

## **BATH AND NORTH EAST SOMERSET**

### **CABINET**

Wednesday, 11th April, 2012

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 Fri 13-Apr to Thu 19-Apr. These minutes are draft until confirmed as a correct record at the next meeting.

#### **Present:**

Councillor Paul Crossley	Leader of the Council
Councillor Nathan Hartley	Deputy Leader of the Council and Cabinet Member for Early Years, Children and Youth
Councillor David Bellotti	Cabinet Member for Community Resources
Councillor Simon Allen	Cabinet Member for Wellbeing
Councillor Tim Ball	Cabinet Member for Homes and Planning
Councillor Cherry Beath	Cabinet Member for Sustainable Development
Councillor David Dixon	Cabinet Member for Neighbourhoods
Councillor Roger Symonds	Cabinet Member for Transport

#### **187 WELCOME AND INTRODUCTIONS**

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

#### **188 EMERGENCY EVACUATION PROCEDURE**

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

#### **189 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

#### **190 DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972**

There were none.

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

There was none.

#### **192 QUESTIONS FROM PUBLIC AND COUNCILLORS**

There were 12 questions from the following people: Councillors Brian Webber (4), John Bull, Tim Warren, Vic Pritchard, Patrick Anketell-Jones (2), Paul Myers (2), Matthew Blankley.

*[Copies of the questions and response, including supplementary questions and responses have been placed on the Minute book as Appendix 1 and are available on the Council's website.]*

**193 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS**

There were three registered statements, all of which were made immediately before the item to which they related.

**194 MINUTES OF PREVIOUS CABINET MEETING**

On a motion from Councillor Paul Crossley, seconded by Councillor Nathan Hartley (and subject to an amendment in Minute item 183 on page 29 to the effect that a date of 22<sup>nd</sup> May be corrected to 2<sup>nd</sup> May), it was

**RESOLVED** that the minutes of the meeting held on Wednesday 14th March 2012 be confirmed as a correct record and signed by the Chair.

**195 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET**

There were none.

**196 CONSIDERATION OF MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES**

There were none.

**197 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING**

The Cabinet agreed to note the report.

**198 BATH & NORTH EAST SOMERSET COUNCIL PUBLIC LIBRARY PLAN 2012-15**

Councillor Malcolm Veal in an *ad hoc* statement welcomed some elements of the plans, particularly relating to the volunteering, home delivery and the plans for Paulton Library. He felt however that a more strategic vision was required for the future. There had been a 900-signature petition to save the mobile libraries but the report showed that the service was being cut. He urged the Cabinet to take more time to consider the options available before making a decision.

Peter Duppa Miller in an *ad hoc* statement on behalf of Combe Hay Parish Council welcomed the pilot library at Wellow.

Councillor David Dixon, in proposing the item, said that the Council had consulted widely before bringing the Library Plan for approval. A way had been found to avoid cutting both mobile libraries, in addition to retaining all the smaller libraries which would be able to open longer hours as a result of the proposals. The community libraries proposals were exciting, and he had set a target of 3 to be opened by March 2013. The planned library links in post offices and shops was also exciting and would greatly benefit communities where a library building was not viable.

Councillor Paul Crossley seconded the proposal. He explained to Councillor Veal that the plans would ensure the future of local libraries long into the future. He

announced that Ed Vaisey (Minister for Culture) has agreed to visit the opening of the first community library, and invited Peter Duppa Miller to join them on that day.

Councillor Nathan Hartley said that the Cabinet had been determined to invest in the mobile library service, despite the fact that Somerset, Wilts and South Glos were all cutting large amounts from their library services. He noted that opening hours were being extended and the mobile service maintained following the extensive consultation process. He had been delighted to hear about the “friends” groups being set up, and observed that there had been no problem getting volunteers. He warmly welcomed the planned extension to the Home Library Service, which would be a great benefit to vulnerable people.

Councillor Roger Symonds said that he had at first been concerned about the future of the mobile service in his own ward, but was now pleased with the plans which would ensure improvement into the future.

Councillor David Dixon thanked Councillor Symonds for his involvement in developing the plans. He mentioned that free WiFi was also being extended into libraries.

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

**RESOLVED** (unanimously)

(1) To APPROVE the Library plan and funding options.

## **199 IMPLEMENTATION OF 20MPH SPEED LIMITS IN BATH & NE SOMERSET**

Jane Roberts (a resident of Coronation Avenue) in a statement [*a copy of which is attached to the Minutes as Appendix 2 and on the Council's website*] appealed to the Cabinet to include Coronation Avenue and some neighbouring streets in the 20mph scheme. She presented a petition with 200 signatures and said that more people were signing every day. The main concern had been the school on Coronation Avenue, which had 3 crossing patrol people and would benefit greatly if included.

