

Democratic Services

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Date: 30 March 2012

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To: All Members of the Cabinet

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

Chief Executive and other appropriate officers
Press and Public

Dear Member

Cabinet: Wednesday, 11th April, 2012

You are invited to attend a meeting of the **Cabinet**, to be held on **Wednesday, 11th April, 2012** at **6.30 pm** in the **Council Chamber - Keynsham Town Hall**.

The agenda is set out overleaf.

Yours sincerely

Col Spring
for Chief Executive

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

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

This Agenda and all accompanying reports are printed on recycled paper

NOTES:

- 1. Inspection of Papers:** Any person wishing to inspect minutes, reports, or a list of the background papers relating to any item on this Agenda should contact Col Spring who is available by telephoning Bath 01225 394942 or by calling at the Riverside Offices Keynsham (during normal office hours).
- 2. Public Speaking at Meetings:** The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group. Advance notice is required not less than two full working days before the meeting (this means that for meetings held on Wednesdays, notice must normally be received in Democratic Services by 4.30pm the previous Friday but Bank Holidays will cause this to be brought forward).

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

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

Appendices to reports are available for inspection as follows:-

Public Access points - Riverside - Keynsham, Guildhall - Bath, Hollies - Midsomer Norton, and Bath Central, Keynsham and Midsomer Norton public libraries.

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

- 4. Attendance Register:** Members should sign the Register which will be circulated at the meeting.
- 5. THE APPENDED SUPPORTING DOCUMENTS ARE IDENTIFIED BY AGENDA ITEM NUMBER.**
- 6. Emergency Evacuation Procedure**

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

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

- 7. Officer Support to the Cabinet**
Cabinet meetings will be supported by the Director's Group.
- 8. Recorded votes**
A recorded vote will be taken on each item.

Cabinet - Wednesday, 11th April, 2012

in the Council Chamber - Keynsham Town Hall

A G E N D A

1. WELCOME AND INTRODUCTIONS

2. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as set out under Note 6

3. APOLOGIES FOR ABSENCE

4. DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972

To receive any declarations from Members/Officers of personal or prejudicial interests in respect of matters for consideration at this meeting. Members who have an interest to declare are asked to:

- a) State the Item Number in which they have the interest;*
- b) The nature of the interest;*
- c) Whether the interest is personal, or personal and prejudicial.*

Any Member who is unsure about the above should seek advice from the Monitoring Officer prior to the meeting in order to expedite matters at the meeting itself.

5. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

6. QUESTIONS FROM PUBLIC AND COUNCILLORS

At the time of publication, no items had been submitted

7. STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

At the time of publication, no items had been notified

8. MINUTES OF PREVIOUS CABINET MEETING (Pages 7 - 20)

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

9. CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

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

10. CONSIDERATION OF MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

This is a standing agenda item (Constitution rule 21, part 4D – Executive Procedure Rules) for matters referred by Policy Development and Scrutiny bodies. The Chair(person) of the relevant PDS body will have the right to attend and at the discretion of the Leader to speak to the item, but not vote

11. SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET

MEETING (Pages 21 - 22)

The Leader and Cabinet have indicated that most decisions will be taken by the full Cabinet, at its public meetings. This report lists any Cabinet Single Member decisions taken and published since the last Cabinet meeting.

12. BATH & NORTH EAST SOMERSET COUNCIL PUBLIC LIBRARY PLAN 2012-15 (Pages 23 - 42)

The plan sets out the 2012-15 strategic priorities for the Library Service, describing the 5 key principles which will inform the allocation of resources and the direction to embed the service within local communities over the next 3 years

13. IMPLEMENTATION OF 20MPH SPEED LIMITS IN BATH & NE SOMERSET (Pages 43 - 50)

Report to consider the transport implications and requirements for implementing 20mph speed limits and make recommendations for implementation

14. PLANNING POLICY ON TEMPORARY FESTIVAL BANNERS AND PROMOTIONAL MATERIAL (Pages 51 - 94)

The report sets out the options and proposals for supplementary planning guidance on temporary festival banners and promotional material within Bath

15. CONCEPT STATEMENTS FOR MOD SITES IN BATH (Pages 95 - 102)

The Concept Statements are being prepared to set out the Council's broad planning principles to guide development on the Mod Sites at Warminster Road, Foxhill and Ensleigh in preparation for the forthcoming disposal by the MoD

Note: *Appendices 1-3 of this report were not available at the time of despatch and will be published as a supplementary despatch in due course.*

16. PROPOSALS FOR A COMMUNITY INFRASTRUCTURE LEVY FOR BATH & NORTH EAST SOMERSET (Pages 103 - 126)

The Council is preparing a Community Infrastructure Levy for Bath & North East Somerset Council. This report proposes a draft charging schedule for public consultation

17. SCHOOL TERM AND HOLIDAY DATES 2013-14 ACADEMIC YEAR (Pages 127 - 132)

To agree the school term and holiday dates for the 2013-14 academic year

18. ALCOHOL HARM REDUCTION STRATEGY (RECOMMENDED FROM PARTNERSHIP BOARD FOR HEALTH AND WELLBEING) (Pages 133 - 186)

Partnership Board for Health and Wellbeing, at its meeting on 15th June 2011, resolved to recommend to the Cabinet Member for Wellbeing that he adopt the refreshed Alcohol Harm Reduction Strategy on behalf of the Council. The Cabinet Member has referred the decision to Cabinet.

19. HIGHWAY STRUCTURAL MAINTENANCE CAPITAL PROGRAMME FOR 2012/2013 (Pages 187 - 196)

To approve the details within the Highway Structural Maintenance Programme for 2012/13. The programme of expenditure is aimed to develop the policies of both the Joint Local Transport and Joint Local Asset Management Plans for Bath & North East Somerset in accordance with Government guidelines.

20. CAPITAL PROJECT APPROVALS AND UPDATES TO THE CAPITAL PROGRAMME
(Pages 197 - 200)

Approval of capital projects for inclusion in the capital programme, including details of any 'technical' adjustments to projects reported for information

The Committee Administrator for this meeting is Col Spring who can be contacted on 01225 394942.

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BATH AND NORTH EAST SOMERSET

CABINET

Wednesday, 14th March, 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 Friday 16th March to Thursday 22nd March. 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 David Dixon	Cabinet Member for Neighbourhoods
Councillor Roger Symonds	Cabinet Member for Transport

165 WELCOME AND INTRODUCTIONS

The Chair was taken by Councillor Paul Crossley, Leader of the Council.

The Chair welcomed everyone to the meeting.

166 EMERGENCY EVACUATION PROCEDURE

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

167 APOLOGIES FOR ABSENCE

Apologies had been received from Councillor Cherry Beath.

168 DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972

There were none.

169 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

The Chair announced that an item to consider the West of England Planning Toolkit had been added to the agenda under the Special Urgency provisions in the Council's constitution, with the agreement of the Vice-Chair of the Planning, Transport and Environment PDS Panel. The report had been published with the Agenda and the Cabinet would consider the issue at Item 21.

170 QUESTIONS FROM PUBLIC AND COUNCILLORS

There were 6 questions from the following people: Councillors Colin Barrett, Tim Warren (2), Geoff Ward, Martin Veal; Member of the Public Hugh Mackay.

[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.]

171 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

Councillor Brian Simmons made a statement and presented a petition of 54 signatories relating to parking at St John's Court, Keynsham. He was concerned that there appeared to be no enforcement of the signs put up by Somer, who owned the road, and appealed to the Cabinet to take steps to adopt the road and to put in a suitable parking scheme which the police can enforce.

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

Hugh Mackay made a statement relating to Haycombe Crematorium *[a copy of which is attached to the Minutes as Appendix 2 and on the Council's website]* during which he presented a petition of 4862 signatories who objected to the removal of the cross from the window of the crematorium.

The Chair handed two further petitions, supporting the same view, containing a total of 34 signatures, and asked the Democratic Services Officer to add these to the petition pack. He referred the statement and petition to Councillor David Dixon for consideration and response in due course.

Graham Duke (Pastor, Stepping Stones Church) made a statement relating to Haycombe Crematorium *[a copy of which is attached to the Minutes as Appendix 3 and on the Council's website]* in which he referred to the rich Christian tradition of the city of Bath and observed that the cross was a potent symbol of hope for many people, especially in times of loss. He urged Cabinet not to allow it to be removed from the crematorium window.

The Chair assured the speakers that there would be a cross in the crematorium after the renovations. He referred the statement to Councillor David Dixon for consideration and response in due course.

Councillor Eleanor Jackson made a statement on the subject of the handling of the many petitions about Radstock which have been presented to Cabinet and Council. She felt that the petitions had not been given the attention which the large number of signatories should have warranted. She also observed that there had been no road traffic safety audit before the works which were due to start the following Monday.

