hotel on a peripheral site. What we have here is planning permission granted for 190 rooms in Green Park, a further application for a Premier Inn of 108 rooms by the Odeon and a further 190 rooms at Kingsmead House, the result of a blind spot by the former administration.

The VAS was completed in 2007 but not published until 2009 and is still not official policy. The VAS needs to be adopted by BANES to identify and inform what is needed to maintain the unique and balanced offer for tourists and not allow this to be eroded by big businesses and chains. Local businesses, operated by local people contribute more to the city than the chains who draw their profit out of the local economy.

We hope that the new administration has the vision to adopt the VAS into the local planning guidelines thus guiding developers and planners with an evidence based framework which highlights the opportunities for balanced growth.

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Statement to Cabinet 13 July 2011

I entirely support the recommendations on transport in your paper to the Council, especially the recommendation to delete, from the current Package, the BRT, and its linked A4 Park and Ride. It is clear from other Council papers that neither scheme would be effective. And it is obvious, with the UK economy still in danger of recession, that neither of these grandiose and expensive schemes could expect to be funded by Government.

It is also obvious that there is no time before 9th September to put forward any alternative solutions in the detail required. If the Council had had the sense to prepare a fall-back position – a “Plan B” – instead of barging ahead with those two flawed and highly contentious schemes, you could have now put forward some alternatives. But better to have no alternative (until the next funding round), and an affordable bid this time round, than a hopeless bid which included the A4 P&R.

I therefore also support the work to be done on alternatives to it, including directing traffic towards the Lansdown P&R, which would both help reduce traffic in eastern Bath and also reduce car mileage.

Your paper, however, gives detailed arguments *against* deleting the A4 scheme, but it doesn't present arguments against deleting the BRT, nor does it present much argument in *favour* of deleting either. I therefore draw your attention to my written submission, where I have attempted to draft a properly balanced comment on deleting the A4 scheme; a similar exercise could be done on deleting the BRT scheme.

P Davis

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BATH TRANSPORT PACKAGE – AMENDED RECOMMENDATIONS

ITEM 17

RECOMMENDATIONS

The Cabinet agrees that the following elements of the BTP should not be included in the Best & Final Bid to DfT and that these changes to the BTP are recommended to Full Council on 14th July 2011:

- 2.1 The Bus Rapid Transit Segregated Route.
- 2.2 The A36 Lower Bristol Road Bus Lane.
- 2.3 The A4 London Road Lambridge Bus Lane.
- 2.4 New A4 Eastern P&R (1400 spaces), plus bus lane priority on the A4/A46 slip road.
- 2.5 And in addition reduce the size of the P&R expansion at Newbridge. As a result the BTP would comprise of the following elements:
- 2.6 Upgrades to bus stop infrastructure on 9 service routes, including real time passenger information.
- 2.7 Expansion of Odd Down P&R by 250 spaces, of Lansdown P&R by 390 spaces and of Newbridge P&R by 250 spaces on the proposed site or a suitable alternative.
- 2.8 Variable Message signs on the main approaches to Bath, and within the city centre.
- 2.9 City centre works: High Street improvements and timed access restrictions (currently ongoing).
- 2.10 Works to support BWR including a bus rapid transit system serving the site.
- 2.11 As a result of the above the Cabinet agree to formally withdraw the CPOs agreed at its meeting on 3rd September 2008 and subsequently served to allow for the implementation of the BTP. The Cabinet agree and recommends to Full Council that the Council contribution towards the BTP would be no more £17.8m as set out in section 3 below. The schemes costs as recommended in this report have been reduced from £58.8m to £34.3m.
- 2.12 Cabinet agree and recommends to full Council that the final submission to DfT be approved by the Strategic Director Service Delivery and Chief Executive in consultation with the portfolio holder, the S151 officer and monitoring officer, and with a report back to cabinet only if

necessary notably if there is a material change in the financial costs or scope of the scheme which go beyond the parameters set out in this report.