The Chair referred the statement and petition to Councillor Roger Symonds, for consideration and response in due course.

Councillor Tim Ball asked Jane Roberts whether there had been any near accidents in the vicinity during the crossing patrol periods and whether the imposition of a 20mph zone would improve that. Jane agreed that a 20mph limit would make the children much safer before and after school.

Councillor Charles Gerrish in an *ad hoc* statement referred to paragraph 2.2 of the report and asked Cabinet to take note that the stretch of Charlton Road, between the British Legion and St Ladoc Road, should not be classified as a main road because of the regular close shaves caused by the sudden narrowing of the road. He felt that this stretch must be included in the 20mph zone.

Councillor Tim Warren in an *ad hoc* statement said his Group was mainly in favour of the proposals but had some concerns. He asked how the zones would be policed, and asked for consultation on a ward-by-ward level.

Peter Duppa Miller in an *ad hoc* statement asked that in rural areas the Cabinet should consult very carefully because it would be very important to small communities to maximise safety without imposing a clutter of signage.

Councillor Vic Pritchard in an *ad hoc* statement reminded Cabinet that Ubley Parish Council had once been a keen supporter of such a zone, until it had been implemented because of the ugly signage, particularly in the small roads off the main road.

Councillor Roger Symonds in proposing the item, agreed with Peter Duppa Miller that signage should be minimised. In response to the comment made by Councillor Charles Gerrish, he agreed that the narrow stretch of Charlton Road could be included. He referred to Councillor Tim Warren's question about policing, and agreed that the police were unlikely to police the zones very robustly because of their own stretched resources, but he felt nevertheless that after campaigning for so long that "20 is plenty", now was the time to implement these plans. Lowering speeds from 30mph to 20mph would reduce accidents by up to 70%. He felt that the zones would be mainly self-enforcing.

Councillor Cherry Beath seconded the proposal and said that driving too fast in residential areas was seen by local people as a major issue.

Councillor Tim Ball supported the proposals. He reported that there had been a 20mph scheme in Twerton for 20 years which had never needed enforcing, although he observed that a small minority of "racers" would never observe any speed limit. Only one person had ever objected to the scheme.

Councillor Roger Symonds confirmed that the signage would be surrounded by red circles (not green) and would be enforceable.

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

**RESOLVED** (unanimously)

- (1) To AGREE that subject to public consultation and completion of statutory processes, 20mph speed limits are implemented on residential streets in Bath and North East Somerset;
- (2) To EXCLUDE the main traffic routes from 20mph speed limits;
- (3) To APPROVE the 2 year delivery programme;
- (4) To DELEGATE authority to the Divisional Director Planning and Transport Development in consultation with the Cabinet Member for Transport to amend and add to the programme as appropriate;
- (5) To AGREE that informal consultation will be carried out with stakeholders and residents in streets to be included in each 20mph speed limit area prior to the Order being formally advertised; and
- (6) To AGREE that any objections to the Order will be considered by the Cabinet Member for Transport prior to making a Single Member Decision on whether to make the Order.

**200 PLANNING POLICY ON TEMPORARY FESTIVAL BANNERS AND PROMOTIONAL MATERIAL**

Jane Brown (Bath Preservation Trust) in a statement [*a copy of which is attached to the Minutes as Appendix 3 and on the Council's website*] welcomed the Council's intention to manage banner displays, but felt that option 3 would be too heavy-handed and expensive. She asked Cabinet to approve option 2. The Trust was willing to work with Cabinet to produce suitable guidance.

Councillor Tim Ball thanked Jane Brown for her statement. He agreed to involve the Bath Preservation Trust in the plans and said he would ask officers to prepare a stakeholders engagement schedule. He confirmed however that he believed that option 3 was the right way ahead and moved the recommendation to progress Option 3.

Councillor David Dixon seconded the proposal. He observed that a recent international conference on digital media had been held in Bath, but no one had known because there was no public signage. More recently, the Bath Literary Festival had been held but there had also been no public signage. He felt that the city should celebrate the many events which are held in the city and that properly managed signage was one way to do this. He emphasised the importance of good design and proper lamppost fixings to ensure that the best impression is given to visitors to the city.

Councillor Cherry Beath was very pleased that the issue was at last being addressed. She agreed that the Bath Preservation Trust should be involved in preparing the guidance notes.

Councillor Tim Ball confirmed that he would engage with the Trust at an early stage.

On a motion from Councillor Tim Ball, seconded by Councillor Cherry Beath, it was

**RESOLVED** (unanimously)

(1) To PROGRESS the process outlined in Option 3: Maximise Control and Corporate Management; and

(2) To ASK that a further report is brought to Cabinet following completion of the stages A-E so that Cabinet can consider the submission of a planning application; agree the implementation process; and agree any necessary additional funding to cover additional costs.