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

Julie Trollope (Chairman, Bathwick Estate Residents' Association) made a statement *[a copy of which is attached to the Minutes as Appendix 4 and on the Council's website]* expressing her concern about the proposed cycle route along the passageway between Bathwick Street and Powlett Road.

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

Cynthia McNally made a statement *[a copy of which is attached to the Minutes as Appendix 5 and on the Council's website]* in which she expressed her objection to the proposal to allow cyclists to use the passageway between Bathwick Street and Powlett Road. She felt that the safety of pedestrians would be at risk if cyclists were to ride through the passageway.

Councillor Roger Symonds asked Cynthia McNally whether she was aware that a petition of 100 signatories had been received asking for shared use to be allowed along the passageway, and that the decision which he was being asked to make as Cabinet Member for Transport would ensure that the issue would be brought back to a Full Cabinet meeting for further consideration at a later date.

Cynthia McNally thanked Councillor Symonds for this assurance.

Amanda Leon (Radstock Action Group) made a statement [*a copy of which is attached to the Minutes as Appendix 6 and on the Council's website*] in which she asked what had happened to the idea of "regeneration" in Radstock, since in her view none of the changes being made would deliver regeneration and some would threaten the future of the town.

The Chair referred the statement to Councillor Cherry Beath for consideration and response in due course.

The Chair agreed to allow an *ad hoc* statement from Edgar Evans. Mr Evans referred to the strength of feeling about the cross at Haycombe Crematorium. He appealed to the Cabinet to retain the cross in the window. He expressed his concern that the plans had come to light not through consultation but through a short story in the local press. He felt that there had been no consultation and no debate on the issue.

The Chair said that Councillor David Dixon would be meeting with local church leaders to discuss the issue.

172 MINUTES OF PREVIOUS CABINET MEETING

On a motion from Councillor Paul Crossley, seconded by Councillor Nathan Hartley, it was

RESOLVED that the minutes of the meeting held on Wednesday 8th February 2012 be confirmed as a correct record and signed by the Chair.

173 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

There were none.

174 CONSIDERATION OF MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

There were none.

175 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

The Chair observed that the report showed a Single Member decision taken by Councillor Roger Symonds under the Special Urgency provisions in the Council's Constitution relating to the purchase of Travel Smart Cards. He confirmed to Cabinet that the Vice Chair of the relevant PDS Panel had agreed the urgency of the issue, following advice from the Council's Monitoring Officer, Section 151 Officer and Chief Executive.

The Cabinet agreed to note the report.

176 AWARD OF NEW CONTRACTS FOR BATH PARK AND RIDE BUS SERVICES

Councillor Neil Butters in an *ad hoc* statement thanked the Cabinet for extending the Park and Ride service to Sunday opening. He emphasised the importance of late night opening too and appealed to Cabinet to conduct a feasibility study to explore this.

The Chair referred to Appendix A of the report, which had been the subject of a Public Interest Test. He asked the Cabinet to agree that the document was exempt from publication.

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

RESOLVED (unanimously)

(1) To AGREE that Appendix A is an exempt item and is not for publication, by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972.

[The Chair then asked Cabinet members to agree not to refer to the exempt appendix during the debate and all agreed.]

Councillor Roger Symonds introduced the report. He observed that the 8-year contract on offer had attracted a number of bids. He referred to paragraph 5.1 of the report, which explained that the basis of the contract had been changed from gross to net, which bidders had also found attractive. The proposals would ensure no fare increases until April 2013, and never longer than 15 minutes between buses. He promised to explore the request made by Councillor Neil Butters and explained that, although late night service would not prove too expensive, it would require planning permission and would take some time to arrange.

Councillor Symonds moved the recommendations, which he said were a good deal for local people, especially for those who lived in north east Somerset who would benefit greatly from the improved Park and Ride service. He thanked the report author, Richard Smith (Senior Public Transport Officer) for the work he had done towards achieving the best deal.

Councillor David Dixon seconded the proposal. He felt that this was a very good deal, which would save the Council £200K and at the same time would deliver extra facilities, especially during special events.

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

RESOLVED (unanimously)

(2) To NOTE the tender prices received as set out in Appendix A; and

(3) To AGREE the award of contracts as recommended in the report.

177 BATH TRANSPORTATION PACKAGE BUS SHELTER STYLE, PROPOSED ENGAGEMENT

Councillor Roger Symonds introduced the report by explaining that the cost of the proposed shelters would be met by the funding from the Bath Transportation Package. The number of shelters had been doubled to 180, all of which would have proper seating. He thanked all those who had responded to the consultation about the design. He moved the recommendations from the report.

Councillor Tim Ball welcomed the upgraded bus shelter style and seconded the proposal.

Councillor David Dixon proposed an amendment to the recommendations, the effect of which would be that consideration would be given to installing litter bins at or near to each bus stop. The amendment was accepted by the proposer and seconder.

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

RESOLVED (unanimously)

(1) To CONFIRM that the preferred shelter design options identified in the public consultation namely, green shelters, sloped roofs and bench style seats are to be procured for installation on the 9 bus routes which form a part of the Bath Transportation Project; and

(2) To AGREE that consideration should be given to installing or re-installing a litter bin at each bus stop, in conjunction with neighbourhood services, to match the design of the bus shelter.

[Clause 2 was the result of an addition proposed by Councillor David Dixon and accepted by the proposer and seconder of the primary motion].

178 OPTIONS FOR THE DESIGNATION OF AN ARTICLE 4 DIRECTION ON HOUSES IN MULTIPLE OCCUPATION

[The Chief Executive, John Everitt, left the meeting at this point]

Jacqui Darbyshire read a statement on behalf of David Cox (Policy Officer, National Landlords Association) *[a copy of which is attached to the Minutes as Appendix 7 and on the Council's website]* in which he argued that additional licensing would not work; Article 4 Direction would reduce house prices and increase competition among tenants; enforcement should be concentrated on rogue landlords; but supported the idea of landlord accreditation

Councillor Tim Ball asked Jacqui whether she believed everyone had a right to live in a quality home. Jacqui replied that she did believe this, and that it included students and families.

Councillor June Player in a statement appealed to Cabinet to do all in its power to ensure that Bath would retain community spirit in mixed communities of HMOs and local families, without a clash of lifestyles.

Councillor Tim Ball asked Councillor Player to describe the community spirit in areas of high HMO presence. Councillor Player said that her experience was of a very much reduced sense of community spirit. She praised those students who did voluntary work during their stay in Bath but was despondent about the lifestyle clashes which made life unhappy for some families.

Mark Rose (Planning Consultant for University of Bath) made a statement *[a copy of which is attached to the Minutes as Appendix 8 and on the Council's website]* emphasising that HMOs are an essential source of housing for young people including graduates, young professionals, key workers and contract workers as well as students. Any action by the Council which might force these groups of people to live outside the city would have an adverse effect on the local economy. The university's position was that the issue was about the management of properties, and this issue could be resolved with cooperation between the Council, universities and other stakeholders and did not require an Article 4 Direction.

Naomi Mackrill (Vice-President, Community and Diversity, University of Bath Students Union) in a statement *[a copy of which is attached to the Minutes as Appendix 9 and on the Council's website]* objected to the apparent blame being put on students for problems being caused by the lack of housing in the city. She said

her student colleagues would make statements which together would present the view of students from both universities.

Chris Clements (Vice-President, Sport, University of Bath Students Union) argued in a statement [*a copy of which is attached to the Minutes as Appendix 10 and on the Council's website*] that the solutions proposed in the report would not in fact solve the social and community cohesion problems but in some cases would tend to make matters worse. He said that this was acknowledged in the report, which undermined the report's recommendations.

Councillor Tim Ball asked Chris whether he believed it was right to turn a family home into dormitory style accommodation. Chris replied that the right thing would be to respond to the needs of the whole community and this was reflected in the market. Student accommodation was not a bad thing.

David Cameron (Vice-President, Activities and Development, University of Bath Students Union) in a statement [*a copy of which is attached to the Minutes as Appendix 11 and on the Council's website*] said that enhanced planning policy would not address the problems associated with the bad management of HMOs and that the report provided no evidence to show that it would. He also argued that the area did not suffer any "special circumstance" which would warrant the use of the powers.

Peter Davies (student, University of Bath) in a statement [*a copy of which is attached to the Minutes as Appendix 12 and on the Council's website*] quoted the equality impact assessment from the report, which stated that the two groups of residents who were most likely to suffer as a result of the proposals were those on low incomes and students. He argued that the Cabinet should not limit the supply of affordable housing by adopting the proposals.

Councillor Tim Ball asked Peter whether he approved of a recent situation in which a garage had been converted into a flat, with no cooking facilities. Peter responded that he would not himself choose to live in such facilities, but felt that it was a matter of individual choice.

Matt Benka (Vice-President, Education, University of Bath Students Union) in a statement [*a copy of which is attached to the Minutes as Appendix 13 and on the Council's website*] said that the cost to the Council of implementing the proposals was unknown and could turn out to be a costly mistake. He observed that the Bath Chamber of Commerce opposed the proposals because they would cause a reduction in the supply of accommodation, and a resulting increase in price. This in turn would result in an exodus of young talent in the city.