- 2.13 Cabinet recommend to full Council additional borrowing of £3M to fully finance the costs of the Council contribution of up to £17.8M with an additional annual revenue cost of approximately £190K which will need to be included in revenue budgets for future years following completion of the scheme.
- 2.14 Cabinet note the revenue reversion risk as set out in paragraph 3.3 and the potential need to fund the costs of project work on aspects of the scheme which are no longer going ahead from reserves with the appropriate financing to be dealt with in a later report to cabinet and Council as appropriate and if the need arises.

In addition the Cabinet agrees and recommends to Full Council to instruct officers to:

- 2.15 work on alternatives to Bathampton Meadows P&R, possibly involving rail, as part of our future Transport Strategy
- 2.16 work with the Highways Agency to improve signage on the A46 to direct more traffic to an extended Lansdown Park and Ride
- 2.17 talk to Wiltshire Council about measures to remove some of the through traffic along the London Road and other cross border transport issues
- 2.18 evaluate measures to remove HGVs from London Road - this 10% of traffic creates 40% of the pollution
- 2.19 examine how we can obtain substantial "modal shift" from the private car to rail in recognition of potential for rail expansion with the electrification of the GWR and the awarding of an extended rail franchise
- 2.20 evaluate options to address the problems caused by a lack of affordable home to school transport
- 2.21 consider measures to make the whole area much more cycle friendly - we have already secured Govt funding through the Regional Sustainable Transport Fund to link Batheaston to NCR 4 on the canal towpath, thereby taking many cyclists off the London Road and encouraging others to get out of their cars and cycle into Bath.

3. FINANCIAL IMPLICATIONS

- 3.1 In January this year the Council submitted an 'expression of interest' to DfT which indicated that we would be prepared to make a local contribution for the BTP of £17.8m and this was subsequently earmarked in Council budgets as part of the budget setting report 2011/12. The Council contribution is included at this level within the current approved Capital Budget (Hard Coded and Italics) and included

the revenue implications of the borrowing costs which are estimated to be £657,000 per annum. There is one exception to this which is set out in paragraph 3.3 below. In submitting our Best & Final Bid later this year the Council needs to reconsider the amount of its own contribution in the light of the significantly reduced scope and cost of the project i.e. without the BRT and A4 P&R. The context also includes the substantially reduced levels of Government capital grants available since the last national Comprehensive spending Review together with the increase in the level of competition for the available monies. Further detail is set out in the report.

3.2 As is indicated above DfT have emphasised that the projects in the Development Pool are in a highly competitive process where DfT wants to fund as many schemes as they can but can only do so if Local Authorities maximise their contributions. At a meeting with the Leader and Don Foster MP, Norman Baker Parliamentary Under Secretary of State for Transport, indicated his expectation that the local funding contribution to be committed in the Best & Final Bid would match the figure already stated in the Expression of Interest i.e. £17.8m. It is for the Council to decide what contribution to offer to DfT and given the reduced scope of the project (and net reduction in cost to DfT) a reduced Council contribution of less than £17.8m might be acceptable however this would appear to increase the risk of DfT rejecting the funding bid.

3.3 In the event of DfT not approving the scheme there would be a potential revenue reversion risk of commitments to date of up to £6.5m. This is a worst case scenario. There is a revenue reversion risk of up to £3.8m due to the deletion of the A4 P&R and the BRT (£1.3m & £2.5m respectively). Any revenue reversion would immediately fall as a charge to the Council's general fund balances which would then have to be repaid, if not financed through alternative means, from the annual Council budget over a period of not more than three years.

3.4 The scheme previously included a self financing element in respect of the new park and ride. The exclusion of this from the scheme to be submitted to the DfT means that there is less revenue available to support borrowing costs. The net impact of this is that £3M of capital expenditure requires additional revenue support in the region of £190K per annum based on a Council contribution of £17.8M.

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