## 201 CONCEPT STATEMENTS FOR MOD SITES IN BATH

Jane Brown (Bath Preservation Trust) in a statement [*a copy of which is attached to the Minutes as Appendix 4 and on the Council's website*] welcomed the publication of the draft statements and supported the consultation and communication approach outlined in the proposals. She asked that the Trust be consulted on the development of the guidance documents.

Councillor Charles Gerrish in an *ad hoc* statement welcomed the principle but expressed considerable disappointment that the issue had been brought to Cabinet before any discussion with the Local Development Fund Steering Group. He observed that the Ensleigh proposals mentioned the view “from Beckfords Tower” but not the view “of Beckfords Tower”. This was a significant omission and he felt it must be remedied.

Councillor Patrick Anketell-Jones in an *ad hoc* statement said that he felt the Ensleigh proposals would struggle to exist in their own right, if in competition with Fox Hill. He asked Cabinet to ensure its viability.

Councillor Tim Ball in proposing the item, said that the documents were still draft, and that a consultation period was starting. He acknowledged that although the formal consultation process would end on 31<sup>st</sup> of May, but agreed with Councillor Gerrish that the LDF Steering Group would be fully consulted before the end of the period. He made a promise to Councillor Patrick Anketell-Jones that full consideration would be given to his comments about the Ensleigh proposals.

Councillor Ball moved the recommendations, but with one amendment, the effect of which would be to confirm that the consultation responses would be used to amend the documents before they were launched.

Councillor Nathan Hartley seconded the proposal. He observed that the proposals were about more than building houses – they needed to be about building communities. He said that integration into the existing communities must be ensured, and reminded Cabinet of the lost opportunity in Peasedown St John where the failure to build a link road between the old and the new had led to social division.

Councillor Roger Symonds said that the proposals were very good. They would include 20mph speed limits from the start. He observed that plans had gone ahead very quickly, and asked how people would be kept informed. He suggested that, in order to ensure good consultation with the 3 existing communities, a leaflet drop should be arranged.

Councillor Cherry Beath said that she welcomed Councillor Ball's amended wording, which she felt would underline that the Cabinet wished to listen.

Councillor Tim Ball thanked all contributors. He agreed with Councillor Symonds that a leaflet drop would be arranged on all 3 sites.

On a motion from Councillor Tim Ball, seconded by Councillor Nathan Hartley, it was **RESOLVED** (unanimously)

- 1) To APPROVE the draft Concepts Statements for the MoD sites at Ensleigh, Foxhill, and Warminster Road for public consultation;
- (2) To DELEGATE authority to the Divisional Director of Planning & Transport, in consultation with the Cabinet Member for Homes and Planning, to make minor textual amendments prior to publication of the draft Concepts Statements for public consultation;
- (3) To APPROVE the public consultation strategy; and
- (4) To CONSIDER the comments received and revise the concept statements before their endorsement and launch.

## **202 PROPOSALS FOR A COMMUNITY INFRASTRUCTURE LEVY FOR BATH & NORTH EAST SOMERSET**

Councillor Tim Ball in proposing the item, said that the levy would be a tax on building, which would cover the infrastructure costs which presently were covered by s.106 agreements. The levy would essentially replace s.106 although some s.106 agreements might still exist.

Councillor David Bellotti, in seconding the proposal, asked Councillor Ball to agree to an amendment to table 2 in section 4.21 of the Draft Schedule document (and reproduced in section 5.7 of the report), the effect of which would be to amend the "Office" row in the table from *nil* to £30 per m<sup>2</sup>. He suggested this because he felt that offices have workers, who use the local infrastructure. In explaining his thinking, he pointed out that he disagreed with a sentence in table 1 of section 3.20 of the Draft Schedule which stated "although there is an adequate demand for space, this has not generated rents that would be high enough to support new development". He reminded Councillor Ball that the charge could be reconsidered each year.

Councillor Tim Ball accepted the amendment although with some reservations that the proposals might not prove to be acceptable to developers. In summing up, he

said that it would be illegal to impose any tax which prevented development, so it would be necessary to pay attention to what the market said about the proposals.

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

**RESOLVED** (unanimously)

(1) To AGREE that the draft charging schedule be amended so that in Table 2 of paragraph 4.21, the CIL Rate for Offices be amended from *nil* to £30 per m<sup>2</sup>;

(2) To APPROVE the preliminary draft charging schedule for a public consultation in April – June 2012;

(3) To DELEGATE responsibility to the Divisional Director of Planning & Transport, in consultation with the Cabinet Member for Homes & Planning, to make minor textual amendments prior to publication of the CIL Preliminary Draft Charging Schedule for public consultation;

(4) To AGREE that a procedure be established to monitor annually and review the CIL to ensure rates remain appropriate and effective; and

(5) To ASK that following consultation on the preliminary draft charging schedule a further report is brought to Cabinet on the draft charging schedule.