Councillor Tim Ball asked Matt whether he agreed that the Council had a responsibility to ensure that everyone had a safe, comfortable home to live in. Matt said that it was the responsibility of the Council to use its funds to solve the problems, not to make them worse or ignore them.

Simon O'Kane (Post-Graduate student, University of Bath) in a statement [*a copy of which is attached to the Minutes as Appendix 14 and on the Council's website*] emphasised the wide range of people who appreciated being able to live in HMOs in the city. He knew a number of young professionals, post-graduate students, undergraduates, mature students, as well as groups of young people who grew up in Bath. He stressed that the proposals would negatively impact on these people without solving the problems described in the report.

Councillor Tim Ball asked Simon whether he felt that the University was doing enough to help students to live in purpose-built accommodation off-campus. Simon said that projected figures were that the university would be able to provide 1200 purpose-built places by 2020, but the unfortunate reality was that this would not be nearly enough to meet the growing demand.

Amy Stringer (Vice-President, Activities and Participation, Bath Spa University Students Union) in a statement [*a copy of which is attached to the Minutes as Appendix 15 and on the Council's website*] referred to the transport difficulties for students forced by the proposed measures to live further from campus. A vastly improved transport network would be required as a direct consequence of the Article 4 Direction. She alluded to the particular safety concerns of women students returning late at night to their accommodation.

Councillor Tim Ball asked Amy whether she was aware that Article 4 was not retrospective. She acknowledged that she was aware of that.

David Howells (President, University of Bath Students Union) in a statement [*a copy of which is attached to the Minutes as Appendix 16 and on the Council's website*] referred to the requirement that special circumstances were required before an Article 4 Direction could be implemented, but the report had failed to demonstrate that any special circumstances existed. He felt that Article 4 would discriminate against the young and the lower paid in the city and would lead to a loss of talent from the local economy.

Councillor Tim Ball asked David to confirm, if the Cabinet decided to go ahead with the proposals to consult for a year, whether the student community would work with Cabinet to resolve the issues. David assured Cabinet that the student community would eagerly engage with the Council in this way, but emphasised that it would be difficult to do so if Article 4 had been imposed.

Phil Irvine (University of Bath) made a statement in which he emphasised that the policy would discriminate on the basis of age, income and marital status. He felt strongly that the proposals should not be implemented.

Anthony Masters (University of Bath) in a statement [*a copy of which is attached to the Minutes as Appendix 17 and on the Council's website*] pointed out that the adoption of Article 4 would have impacts on student nurses, trainee doctors, young professionals and students alike. He said that the reasons stated for recommending Article 4 to Cabinet were that high-density student communities prevented social cohesion, but the Council's own study found that there was no evidence of any link between the density of HMO accommodation in a community and the levels of littering or anti-social behaviour. He also reminded the Cabinet that the Council already had powers of inspection over HMOs and that the police could be called in cases of individual anti-social behaviour. He asked Cabinet to reject the proposals.

Sam Baldwin in an *ad hoc* statement explained that she was a working mum. She had been a student herself and had lived in a number of HMOs – but there had always been a good mix of family homes and HMOs in each street. She had lived in Oldfield Park for 6 years and had experienced anti-social behaviour on a number of occasions, at all times of the day and night. She appealed to the Cabinet to create a more balanced mix of HMO and family housing in Oldfield Park.

Councillor Tim Ball asked Sam whether she could distinguish between a well-managed HMO and an absentee landlord HMO. She said that it was easy to tell the difference – the house next to her own was let by an agent and it was a nightmare for her. She related some of her recent experiences.

Councillor David Dixon asked Sam whether parking was an issue. She replied that during term time, parking in her street was usually impossible which meant she had to walk from streets away, with a young baby and shopping bags.

Emma Broughton made an *ad hoc* statement as a resident of St Kilda's Road. She said that there had been a huge change to her area as a result of increasing numbers of HMOs. She felt that more halls of residence should be built on campus.

Councillor Will Sandry in an *ad hoc* statement acknowledged that students want and need a wide choice of accommodation. He reminded the universities that they had a corporate social responsibility not to take on more students than could be accommodated. He reminded the Letting Agents and landlords that the proposals would benefit good landlords. He urged Cabinet to adopt the proposals in the report.

Councillor John Bull made an *ad hoc* statement welcoming the wide discussion taking place about the issue. He felt that it was right to prevent unbalanced communities and emphasised that an Article 4 Direction would not ban HMOs, it would redistribute them more widely. But he felt there were some difficulties with the proposals, because they would not improve the conditions of homes for the tenants nor the community. The solution would be to undertake a licensing approach, which would require 3-4 officers to monitor effectively. He asked Cabinet to work closely with the two universities to increase accommodation available on the campuses.

The Chair welcomed Councillor Gerry Curran (Chair of the Council's Development Control Committee) and invited him to report to Cabinet on the debate about the subject which had taken place at the Development Control Committee meeting earlier that day.

Councillor Gerry Curran said that there had been a mix of views at the meeting, but the overall view had been that Cabinet should consult and should report back to a future Development Control Committee before making any decisions on implementing Article 4. There had been particular concerns about the resource implications of the proposals. He agreed with Councillor Bull in urging Cabinet to work with the two universities to come up with solutions.

Councillor Tim Ball, in proposing the item, thanked all who had contributed to the debate. He felt that everyone deserved a quality home to live in – not a windowless garage refurbishment or a split-window bedroom. He emphasised that the aim of the proposals was to prevent too many HMOs in one small area and to allow the Council to control the quality of the accommodation.

Councillor Ball referred to paragraph 3.2 in the report, and said that the word "commitment" should be replaced by the word "bid". He felt that the universities had not yet fully engaged with the Council, but was delighted that the students had agreed to work towards a solution. He said he would move a different proposal from the one recommended in the report, which would provide a whole year for the community to be consulted.

Councillor Paul Crossley seconded the proposal and emphasised that the proposals would be the start of a long consultation, not the conclusion. He offered to visit any meeting to discuss the possible approaches to the problem.

Councillor David Dixon said that the issues were far from clear-cut. Additional licensing was supported by all stakeholders except the bad absentee landlords who would resent spending more to keep their own property in good order. He felt that doing nothing could not be an option because the problems were evident.

Councillor Roger Symonds felt that the reason for the existing imbalances in communities was because the Council had been powerless to act. He had been very disappointed that the "right to buy" and the increasing numbers of HMOs had taken many family homes out of circulation, leading to the problems discussed in the report. He was pleased that the proposal was to consult for a year before deciding whether to confirm the Article 4 approach.

Councillor Nathan Hartley said that as a member of the Student Community Partnership in his Cabinet role, he felt that there was a good working relationship with the student community. He agreed that the issues were complex and that there

was no clear cut solution, but was delighted that the proposals contained a strong consultation element.

Councillor Tim Ball summed up by explaining the steps that would be taken in the next year to consult. He encouraged all those present to engage with the Scrutiny process during the next year and to come back to Cabinet when the final decision would be made after hearing all the evidence.

On a motion from Councillor Tim Ball, seconded by Councillor Paul Crossley, it was

RESOLVED

(1) To AGREE that it is satisfied that it is expedient that development that would normally benefit from permitted development rights should not be carried out unless permission is granted for it on application;

(2) To AGREE accordingly to make a non-immediate Article 4 Direction covering Houses in Multiple Occupation in the City of Bath for the reason set out in paragraph 5.5 of the report;

(3) To NOTE that a 6-week public consultation is required under the regulations with results being considered before any implementation of the Article 4 Direction;

(4) To DELEGATE authority to the Divisional Director for Planning and Transport, in conjunction with the Cabinet Member for Planning and Housing to undertake all steps required to bring into effect the Article 4 Direction;

(5) To ASK the Divisional Director for Planning & Transport to prepare a Supplementary Planning Document as part of the Local Development Framework to enable implementation of the Article 4 Direction;

(6) To AGREE that the representations and the results of the public consultation are considered by Cabinet in no less that 12 months from the notice of the Article 4 Direction to enable consideration as to whether the Article 4 Direction should be confirmed, abandoned or amended: and

(7) To ASK that evidence be gathered to ascertain whether the legislative conditions for introducing additional licensing can be met, and if so, undertake a 10-week public consultation exercise which will inform the designs of any such designation. The outcome of this process will be subject to a further report to Cabinet where a decision will be made whether to implement additional licensing and if so, whether all or part of the district to be subject to additional licensing for classes of HMOs specified by the Council.

[The Chief Executive, John Everitt, rejoined the meeting at this point]

179 BATH & NORTH EAST SOMERSET NEIGHBOURHOOD PLANNING PROTOCOL

Mark O'Sullivan (Federation of Bath Residents' Associations) in a statement [*a copy of which is attached to the Minutes as Appendix 18 and on the Council's website*] welcomed the proposals but warned of the risk that the protocol might be abused, not least by those seeking short-sighted development. He said that there would be room for sharpening some aspects of the procedures and that the Federation would respond during the consultation period.