*[Clause 1 above was included as a result of an amendment suggested by the seconder and accepted by the proposer of the motion].*

## 203 SCHOOL TERM AND HOLIDAY DATES 2013-14 ACADEMIC YEAR

Councillor Nathan Hartley in proposing the item, observed that the proposed dates were the same as those already announced by neighbouring authorities. There had been consultation with teachers unions about the proposals.

Councillor David Bellotti seconded the proposal. He observed however that the consultation had not listed parents, and asked that this be corrected for future years. He also observed that because of in service training days, neighbouring schools might still have different days of opening despite the Council's advertised dates. He referred to paragraph 2.2 of the report and said that he felt parents should be allowed to take their children on holidays during term time, although he recognised that this was a minority view.

Councillor Hartley, summing up, replied to the points made by Councillor Bellotti. He acknowledged that many schools did not consult directly with parents on term dates and agreed to take account of the point about parental consultation. He also acknowledged that Head Teachers should have some discretion about whether to agree to term-time holidays if there were major socio-economic or other factors involved for the family.

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

**RESOLVED** (unanimously)

(1) To ADOPT the School Term and Holiday dates recommended for the 2013-14 academic year;

(2) To AGREE the importance of good school attendance and the link with good outcomes for children and young people; and

(3) To SUPPORT schools in encouraging parents to take holidays out of term time.

**204 ALCOHOL HARM REDUCTION STRATEGY (RECOMMENDED FROM PARTNERSHIP BOARD FOR HEALTH AND WELLBEING)**

Councillor Simon Allen in proposing the item emphasised the social, health and economic harm suffered because of alcohol dependency.

Councillor David Dixon seconded the proposal and referred to the major problem of cheap alcohol drunk at home before going out.

Councillor Tim Ball said that alcohol destroyed families; and cheap alcohol destroyed children's lives. He felt that the government must move to reduce the alcohol levels in drinks.

Councillor Simon Allen thanked the Public Health Team for their hard work and the Cabinet for their support over the issue.

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

**RESOLVED** (unanimously)

(1) To ADOPT the Refreshed Alcohol Harm Reduction Strategy for B&NES; and

(2) To AGREE the key priorities.

**205 HIGHWAY STRUCTURAL MAINTENANCE CAPITAL PROGRAMME FOR 2012/2013**

Peter Duppa Miller in an *ad hoc* statement emphasised that rural areas sought an assurance that interconnecting roads would be maintained and repaired, as well as main roads. He mentioned some roads he was aware of which were already in a state of disrepair and in need of quite urgent attention.

Councillor Charles Gerrish in an *ad hoc* statement warned the Cabinet that concrete-based roads, such as Ashmead down, could not be repaired by simply resurfacing because the base was breaking up in places and would not hold. Roads such as this needed to be rebuilt.

Councillor Roger Symonds asked Councillor Gerrish to email him with the details of the roads he had in mind. He assured Peter Duppa Miller that he would do all he could to maintain connecting roads, but observed that there was only so much budget available. He moved the proposals.

Councillor Paul Crossley seconded the proposal.

Councillor Nathan Hartley welcomed the capital programme and its investment in rural areas.

Councillor Roger Symonds observed that micro asphaltting could work over concrete roads, but agreed that there could be problems if the road was heavily used.

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

**RESOLVED** (unanimously)

(1) To AGREE the Highway Structural Maintenance Programme for 2012/13; and

(2) To DELEGATE authority to the Divisional Director, Environmental Services and the Service Manager, Highways to alter the programme, in consultation with the

Cabinet Member for Transport, as may prove necessary during 2012/13 within the overall budget allocation.

**206 CAPITAL PROJECT APPROVALS AND UPDATES TO THE CAPITAL PROGRAMME**

Councillor Charles Gerrish in an *ad hoc* statement referred to paragraph 3.2 of the report, and observed that the reference to 2012 should read 2011.

Councillor David Bellotti moved the recommendations, saying that he believed all 3 of the funding proposals would be very welcome to his Cabinet colleagues.

Councillor Paul Crossley seconded the proposal.

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

**RESOLVED** (unanimously)

(1) To APPROVE Capital Project – Lansdown Tuition Centre Dilapidations for inclusion in the 2012/13 Capital Programme;

(2) To APPROVE Capital Project – Culverhay School Co Educational Adaptations for inclusion in the Capital Programme, subject to full project plan which has been presented to Project Initiation & Deliverability Group and Capital Strategy Group; and

(3) To APPROVE Capital Project – Adult Personal Social Services Capital Grant for inclusion in the Capital Programme, subject to full project plan and business case which has been presented to Project Initiation & Deliverability Group and Capital Strategy Group.