Jane Brown read a statement on behalf of Joanna Robinson (Bath Preservation Trust) [*a copy of which is attached to the Minutes as Appendix 19 and on the Council's website*] which welcomed the consultation, especially the commitment to keep the protocol under review. She reminded the Cabinet of the Council's obligation to protect the status of Bath as a World Heritage Site.

Councillor Tim Ball said that he was delighted to have such wide dialogue. He moved the recommendations which would start the consultation process on the protocol.

Councillor Paul Crossley seconded the proposal.

Councillor David Dixon observed that the issues were reasonably clear for parished areas, but more complex for non-parished areas and care was needed to get this right.

Councillor Tim Ball summed up by acknowledged that there were some issues still to be resolved, and that the mitigation of costs for the Council was one such area, but the consultation should still proceed.

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

(1) To AGREE the "My Neighbourhood: A Neighbourhood Planning Protocol for B&NES" for public consultation;

(2) To DELEGATE responsibility to the Divisional Director of Planning & Transport, in conjunction with the Cabinet Member for Planning and Housing, to make graphic and minor textual amendments prior to publication of the NPP for public consultation, and

(3) To ASK that the protocol for neighbourhood planning be kept under review so that opportunities to link this process with other community engagement are fully considered.

180 RETROFITTING & SUSTAINABLE CONSTRUCTION SUPPLEMENTARY PLANNING DOCUMENT

Jane Brown read a statement from Joanna Robinson (Bath Preservation Trust) [*a copy of which is attached to the Minutes as Appendix 20 and on the Council's website*] supporting the proposals. The Trust would have liked to see a greater emphasis on reducing energy consumption. She promised to respond in detail to the proposals.

Councillor Tim Ball thanked the Bath Preservation Trust for their involvement in the preparation of the draft document so far. He moved the recommendations.

Councillor David Dixon seconded the proposal.

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

(1) To AGREE the Sustainable Construction and Retrofitting Supplementary Planning Document: Consultation Draft for a six week public consultation in March-April 2012;

(2) To DELEGATE responsibility to the Divisional Director of Planning and Transport to make graphic and minor textual amendments prior to publication of the Supplementary Planning Document for public consultation.

181 COMMUNITY ORGANISERS IN BATH AND NORTH EAST SOMERSET

Councillor Paul Crossley proposed the recommendations. He said that the proposals were a response to the Big Society agenda launched by government. The Council's aim was to help some community organisers become more effective.

Councillor Simon Allen seconded the proposal.

On a motion from Councillor Paul Crossley, seconded by Councillor Simon Allen, it was

RESOLVED (unanimously)

- (1) To WELCOME the introduction of five community organisers into Bath and North East Somerset as part of the national scheme;
- (2) To ENCOURAGE action to Regenerate Community Trust (RE:generate) as the local host for the scheme to work closely with local elected members, community groups, parish councils and other local forums and public service bodies to maximise the effectiveness of the initiative;
- (3) To AGREE that the Council enter into a Co-operation Agreement with RE:generate as set out in the report;
- (4) To ASK Officers to work with the scheme to identify service improvements and potential cost savings from improved working with the local community; and
- (5) To AGREE that feedback and learning from the Community Organisers Programme and its impact locally will be used to identify opportunities for linking to existing or emerging forms of community engagement.

182 BATH & NORTH EAST SOMERSET COUNCIL STAFF VOLUNTEERING SCHEME

Councillor Paul Crossley moved the recommendations, emphasising that volunteering was an important aspect of community life.

Councillor David Dixon welcomed the report and said he was very pleased to second the proposals. He suggested that Councillors might join in with staff in volunteering through the scheme, so as to inspire others.

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

RESOLVED (unanimously)

- (1) To ENDORSE the Staff Volunteering Scheme; and
- (2) To NOTE that the Employment Committee will consider the proposal for a Council scheme at their meeting in April 2012.

183 BATH CITY CONFERENCE - TERMS OF REFERENCE

Councillor Paul Crossley moved the recommendations. He congratulated the Divisional Director, David Trethewey, for his lead on the issue. The proposals would offer a way of enabling the council to engage with all the residents of Bath.

Councillor David Dixon in seconding the proposal, said that he was looking forward to the conference planned for 22nd May which would involve residents, businesses, visitors and other organisations with an interest in the city.

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

RESOLVED (unanimously)

- (1) To ADOPT the emerging approach to the future development of the Bath City Conference, to be kept under review so that opportunities to link this process with other community engagement are fully considered;
- (2) To ESTABLISH a Steering Group with the membership as set out in the report; and
- (3) To AGREE the involvement of the Council on the basis of the Terms of Reference, to be kept under review; and

(4) To AGREE that the membership and working arrangements of the forum be presented for approval at the first meeting of the Bath City Conference.

184 YOUTH SERVICE VISION & YOUNG PEOPLE'S PLEDGE

Councillor Nathan Hartley introduced the report by emphasising the Council's reputation for a building commitment to young people. He said that there had been wide consultation with young people, the youth service and other partners during the preparation of the report. There was a commitment to work closely with the voluntary sector in delivering the pledge. He moved that the vision and pledge be adopted as Council policy.

Councillor David Bellotti seconded the proposal.

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

RESOLVED (unanimously)

- (1) To ADOPT the Youth Service Vision and Young People's Pledge; and
- (2) To AGREE that both the Youth Service Vision and Young People's Pledge can be used as part of the publicity campaign to effectively communicate to young people, their parents and wider stakeholders what we aim to achieve when working with young people in Bath and North East Somerset Youth Service and the outcomes we plan to deliver and the approach we will take.

185 BLUE BADGE SCHEME

Councillor Roger Symonds, in moving the proposals, explained that the Council had consulted Equality BANES and the group had raised no objections but had supported that the aim of reducing fraudulent use of Blue Badges.

Councillor Paul Crossley seconded the proposal.

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

RESOLVED (unanimously)

- (1) To AGREE that a £10 fee will be charged for the issue of a blue badge for all new applications, renewal applications and replacements due to loss or theft processed from 1st April 2012 and this fee will contribute to external fees and internal administration costs;
- (2) To AGREE that the basic service will be used and none of the additional options including the data entry, secure posting and fast track posting service will be specified; and
- (3) To AGREE that the additional income received is used to for the enforcement of Blue Badge abuse service using a specialist company.

186 (RULE 16) WEST OF ENGLAND PLANNING TOOLKIT

Councillor Tim Ball moved the recommendations. He explained that this was an enabling decision, which would allow the 4 authorities to work together on preparing a toolkit.

Councillor Roger Symonds agreed that the 4 authorities must be able to work together on a common toolkit, and seconded the proposal.

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

RESOLVED (unanimously)

(1) To ADOPT the West of England Planning Toolkit and report its agreement to the next West of England Infrastructure and Place Group meeting.

The meeting ended at 9.20 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services

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Cabinet Single-Member Decisions

published 9-Mar-12 to 30-Mar-12

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

Date	Decision Maker
Reference	Title

12-Mar-12 Cllrs Roger Symonds, Paul Crossley

E2370 Road Closures Advertising - Town Police Clauses Act 1847

The Cabinet Members agreed to amend the Council's policy on road closures organised under the Town Police Clauses Act 1847, to dispense with the need to advertise such closures in local newspapers; and to authorise the Divisional Director (Environmental Services) to take all necessary action to advertise the change in the B&NES Events Policy

19-Mar-12 Cllr Roger Symonds

E2368 Cycle track between Bathwick Street and Powlett Road, Bath

To advertise the Cycle Track Order for statutory consultation; and if objections are received during the consultation period, to refer the matter for Cabinet to decide either to abandon the Order or refer it to the Secretary of State for confirmation.

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Bath & North East Somerset Council		
MEETING:	Cabinet	
MEETING DATE:	11th April 2012	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2380
TITLE:	Libraries and Local Communities: Library Plan 2012-15	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix 1: The Public Library Plan 2012-15,		

1 THE ISSUE

The plan sets out the 2012-15 strategic priorities for Bath and North East Somerset Council's Library Service describing the 5 key principles which will inform the allocation of resources and the direction to embed the service within local communities over the next 3 years.

2 RECOMMENDATION

The Cabinet agrees that:

2.1 The plan is approved including the funding options included in 3.4

3 FINANCIAL IMPLICATIONS

3.1 The current economic climate is putting a pressure on library services to define their role more clearly, use resources efficiently and effectively and look to communities and partnerships for support and involvement.

3.2 There are currently many financial challenges facing the public sector and the Council, which may include implications for future service provision. This will need to be considered as part of the Council's financial planning process.

Revenue

3.3 The Library Service has delivered actions that have already generated £59K of revenue savings in the year 2012-13 as set out in the Medium Term Service and Resource Plan for 2012/2013

3.4 The estimated set up costs in 2012-13 for three pilot community library points total £77K, consisting of a salary for 1 temp. full time project officer at £22K and set up costs of £55K

Options for savings to meet these costs:

- £50K set aside to fund debt finance charges for mobile libraries in 2012/13 which will not now take place
- A potential reduction in the annual service charge included in the operating budget for Bath Central Library of up to £90K in a full year. If, following discussions with Property Services, this saving does not materialise, then the remaining £27K to fund the set-up of the community libraries, will be made from the Library Materials Fund

The on-going cost of each new community libraries project will be in the region of £6K p.a. which the service will identify savings for once the new community libraries are in operation. These costs will be reflected in future Medium Term Service and Resource Plans

Capital

3.5 The Service has the following item of capital expenditure for the year:

- Paulton Library relocation costs: The Council's Capital Programme has provided an expenditure of £172K for this project.

4 CORPORATE OBJECTIVES

- *Promoting independence and positive lives for everyone*
Libraries are open to all and provide free, safe places within communities to support learning and leisure. The distribution of local libraries across the area, especially mobile libraries, means that people are able to visit without reliance on public transport or use of a car. This feature, which supports independence, is particularly valued by older people and families with young children.
- *Creating neighbourhoods where people are proud to live*

Libraries provide a focal point for community activity. In addition to providing a space for informal social interaction the library service provides structured activities including children's story times, activities for teenagers and young people such as reading groups etc. writing workshops and computer courses for older learners,

- *Building a stronger economy*

The library is positioned at the heart of the community providing a gateway into all Council Services and a place where people can access affordable and relevant resources for learning, reading and enjoyment. The library is much more than simply a place to borrow books.

5 THE REPORT

The responses from the consultation exercises have played a large part in the development of the Library Plan and have influenced the change in direction for the future of the mobile library service. People's views have been listened to and their recommendations embedded in this plan. The key requests/comments were around:

- Better range of books and other items
- Better opening hours at static libraries
- Improved customer care and availability of staff
- Retaining a mobile library service with at least one vehicle

These, together with the desire to achieve excellent services within very tight financial constraints has led us towards new ways of achieving our ambitions. We will move towards a core professional service that is supported by a greater number of volunteers that have distinct roles in extending the accessibility of libraries services and embedding libraries more deeply within the communities they serve.

The process of moving towards this vision will be assisted by:

- emerging technologies,
- new approaches to 'partnership working' with local communities, *of which a few have expressed a strong desire to work with the library service to introduce local library collections,*
- understanding of the direction of travel of other library services across the country.
- regular sampling of our customers needs.

These issues have directed the content of the plan.

6 RISK MANAGEMENT

6.1 The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

7 EQUALITIES

An Equality Impact Assessment (EqIA) has been completed. We have identified some potential impacts, all of these have been mitigated by the following actions:

7.1 Additional volunteers to be recruited and trained to enable the development of Home Library Service.

- 7.2 To enable people to be confident about visiting a static library and finding it open, the library service will work with communities and volunteers to extend static library opening hours in 2012.
- 7.3 Reduction of mobile library visits from every two weeks to once a month after mitigations have been introduced. March 2013.
- 7.4 Following consultation there are already some communities who are interested in hosting local collections. 3 communities will be selected as pilot projects in year one.

8 RATIONALE

- 8.1 In order to achieve 'value for money' services in a period of budgetary constraint we require that the Library Plan is robust, comprehensive, deliverable and yet responds to customer requirements.

9 OTHER OPTIONS CONSIDERED

- 9.1 Maintaining the mobile library service as current into 2013/14 and beyond. This option is rejected because an integral part of the plan is a target to have at least three new community based libraries in place by March 2013. With these in place, the mobile library routes will be revisited and reworked to ensure that communities who need a mobile library can continue to receive a service via one vehicle instead of two. During the consultation, a number of people supported this idea. The older vehicle to be removed from service in March 2013
- 9.2 Withdrawing both mobiles. This option is rejected at present as it is difficult to ensure that service delivery will not be lessened to disadvantaged residents even with the mitigations of 'new community libraries, improved opening hours in static libraries, and extended home library service. Work will continue to improve services to residents, particularly the elderly and the disadvantaged, during 2012/2016 and this option can be re-considered by 2018 when the newer mobile will need to be replaced or withdrawn.

9.3 CONSULTATION

- 9.4 *Cabinet members; Parish Council; Town Council; Trades Unions; Overview & Scrutiny Panel; Staff; Other B&NES Services; Service Users; Local Residents; Community Interest Groups; Stakeholders/Partners; Section 151 Finance Officer; Strategic Director's Group; Monitoring Officer*
- 9.5 Consultation has been carried out with Library users, non-users, staff, Councillors, Parish Councils, Community Interest Groups via online and paper questionnaires, focus groups and public meetings during September and October 2011 and December to February 2012. A petition of 800 signatures has also been received.

10 ISSUES TO CONSIDER IN REACHING THE DECISION

- 10.1 *Social Inclusion; Customer Focus; Human Resources; Property; Young People; Human Rights; Corporate; Health & Safety; Impact on Staff; Other Legal Considerations*

11 ADVICE SOUGHT

11.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	<i>June Brassington, Library Services Manager. Tel 01225 396424</i>
Sponsoring Cabinet Member	<i>Councillor David Dixon, Cabinet Member for Neighbourhoods</i>
Background papers	Result of consultation held between September and October 2011, b) Result of consultation December 2011 to February 2012, c) Summary of questions and responses from the four public meetings. d) Voicebox 16 2009 : Library Service Engagement and Frequency of Service For Branch, Mobile & Internet Based Library Services. These can all be seen on the libraries website http://www.bathnes.gov.uk/leisureandculture/Libraries/information/Pages/Consultations.aspx What do the public want from Libraries? MLA, London 2010 The Modernisation of Public Libraries: A Policy Statement, DCMS, HMSO. 2010
Please contact the report author if you need to access this report in an alternative format	

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Libraries and Local Communities: Bath & North East Somerset Plan for Public Library Services 2012-2015

This document sets out the proposed strategic principles and action plan for Bath and North East Somerset Council's Library Service to embed library services into the community

1 Key Vision and Value statements:

1.1 The Council's Vision and Values:

Bath and North East Somerset: where everyone fulfils their potential, with lively, active communities, unique places and beautiful surroundings

Four objectives:

Promoting independence and positive lives for everyone
Creating neighbourhoods where people are proud to live
Building a stronger economy
Developing resilient communities

1.2 Libraries Mission Statement:

"To help everyone to achieve their goals and boost their well-being.

We will do this by working with partners to offer accessible, affordable and relevant resources for learning, reading and enjoyment, and to create opportunities for people to become involved with community life"

2. Budget

The current economic climate is putting a pressure on libraries to define their role more clearly, use resources efficiently and effectively and look to communities and partnerships for support and involvement.

The Library Service is required to provide savings of £59K in 2012/13, none of which affect frontline service delivery. It is difficult to see beyond this year as budget circumstances from 2013 onward may dictate some radical changes to structure and delivery mechanisms.

This plan is written in the context of these budget pressures. It is possible that major restructuring may have to take place in the future years to address the challenges that the Council, as well as the Library Service, is facing. However, it is clear that to achieve our ambitions we will move towards a core professional service that is supported by a greater number of volunteers that have distinct roles in extending the accessibility of libraries services and embedding libraries more deeply within the communities they serve.

Examples of voluntary contributions to include:

- Opening our local libraries for longer periods each week.
- Expanding the home delivery services.
- Assisting and helping customers with computer queries
- Helping with children's activities.

3. Consultation

There have been three periods of consultation.

Consultation 1: utilised the Council's Voicebox Survey system to give us a better understanding of the citizens view of our services – both users and those who presently do not use our services. Voice Box 16 is a public document located upon the Council's website:

<http://www.bathnes.gov.uk/SiteCollectionDocuments/Leisure%20and%20Culture/Libraries/Library%20Report%20-%20VB16%20final.pdf>

Consultation 2: gave library users and staff an opportunity to 'Have your say on our Library Service' and .consisted of online and paper questionnaires available in all libraries, plus 5 library coffee mornings and 2 focus groups during September to October 2011. **371** paper copies and **251** online forms were completed

In particular the information from question 5, which asked people to rank 10 library services in order of priority, has directed our thinking on the 5 strategic principles for 2012/15. The word document is located on the Council's website within 'Library Consultations'.