The meeting ended at 8.07 pm

Chair \_\_\_\_\_

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

Prepared by Democratic Services

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## CABINET MEETING 11<sup>th</sup> April 2012

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

### REGISTERED SPEAKERS

There were 3 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.

#### Re: Agenda Item 13 (20mph Speed Limits)

- Jane Roberts (Resident, Coronation Avenue)

#### Re: Agenda Item 14 (Promotional Banners)

- Jane Brown (Bath Preservation Trust)

#### Re: Agenda Item 15 (MoD Concept Statements)

- Jane Brown (Bath Preservation Trust)

### QUESTIONS AND ANSWERS - COUNCILLORS

<b>M 01</b>	<b>Question from:</b>	Councillor Brian Webber
Have any offers been received from would-be sponsors of the roundabout at the junction of Pulteney Road and Vane Street. If so, when is it hoped that planting would commence?		
	<b>Answer from:</b>	Councillor David Dixon
<i>Expressions of interest have been received and letters will be sent out shortly requesting bids for the sponsorship opportunity. The roundabout is being planted with pansies on Tuesday 3 April in the Olympic brand colours.</i>		

<b>M 02</b>	<b>Question from:</b>	Councillor Brian Webber
In a written reply to a question at the Cabinet meeting on 11 January 2012 Cllr Dixon said that arrangements were being made to post on the Recreation Ground Trust's website a copy of the submission made by the Trust Board to the Charity Commission just before Christmas. On 27 March in an email reply to Mr J Sparrow Cllr Dixon said		

the submission would be released when it had been agreed with the Charity Commission. How are these two replies to be reconciled? Are not beneficiaries entitled to know the terms of the proposal for which the Trust Board is seeking the Commission's approval?

**Answer from:**

Councillor David Dixon

*The Trust Board wrote to the Charity Commission in December setting out their proposals to resolve the situation at the Recreation Ground. The proposals are already in the public domain having been widely consulted on. A copy of the consultation report has already been published.*

*I had anticipated that details of a scheme would be available to publish early in the new year. However this process has taken longer than expected partly due to internal restructuring at the Charity Commission.*

*Full details of the final scheme will be published as soon as they are available. This will include proposed lease terms and independent land valuations which are currently restricted by confidentiality agreements.*

**M 03**

**Question from:**

Councillor Brian Webber

There appears to be a short stretch of Upper Hedgemoad Road approaching its junction with Lansdown Road where parking is uncontrolled because it falls into neither the Central Zone nor Zone 15. If so, what is the rationale? Would it be desirable to include this stretch in the Central Zone to ease marginally the shortage of spaces reserved exclusively for residents?

**Answer from:**

Councillor Roger Symonds

*The Highway Engineer who designed the scheme decided to retain the area in question as unrestricted parking for all vehicles, due to the needs of non-residents and visitors.*

*Changes to Central Zone are currently on the draft forward plan for Quarter 1 in financial Year 2014-15 and this change can be considered at the same time. To change the zone would require a change to the Traffic Regulation order which can take up to an additional 12 months due to statutory processes. However, a review for zone 15 is planned to commence in this quarter and therefore consideration will be given to this request as part of this review – the statutory timeframe for changes will require still require up to 12 months for completion.*

**M 04**

**Question from:**

Councillor Brian Webber

Would it be desirable and feasible to introduce a 7.5 ton limit on goods vehicles allowed to enter Grove Street and St John's Road, Bath, other than for essential access?

**Answer from:**

Councillor Roger Symonds

*Environmental weight limits are designed to stop heavy vehicles from using inappropriate routes as a short cut. A 7.5 tonne weight limit on Grove Street/St John's Road would be feasible; however it could only be justified if a significant number of heavy vehicles were using this route as a short cut. Traffic surveys would therefore need to be carried out to establish whether this was the case, before introduction of a weight limit could be considered. Any such weight limit would contain an exemption allowing heavy vehicles to enter the limit to load or unload.*

<b>M 05</b>	<b>Question from:</b>	Councillor John Bull
Is it the case that this Council is levying a £10,000 charge for administering the Community Fund for Keynsham provided under the s.106 agreement by Tesco's? if so, what is the justification for this?		
<b>Answer from:</b>		Councillor Tim Ball
<i>I thank Cllr Bull for bringing this to my attention. I was not aware of the charge and am not happy with it. I start from the assumption that all this money should be invested in community projects so I will work with officers to reduce or if possible remove the charge entirely.</i>		