Consultation 3: was carried out between Dec and Feb 2012. This consisted of 4 parts:

- 1) An equalities focused questionnaire to all registered mobile library users to obtain information about the needs of our current users and their use of mobile library services. **829** responses
- 2) Questionnaire via online and paper to all library users. **68** paper copies and **864** online forms completed
- 3) Questionnaire to schools, playgroups and other organisations that currently use the mobile service asking for their response to the proposal to withdraw the service. **11** responses received from 12 questionnaires sent out
- 4) Four public meetings at Batheaston, Chew Stoke, Peasedown-St-John and Combe Down attended by Cllr David Dixon, (Cabinet Member for Neighbourhoods), David Lawrence, (Divisional Director for Tourism, Leisure and Culture) and June Brassington, (Library Services Manager) to hear from local users of the mobile library service on what they valued about the service plus their comments on the proposed mitigations if the service was withdrawn.
- 5) Traffic enumerators have also accompanied the two mobile libraries over two weeks, to validate the number of people using each stop

In addition a petition of around 800 signatures was delivered to full Council on 14th February 2012 requesting that the proposal to remove the mobile library service be reconsidered.

Reports and analysis of the three consultations can be found on the libraries web page:

<http://www.bathnes.gov.uk/leisureandculture/Libraries/information/Pages/Consultations.aspx>

4. Key findings from these consultations

4.1 Re Library services in general

Respondents ranked

- Better range of books and other items;
- Extended opening hours
- Improved customer care

as the three aspects of service delivery they would most like to see developed.

The range of books and other items available and the standard of customer care were also two of the most highly valued aspects of the service overall.

4.2 Re Mobile Libraries

The service is valued particularly by older people, school age children, families with young children and residents of isolated communities.

Aspects of the service that are highly valued:

- The social aspect of the service. The library provides an important local social space where neighbours can meet; children can meet others in their village; people who live alone can meet other people; and local news can be exchanged. In many communities there is no longer a pub, shop or post office which makes the mobile library one of the only public places in which to meet others from the community.
- Supporting independent living. The mobile library enables people to remain independent which is very highly valued particularly by older people. The accessibility and convenience of the vehicles means that people are able to visit it without having to rely on the help of friends or family or having to use public transport which may not be available. For some people the Mobile Library is the only place they can visit without support from other people.
- Support for learning by adults and children. Schools and pre-school groups use the mobiles.
- Support for the disadvantaged. Recession means people have less money to buy books.
- Mobile libraries are one of the few services available to residents of rural communities. Mobile service users are in a minority. They often don't use many other council services but pay the same community charge.

- Staff . Access to knowledgeable staff who can advise on books and provide information
- Stock . Provision of a wide range of stock that is changed regularly and the provision of large print and audio books that are not easily obtainable from any other source
- Flexibility of the loan periods.

The plan reflects the strong views that were expressed to keep a mobile library service and consequently the proposal to withdraw the service completely was abandoned.

4.3 National guidance

4.3.1 '*What Do The Public Want From Libraries?*' (MLA, London, 2010)

This guide for practitioners in the public library sector was produced by Museums Libraries and Archives in 2010 based on information collected at focus groups and surveys. It analysed customer perception of libraries in the UK and its principle findings are summarised thus:

- Libraries are loved and trusted and the 'Public Library' brand is strong
- The public thinks that libraries are principally about books and reading
- Libraries should concentrate on motivating people to visit instead of trying to reduce barriers
- Basics matter: customer service and book stock are the most important

5. Strategic Principles

Based on the information gathered from the consultations, these are the 5 strategic principles under an overarching theme of working with communities to embed library services within localities:

The Council will provide, enable and support accessible library services, consisting of a free core service and embedded community based services which:

- Is committed to the fundamental principle that the support of reading for learning, literacy and enjoyment is central to all that it does.
- Remains up to date and relevant to people's needs, promoting local identity, community pride, and supports the most vulnerable in society.
- Is available in ways, places and times to suit people's needs and works in partnership with local communities to provide local services and library activities.
- Is affordable, of high quality, giving good value for money.
- Will develop through digitisation, improved storage or disposal, the archive collections within the library service to benefit all.
- Engage partners in development & delivery

Five Priorities

Priority 1 A library service that is committed to the fundamental principle that the support of reading for learning, literacy and enjoyment is central to all that it does

Commitments

Library Service Staff will work to promote reading and literacy in all its forms to individuals of all ages and other service providers.
The Stock Management Policy will be evaluated regularly and adapted to ensure that all stock continues to be relevant and well used.
An increase in the number of reading and literacy based activities taking place, in libraries and in community based localities

Resources

As appropriate, specialised staff will provide targeted support to identified communities and groups

Outcomes & Measures

Increase in the attendance of Library Service activities related to reading and literacy
'Bookstart Packs' consistently delivered to 95%+ of children within the target age range 0-4 years.
Summer Reading Challenge completers up to 1,100 young people.
Customer satisfaction up to 88% (next PLUS survey).
Active membership increased to 29,000.
5% of total stock on rotation between libraries increased to 10% by end of 3 years

Priority 2 A Library Service that stays up to date and relevant to customers' needs, promoting local identity and community pride

Commitments

Regular consultation will take place with local people and partners as detailed in the libraries Consultation Strategy. Opportunities for participation in service planning and service delivery for people of all ages will be available. Opportunities also for communities to work with the service to extend services into suitable locations.
Service will respond and adapt to suit changing customer demands, new advances in technology etc. always considering the needs of people who are at risk of social exclusion for any reason.

Resources

Additional sources of funding will be sought as appropriate.

Outcomes/Indicators

Increase in library membership and visitor figures
Improvement in satisfaction figures to 88%
Friends Groups extended to more libraries.
Focus groups invited to participate in service planning workshops annually

Priority 3 A library service that is available in ways, places and times to suit people's needs and works in partnership with local communities to provide local services and library activities.

Commitments

There will be four bands of service:

1. Larger libraries: Bath Central, Keynsham, Midsomer Norton and Radstock
2. Smaller local libraries: Saltford, Paulton, Moorland Road and Weston, plus the mobile libraries
3. Community Libraries , i.e. library collections in local community centres/village halls, managed by local groups/organisations which would receive support from the library service in the form of materials and targeted activities, 3 will be set up by March 2013 and further ones planned with local communities in the following years
4. 'Library Links' places such as Post Offices, village shops etc, where reservations can be collected and returned – 2 to be set up by March 2013

In addition targeted outreach work will continue i.e. Home Library Service, Bookstart (under 5's,) Reader development projects with targeted groups.

Underpinned with electronic self service systems in our buildings and a virtual library service providing 24 hour access to library catalogues, e-books and e-audio books downloads, renewals, reservations, information. This includes a 'local telephone number' Enquiry Centre which operates within normal working hours.

The work to start up 'Community Libraries' and 'Library Links' will be carried out by the appointment of a project worker for one year. Community management of libraries and Community Asset Management will also be explored. Volunteer support will be sought to enable the libraries in band 2 to be open at times appropriate to the local community providing books and other resources for loan for all ages and access to IT.

All existing libraries and the new Community Libraries will have access to trained staff in welcoming and comfortable surroundings.

Paulton Library will move to the 'The Hub' community building and will be managed in partnership with the community. The offer will include an Coffee Bar, bookable meeting rooms and a library

Keynsham Library will move to a temporary location in preparation for the town centre development. All current services will be delivered from this location.

Access to the service will remain universal

Resources

Funding for the Paulton community building obtained through the Capital Programme.

Funding for Keynsham Library development from the WorkPlace project /Keynsham Redevelopment Project

Additional sources of funding will be sought as appropriate.

Partnership with the Volunteer Centre and other appropriate agencies

Outcomes / Indicators

Actual physical visitor figures increased by 1%

Virtual visitor figures increased by 5%

No. of volunteers working within Home Library Service increased by 20 people

Opening hours for the band 2 local libraries increased, the pattern of opening times across all the libraries made consistent e.g. opening at lunchtimes, less half day openings.

Customer satisfaction to 88% (next PLUS user survey)

3 Community Libraries and 2 'Library Links' to be established by March 2013

Priority 4: A library service that is affordable, of high quality and giving good value for money**Commitments**

Core services will remain free

All services will be regularly reviewed to ensure that they are appropriate, quality is maintained and they are continuing to provide good value for money.

Procurement for goods and services will be conducted in accordance with Council procedures.

The Council will play an appropriate role in the development of the LibrariesWest Consortium

Staff training will continue to be of high priority and resources will be re-directed where necessary to support this.

Resources

Additional sources of funding will be sought as appropriate

Outcomes /Indicators

Customer satisfaction level to 88% (next PLUS survey)

Cost per visit benchmarked against comparable local authorities showing value for money.

Customer Service Excellence Award maintained.

Priority 5: A library service that will develop the archive collections within the service through digitisation, improved storage or disposal.**Commitment**

Develop a strategy with Archives and Records Management to assess the storage requirement for collections of historical and cultural interest, e.g. Napoleonic Collection, Bath Chronicle archives and materials in digital format, in order to determine the most cost efficient and accessible way to manage this material.

Resources

Partnership with Bath in Time to continue

Seek alternative sources of funding including new partnerships

Outcomes / Indication

Strategy for control and management of digital material in place
More volunteers working on organisation of collections to enable easier access.
More items/collections digitised
Work towards BS5454 (recommendations for the storage and exhibition of archival documents)
Informed decisions taken regarding the storage or disposal of particular collections.
Additional income is generated, e.g. by sales of reproductions

6. Future Library Service – 3 year plan – general descriptions

6.1 The library service will continue to offer a comprehensive range of services with information available in traditional and non-traditional formats. Work to develop contacts with non-users and socially excluded groups will continue e.g. Bookstart, school visits, Reader Development activities. New ways to do this will be explored, in partnership with other agencies.

6.2 The LibrariesWest Consortium provides a value-for –money service and work will continue to develop shared services and other financial benefits.

6.3 Bath Central Library will continue to deliver a full range of services. Opening hours will be reviewed in particular to enable opening earlier in the morning than 9 30 a.m.

6.4 The proposed re-location of Keynsham Library into a new building with a one-stop shop will provide the potential for increased opening hours due to opportunities to share staffing with Council Connect.

6.5 Midsomer Norton and Radstock libraries will maintain current staffed opening hours,

6.6 The opening hours of the smaller libraries, Weston, Moorland Road, Paulton and Saltford will be extended and made more consistent by support from volunteers or other partners.

6.7 Paulton Library to relocate to new premises in Paulton that will also include a coffee bar and meeting rooms , managed in partnership with the local community. This would be an exemplar for B&NES approach to the ‘The Big Society’ agenda.

6.8 The current mobile service provides access to the library service for people who may find it difficult to access in any other way, particularly older people and those living in rural areas. The introduction of Community Libraries, ‘Library Links’, extension of opening hours and extension of Home Library Service will enable the older vehicle to be withdrawn in 2013-14 when it will have achieved 13 years of service

6.9 There is a need to consolidate the various library storage areas in order to improve access for library users and produce savings for the service. We will continue to explore opportunities with Heritage, Archives and Records Management to improve how physical as well as digital material from all council services will be stored.

6.10. Library Collections. Access to the content of library collections has been widened through the digitisation of images and maps and their exposure on the Web. Further work is needed to expand the range of items from library collections that can be viewed digitally. As well as providing better access to the content of library collections, digitisation will contribute to the preservation of rare and delicate items as well as providing opportunities for raising income through sales of reproductions etc. Work is also needed on developing a strategy for the preservation of digital material which will become increasingly prevalent e.g. websites, digital files and images.

6.11 Saltford is currently the only library with a 'Friend's Group' During the next three years, Friend's Groups will be established for the other libraries, the form of each group dependent on the identity they would like to pursue. Friends Groups will be consulted about service activities, proposals and community engagement. Library Committees may also be formed where suitable, for members of the community to manage volunteer activity and potentially governance.

6.12 Home Library Service. This service will be extended by attracting more volunteers. It is a very cost effective service which not only delivers books to people but provides personal contact. The library service will also explore working closer with Adult Social Care and NHS to deliver a library service alongside a care package.

6.13 IT developments. The Library Service will continue to provide access to PC's and the Internet. Free Wi-fi connectivity will be available at Bath Central, Keynsham Midsomer Norton and the new Paulton 'Hub' by the end of 2012. The E-book offer which became available to library users by end of 2011 will be developed further.

A review of the charging structure for People's Network will take place in 2012/13 plus review of available applications and hardware to keep system up to date.

Social Media opportunities will be exploited to communicate more effectively with customers, examples include a Library App to access the catalogue, SMS notifications, further developments using Facebook, Twitter etc.

3 year plan to embed Library services within the community – key activities

Year 1 2012/13	
Project	Funding
Temporary post for 1 year – Project Officer - alternative service delivery. Responsible to research and set up 3 Community Libraries and 'Library Links'	Internal – Library budget
Salford – extend opening using volunteers/parish clerk alongside single members of staff . PILOT two methods of extending opening a) jointly with existing staff; b) separate teams of staff and volunteers.	Existing resources + new volunteers
Keynsham relocate to temporary accommodation June/July 2012	WorkPlace project Keynsham redevelopment Project
Paulton – upgrade shop unit to accommodate new Library./Coffee bar 'The Hub' (new governance model)	Capital grant
New Community Libraries x 3 Larkhall (Pilot) , Combe Hay / Wellow Western Riverside Peasedown Bishop Sutton	Internal – Library budget Parish Councils? Community Development Grants S106 money?

Retain 2 mobiles - re design routes as new community libraries develop	Existing resources
Home Library Service – extend number of recipients by recruiting additional volunteers - Approach on an area by area basis as community library project progresses	Existing resources + new volunteers
Community Transport – engage with community transport schemes to enable mobile library users to travel to existing static libraries	Existing resources
Create Friends Groups at Moorland Road Library/Weston Library	Existing resources
Focus groups invited to participate in annual service planning workshops annually	Existing resources

Year 2 2013/14	
Project	Funding
Mobiles staff team reorganisation to enable continuation / development of community libraries project	Existing resources
Extend opening hours at additional part time libraries using best method as discovered from the Saltford pilot.	Existing resources + new volunteers. Staff will continue to staff each library for the number of hours currently allocated, extra hours supported by volunteers
Keynsham Library continues in temporary accommodation. Plan for move to new facility.	Workplace funding
Embed new Paulton facility	Community building will have to be self-financing

<p>Two Library Links (pick-up/drop off points for library materials) created (Twerton Time bank/ Southside?) Purchase /lease 'low emissions' (electric exemplar) vehicle for delivery of materials to new community libraries and Library Links</p>	<p>Allocate funding for the vehicle from savings made from removal of one mobile library.</p>
<p>Remove the 13 year old mobile vehicle from service. Retain the younger mobile – working on a monthly timetable with single member of staff. Volunteers support work at selected stops.</p>	
<p>Home Library Service – continue extending number of recipients by recruiting additional volunteers - Approach on an area by area basis as community library project progresses</p>	<p>Existing resources + new volunteers</p>
<p>Continue to work with communities to create a further 2 community libraries</p>	<p>Parish Councils? Community Development Grants S106 money?</p>
<p>Community Transport – continue to engage with community transport schemes to enable mobile library users to travel to existing static libraries</p>	<p>No additional cost</p>
<p>Create Friends Groups - Radstock Library</p>	

Year 3 2014/15	
Project	Funding
New Keynsham Library opens Aug 2014	
Governance: Develop library 'committees' to enable communities to be actively involved in their libraries	Within existing resources
IT advancing technology – web based library management systems should now be available which will enable easier access for volunteers	It is possible that web based systems will be less expensive than the current server based systems
Community libraries. Review their effectiveness	Existing resources
Repeat the Library Service Survey	Existing resources

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Bath & North East Somerset Council		
MEETING:	Cabinet	
MEETING DATE:	11th April 2012	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2345
TITLE:	20mph Speed Limit Implementation	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix A 20mph Speed limit Implementation Programme		

1. THE ISSUE

1.1 Following the implementation of successful 20mph Speed Limits in residential streets in Portsmouth and two areas of Bristol, the Council has allocated £500k to implement 20mph Speed Limits across the district over the next 2 years. This report sets out the programme for implementing 20mph speed limits in Bath and North East Somerset.

2. RECOMMENDATION

The Cabinet agrees that:

- 2.1 Subject to public consultation and completion of statutory processes, 20mph speed limits are implemented on residential streets in Bath and North East Somerset.
- 2.2 The main traffic routes are excluded from 20mph speed limits (see www.bathnes.gov.uk/transportandstreets/roadsafety/roadsafetytrafficschemes/proposed20limits/Pages/default.aspx for further details)
- 2.3 The proposed 2 year delivery programme indicated in Appendix A is approved.
- 2.4 Delegated to authority be given 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.
- 2.5 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.
- 2.6 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.

3. FINANCIAL IMPLICATIONS

- 3.1 The Council has allocated £500k to implement 20mph speed limits across the district over the next two years comprising of signs at the beginning and terminal points of the speed limit area and supplemented by 20mph roundels at regular intervals where necessary to reduce traffic speeds. The schemes will be prioritised within the budgeted resources available.
- 3.2 In addition to the capital costs, the whole life cost associated with the project, consisting of an estimated 1000 additional signs and road markings, is in the order of £30,000 over the 10 year design life of the signs. These costs will be included in the Transport Asset Management Plan and funded through the medium term financial plan.

4. CORPORATE OBJECTIVES

Creating neighbourhoods where people are proud to live

- 4.1 The Council proposes to implement 20mph speed limits in residential roads in Bath and North East Somerset, excluding the main traffic routes. The 20 mph programme is a means of creating a culture where driving too fast in residential streets is seen as unacceptable. Evidence from the National Crime Survey indicates that speeding in residential streets as the number one antisocial behaviour (Poulter & McKenna, 2007). By introducing 20 mph speed limits it is expected that attitudes towards speeding in residential areas will change.
- 4.2 By making neighbourhoods safer and more attractive, a greater number of people will be encouraged to walk, cycle and spend time in their local community. This will have far wider physical and mental health benefits. This links into the National Institute for Clinical Excellence's guidance No. 8, which details that the built environment, urban congestion and traffic pollution can all affect people's physical and mental health and wellbeing and limit opportunities for physical activity, recreation and community interaction (NICE, 2008).