**QUESTIONS FROM COUNCILLORS WHICH ARRIVED LATE BUT WHICH THE LEADER OF THE COUNCIL AGREED TO ACCEPT**

<b>M 06</b>	<b>Question from:</b>	Councillor Tim Warren
Can the Cabinet Member please provide an update on when revised proposals for Dog Control Orders are to be published for public consultation, as this remains an issue of considerable concern to many residents in rural areas.		
<b>Answer from:</b>		Councillor David Dixon
<i>I can confirm that the Dog Control Orders are still going to go ahead in a manner that will provide an avenue of regulation only where necessary. As you will be aware, there were unfortunate issues with the maps and some residents felt that the orders went too far originally. A workshop has been convened with key stakeholders in the first week of May to discuss the principles behind introducing the orders and I have then requested that officers consult with members, Town and Parish Councils before opening the consultation to the wider public. A realistic timescale for the introduction of the Orders with this increased amount of consultation will be the second half of this year.</i>		

<b>M 07</b>	<b>Question from:</b>	Councillor Vic Pritchard
<p>Can the Cabinet Member please explain what the Council's process is for introducing new speed limits on non-residential roads, in terms of:</p> <ul style="list-style-type: none"> <li>• Criteria;</li> <li>• Consultation process;</li> <li>• Average speed check before change of speed limit;</li> </ul> <p>Also, is the new speed limit, once introduced, reviewed after a period of time to monitor its effectiveness in terms of reducing the number of accidents and reducing the average speed?</p>		
<b>Answer from:</b>		Councillor Roger Symonds
<p><i>Speed limits on all A and B roads in B&amp;NES were recently reviewed as part of a national exercise, and a number of changes recommended. These recommendations will be pursued as and when funding is allocated.</i></p> <p><i>Speed limits can be reviewed on an ad hoc basis, using the existing accident record, existing speeds and local road environment, and in close consultation with the Police. Where a change to the existing speed limit is deemed appropriate, the normal Traffic Regulation Order consultation process is invoked. This includes informal consultations with local interested parties, including Members, Parish Councils and/or residents' associations, followed by a formal consultation including public advertisement of the proposals. The responses to formal consultation (if any) are then considered by the Cabinet Member for Transport, who decides whether the proposal should go forward, be modified, or be withdrawn.</i></p> <p><i>Where speed limit changes are introduced, it is normal practice to monitor vehicle speeds before and after implementation.</i></p>		

<b>M 08</b>	<b>Question from:</b>	Councillor Patrick Anketell-Jones
<p>Can the Cabinet Member please detail what measures will be put in place to monitor the effectiveness of the planned new 20mph zones, in terms of average speed reduction and reduction in number of accidents?</p>		
<b>Answer from:</b>		Councillor Roger Symonds
<p><i>Before and after speed measurements will be taken on all roads in the proposed area wide 20mph speed limit, other than in those streets judged to be of similar character where speed measurements in a representative street will be taken.</i></p> <p><i>In terms of the reduction in accidents, before road casualty data averaged over 3 years will be used to compare with the average road casualty data 3 years after implementation.</i></p>		

<b>M 09</b>	<b>Question from:</b>	Councillor Patrick Anketell-Jones
What is the timetable for the conversion of the north wing of the Guildhall to a creative business hub?		
<b>Answer from:</b>	Councillor Cherry Beath	
<p><i>The following are the key milestones for delivering The Guild Co-Working Hub:</i></p> <ul style="list-style-type: none"> <li>• <b>9 May:</b> Cabinet considers the project</li> <li>• <b>July:</b> Initial occupation under license</li> <li>• <b>September:</b> Planning and listed building approval</li> <li>• <b>October:</b> Building works start</li> <li>• <b>Late 2012/early 2013:</b> Final occupation</li> </ul>		
<b>Supplementary Question:</b>		
Can the Cabinet member say when the hub will be fully vacated by the Council?		
<b>Answer from:</b>	Councillor Cherry Beath	
<i>The milestones show that the premises will be available for occupation in 2-3 months</i>		

<b>M 10</b>	<b>Question from:</b>	Councillor Paul Myers
Can the Cabinet Member confirm that homes and business not able to get access to superfast broadband due to their close proximity to the local telephone exchange will be given the same priority as other homes and businesses under the rural broadband access project? A case in point is Midsomer Norton telephone exchange where residents in St Chad's Avenue and key businesses in the Island are affected.		
<b>Answer from:</b>	Councillor Cherry Beath	
<p><i>St Chad's Avenue, BA3 2HG and The Island BA3 2HA both show up under postcode checkers (SamKnows and Uswitch) as being fully enabled for superfast broadband and the Radstock exchange is fully enabled.</i></p> <p><i>It is possible that the local cabinet has not been enabled yet or that the premises are connected directly to the exchange, in which case they will fall under BTs national project to look at these issues, where they hope a solution will be found in the very near future to resolve it. Alternatively, there is an alternative product called BTnet services which give the speeds required but at greater cost.</i></p> <p><i>It is not legally possible for these areas to be covered by the Connecting Devon and Somerset programme with BDUK funding. This is because the private sector has announced they will deliver in this area. As such State Aid legislation means that public subsidy cannot deliver in this area and it is outside the scope of the BDUK project.</i></p> <p><i>At the deployment stage of the BDUK funded project, the private sector will come under</i></p>		

*pressure to deliver in areas where they have stated broadband will be available and in the meantime Officers are making enquiries with BT to clarify the situation with those addresses in Midsomer Norton as mentioned and will continue to seek to resolve the issue.*

**Supplementary Question:**

Can the Cabinet member give an indication of when action will be taken and by whom?

**Answer from:**

Councillor Cherry Beath

*We are still collecting data. Areas not served by superfast broadband will be flagged up by that exercise.*

**M 11**

**Question from:**

Councillor Paul Myers

In the light of the following references to the Alcan site, does the cabinet member agree that the £445,000 arising from the Alcan Section 106 agreement should be spent on project(s) in Midsomer Norton and that the equivalent of a sequential test should be applied to consider all possible sites in Midsomer Norton first before other sites are considered?

- The existence of an approved Cabinet paper entitled Midsomer Norton Town Centre Economic Regeneration Delivery Plan - spring 2011 which details the regeneration and job creation aims of the Council in Midsomer Norton;
- The email sent by B&NES Officer Gwilym Jones dated 15th March 2012 giving details of the Alcan Section 106 agreement reported to the Development Control Committee, which said: 'The purpose of the clause/payment is to provide employment space to replace the 220 jobs that were provided on the Alcan site and the draft agreement refers to the developer using reasonable endeavours to provide this space 'within the area of Midsomer Norton or in such other location as shall be agreed in writing between the Owner and the Council'.

**Answer from:**

Councillor Cherry Beath

**Background**

*As part of a package of measures to provide replacement local employment to offset the jobs lost when the factory on the Alcan site closed Linden Homes (the applicant for the development of the site) has agreed to either fund the provision (capped at £445,000) of off-site employment space in the local area in the form of a Business Hub for small and medium size enterprises and start-ups or, if no suitable site is found, then make a financial contribution to the Council of £445,000 for the provision of off-site employment space.*

*This provision also helps to meet the aims of the Midsomer Norton Town Centre Economic Regeneration Delivery Plan which states, in relation to the Alcan site, "development of the site for a mix of uses could contribute towards achieving the regeneration objectives for the Somer Valley by facilitating the provision of new modern*

*business space focused on office based business services & knowledge, employment which can replace the jobs that were lost when the factory closed whilst helping to restructure the local economy”.*

*Draft s.106 Agreement*

*To meet the tests for planning obligations set out in the recently published National Planning Policy Framework (NPPF) as well as being necessary to make the development acceptable in planning terms the provision of the employment space needs to be directly related to, and fairly and reasonably related in scale and kind to, the development.*

*The draft s.106 agreement refers to the provision of the space being ‘within the area of Midsomer Norton or in such other location as shall be agreed in writing between the Owner and the Council.’ The reference to the ‘area of Midsomer Norton’ is not defined by Ward or Parish boundaries.*

*In terms of the purpose for which the financial contribution is used this would need to be for the provision of employment space rather than other unspecified ‘project(s)’.*

*Site Search*

*At the moment no building/site has been identified and the provision of the space might involve the conversion of an existing building or be new build*

*The process for finding a site is not specified in the s.106 however the focus should be on the provision of space that maximises employment opportunities as well as ensuring that the money is used effectively. Accordingly it is appropriate that the area of search is reasonably broad to ensure a range of suitable options are considered.*

*In planning terms, there is nothing that would necessarily exclude any particular site within the Midsomer Norton / Westfield / Radstock area from being considered. Whilst the criteria on which sites are to be evaluated and site selected need to be agreed, it is considered that applying a sequential test that first considers all possible sites in Midsomer Norton area before any other sites are considered may exclude other more suitable sites within the local area.*

**Supplementary Question:**

Would the Cabinet member please reconsider her response in the light of the existence of an approved Cabinet paper entitled Midsomer Norton Town Centre Economic Regeneration Delivery Plan - spring 2011 which states:

"surrounding the town centre, we need to maximise the potential of nearby development sites to complement and support the High Street" and; "to seek to deliver the ERDP objectives for MSN town centre and the wider Somer Valley area five key development opportunities have been identified" (Site 4 Alcan).

**Answer from:**

Councillor Cherry Beath

*My previous answer is clear enough – what was agreed through the s.106 agreement.*

**M 12**

**Question from:**

Councillor Matthew Blankley

Recent reports that Saltford Station has been included in the Greater Bristol Metro project by the West of England authorities is very welcome. If the DfT agrees to include

a Salford Station stop in its tender for the Great Western franchise, can the Cabinet Member please explain the process for the re-opening/building of a new Salford Station, the expected timescale for the reopening, the anticipated cost and who would most likely fund the work? Also, has any discussion so far been held with the nearby residents who currently rent parking spaces at the former station site?

**Answer from:**

Councillor Roger Symonds

*The Salford Station proposal is a priority for the Greater Bristol Metro Project included in Phase 2 of the project programmed for 2019-2023, subject to a business case. (See link \*\* below).*

*The process for reopening a station is both lengthy and complex, but a feasibility study will first be needed to assess the impact of a new station on the rail network, amongst other factors. The estimated capital costs are £5.5m-£6.5m excluding highway works, however it is too early to say at this stage who will fund the work or hold discussions with residents who rent spaces on the former station site.*

**\*\* See the link at:**

[www.westofengland.org/media/239804/item%2010%20rail%20update%20great%20western%20franchise.pdf](http://www.westofengland.org/media/239804/item%2010%20rail%20update%20great%20western%20franchise.pdf)

## QUESTIONS AND ANSWERS - PUBLIC

There were none.

Jane Roberts, Cabinet 11-Apr-12

APPX 2

## **20 Mile per Hour Speed Limit on Coronation Ave and Adjoining Streets**

The stretch of road including **Coronation Avenue, Sladebrook Avenue, Claude Avenue, Lymore Terrace and Bridge Street** is a densely populated residential area, housing families and students. It has a junior school at a particularly difficult junction making crossing the road dangerous. It is heavily used by pedestrians due to the number of students living in the area and by local people walking down to Moorland Road and the City Centre.

The road has one-way priority traffic calming measures which often encourage speeding as cars try to enter the priority sections before oncoming traffic. Vehicles often break the existing 30 mph speed limit. We foresee that the by including other radial routes, such as The Hollow in the scheme, it will increase the use of Coronation Avenue by traffic hoping to avoid the 20 mph limit elsewhere.

We strongly urge the council to include this residential road in the trial 20 mph scheme to avoid it being blighted by even more speeding traffic.

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**CABINET 11 APRIL 2012**

**BATH PRESERVATION TRUST STATEMENTS**

**Agenda item 14: Temporary Display of Banners and Promotional Material**

Bath Preservation Trust welcomes the Council's intention to take a proactive approach to managing the display of banners and other promotional material for festivals and other public events. However the recommended approach (Option 3) seems to us to be heavy-handed and unnecessarily expensive.

In order to be effective, promotional material needs to be varied and contain an element of surprise. Maximising control in the way suggested in Option 3 may result in excessive consistency and therefore staleness, rather than the vitality and richness referred to in the paper before you.

We are also concerned that Option 3 appears to be driven, at least in part, by a desire to maximise the income stream to the Council. We recognise of course that in the current financial climate the Council needs to look for opportunities for income generation. However decisions on what is and is not appropriate in planning terms should not be influenced by the impact on potential income.

We are surprised that stakeholder engagement is the last stage of the recommended approach. If the Council is looking for support, stakeholders such as ourselves need to be involved from the start, not brought in at the end.

We would urge you to adopt **option 2** – production of informal or formal planning guidance focussing on design criteria (including the important issue of design of fixings) and setting out an objective methodology for assessing the suitability of sites and the duration of display. We would be willing – indeed keen! – to work with your officers to produce suitable guidance. As the preparation of the Sustainable Construction and Retrofitting SPD has demonstrated, joint working on issues such as these can be a very productive approach. If the guidance is well-considered, the process of obtaining advertisement consent on a case-by-case basis will be much easier than was the case with the 2009 application, and there will still be flexibility to accommodate variety and vitality.

Finally, we would urge that, whichever approach you decide to take, you should not seek to rush it through in order to make money from the display of the Olympic flags. It is much better to spend a little more time on collaborative working to get the policy right for the future.

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**CABINET 11 APRIL 2012**

**BATH PRESERVATION TRUST STATEMENTS**

**Agenda item 15: Concept Statements for MoD Sites**

The three MoD sites are key to successful implementation of the Council's Core Strategy and the concept statements are an essential first step towards ensuring that development can proceed smoothly, without becoming bogged down in the delays which until recently dogged Western Riverside.

Bath Preservation Trust welcomes the publication of the draft statements. We had a useful informal discussion with your officers last month, and we support the consultation and communication approach outlined in Appendix 4 up to the close of the consultation period.

We hope however that the shutters will not come down on 30 May: we believe that it is important for key stakeholders to continue to be engaged as the Council takes stock of the feedback from the public exhibitions and the online questionnaire. For example, BPT would be very willing to assist in the further development over the summer of the guidance on scale, massing and materials and on the historic environment.

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