5. THE REPORT

- 5.1 The Road Traffic Regulation Act gives traffic authorities the powers to introduce 20mph speed limits, indicated by terminal and road markings alone. 20 mph speed limits without self-enforcing features have the attraction of being relatively inexpensive to implement.
- 5.2 Portsmouth City Council was the first local authority in England to implement an extensive area-wide 20 mph Speed Limit scheme. The implementation of the 20 mph Speed Limit scheme was carried out using a combination of post-mounted terminal and road markings. 20 mph speed limit roundel road markings were also provided at street entry points on the carriageway adjacent to the terminal post-mounted signs. In some cases of limited visibility, they were also provided adjacent to the repeater signs.
- 5.3 Overall there was an increase in the number of sites that demonstrated speeds of 20 mph or less after the implementation of the scheme. Many sites already had low average speeds of 20 mph or less before the scheme was

implemented. At the sites monitored with higher average speeds before the scheme was introduced, there were significant reductions in average speeds. For example for the group of sites monitored with average speeds of 24 mph or more before the scheme was introduced, the average speed reduction was 6.3 mph. The average reduction in mean speeds on all roads was 1.3 mph.

- 5.4 Comparing the 3 years before the scheme was implemented and the 2 years afterwards, the number of recorded road casualties has fallen by 22% from 183 per year to 142 per year. During that period casualty numbers fell nationally – by about 14% in comparable areas.
- 5.5 There are no large apparent disparities between the casualty changes for different groups of road users (for example pedestrians compared to motorists) or between crashes with different causes. The number of deaths and serious injuries rose from 19 to 20 per year. Because the total numbers of deaths and serious injuries and of casualties by road user type and cause are relatively low, few inferences about the scheme's impacts should be drawn from these figures
- 5.6 Qualitative surveys indicated that the scheme was generally supported by residents, although most of the respondents would like to see more enforcement of the 20 mph speed limits. The survey suggests that the introduction of the scheme has made little difference to the majority of respondents in the amount they travelled by their chosen mode. Levels of car travel stayed similar, whilst the level of pedestrian travel, pedal cyclist travel and public transport usage had increased for a small number of respondents.
- 5.7 The early figures suggest that the implementation of the 20 mph Speed Limit scheme has been associated with reductions in road casualty numbers. The scheme has reduced average speeds and been well-supported during its first two years of operation.
- 5.8 In Bristol, the 20mph pilots in Inner South and Inner East Bristol cover some 500 roads and 30,000 households. The aim is to encourage more walking, more cycling, and more independent mobility for children and elderly in the City, to reduce risk and severity of road casualties and to help create pleasant people-centred streets and public space.
- 5.9 The overall results of the pilots show that 'signs only' 20mph has been accompanied by a small but important reduction in daytime vehicle speeds (average), an increase in walking and cycling counts especially at weekends, a strengthening of public support for 20mph, maintenance of bus journey times and reliability, and no measurable impact on air quality or noise. Data on casualties are being monitored but it is too soon to draw any statistically valid conclusions.
- 5.10 The key headline findings of the Bristol pilot are as follows:
 - 65% of roads saw a reduction in mean speeds
 - 18 roads no longer saw average speeds above 24mph
 - The mean average speed across all roads has dropped to 23mph and under between 7am through to 7pm
 - Increase in counts for walking range from 10% increase to 36%
 - Increase in counts for cycling range from 4% to 37%
 - Support for 20mph limits amongst pilot area residents is around 82%

- 5.11 The vast majority of people in the Bristol pilot areas want safer more pleasant streets and a favourable environment for walking and cycling for people of all ages.
- 5.12 A key issue identified in the pilots is the need to distinguish between streets with shops, schools, and homes, where pedestrian activity is currently suppressed, versus main traffic routes where speed has a less significant effect on communities.
- 5.13 The guidance offered by the Department for Transport Circular 1/2006 'Setting Local Speed Limits' advises that 20mph speed limits should be self-enforcing and that there should be no expectation on the Police to provide additional enforcement beyond their routine activities unless this has been explicitly agreed. Terminal signs and 20 mph road markings will be used to deliver a scheme that is legally enforceable and which people would accept and understand why they are being asked to drive at 20 mph. Where there is local support, Community Speed Watch campaigns may be set up to raise awareness of excessive speeding.
- 5.14 The proposed two year implementation programme has been developed to implement 20mph speed limits in Bath and Northeast Somerset is shown in Appendix A. Priority is given in the programme to the larger residential areas, but the aim is to cover all residential areas over the 2 year period.
- 5.15 Informal consultation undertaken on the first 20mph speed limit area proposed in Southdown/Twerton shows that 68% of residents to be in favour of the proposals.

6. RISK MANAGEMENT

- 6.1 The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

7. EQUALITIES

- 7.1 An EqIA has not been completed because there is no impact of introducing 20mph speed limits on equality groups.

8. RATIONALE

- 8.1 To improve the local environment for people on foot and on bicycles, to make residential streets safer for children and adults and to raise awareness of safety issues for all road users.

9. OTHER OPTIONS CONSIDERED

- 9.1 The option of implementing 20mph Speed Limit Zones using traffic calming measures was considered to be too expensive.

10. CONSULTATION

- 10.1 Cabinet members; Overview & Scrutiny Panel; 151 Finance Officer; Chief Executive; Monitoring Officer.

10.2 The 20mph Speed Limit in Southdown and Twerton was carried out by distributing a leaflet and questionnaire to every resident and business in the area. A presentation was given to the Planning, Transport and Environment Policy Scrutiny Panel at their meeting on 17th January, 2012 who asked to be kept informed of progress.

11. ISSUES TO CONSIDER IN REACHING THE DECISION

11.3 Customer Focus; Sustainability

12. ADVICE SOUGHT

12.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	Adrian_Clarke@BathNES.gov.uk Tel 01225 395223
Sponsoring Cabinet Member	Councillor Roger Symonds
Background papers	None
Please contact the report author if you need to access this report in an alternative format	

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APPENDIX A: 20MPH SPEED LIMITS IMPLEMENTATION PROGRAMME

Year 1

1. Twerton/Southdown
2. Peasedown St John
3. Newbridge/Weston/Lansdown Part/Kingsmead Part
4. Keynsham
5. Westmoreland/Oldfield/Lyncombe Part/Widcombe Part
6. Midsomer Norton
7. Radstock/Westfield
8. Walcott/Lansdown/Lambridge Part

Year 2

9. Abbey/Kingsmead Part
10. Batheastern/Bathampton/Bathford
11. Odd Down/Combe Down
12. Salford
13. Lyncombe Part/Widcombe Part
14. Bathwick
15. Other residential areas in rural villages

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Bath & North East Somerset Council		
MEETING:	Cabinet	
MEETING DATE:	11 April 2012	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2391
TITLE:	Proposals to seek comprehensive and appropriate permissions for temporary display of banners and promotional material	
WARD:	All Wards in Bath	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix 1: Outdoor advertisements and signs: a guide for advertisers (Department for Communities and Local Government)		

1 THE ISSUE

1.1 The display of banners and other promotional material can add vitality and richness to the public realm of Bath, whilst also helping to increase economic activity. However, inappropriately located and designed promotional material can detract from the street scene and the appearance of the World Heritage Site. In order to ensure that the Council retains control over the location and design of appropriate banners and promotional material and takes a proactive approach in managing delivery there is a need for the Council to agree a process towards obtaining a new advertising consent; preparing design guidance and a delivery and management strategy.

2 RECOMMENDATION

The Cabinet agrees that:

- 2.1 The process outlined in Option 3: Maximise Control and Corporate Management is progressed, and
- 2.2 Cabinet receives a further report following the completion of the stages A-E identified in Option 3 to consider the submission of a planning application; agree the implementation process and any necessary additional funding to cover additional costs

3 FINANCIAL IMPLICATIONS

- 3.1 Funding has been identified and Cabinet has been requested to approve a carry forward of £30,000 to 2012/13. However, this is subject to a satisfactory 2011/12 outturn report.
- 3.2 If Cabinet decides to progress the recommended approach (i.e. option 3) the budget of £30,000 will cover the estimated costs of the work outlined in stages A-E i.e. assessment of alternative locations; product design; preparation of a management plan and delivery strategy; preparation of an application for advertising consent and detailed supporting material; and undertaking stakeholder engagement. If agreed as the most appropriate way forward additional funding would need to be found to cover the costs of procuring production of banners fixings and mounts. The source of this additional funding will be subject to consideration by Cabinet following completion of stages A-E above.

4 CORPORATE OBJECTIVES

- *Promoting independence and positive lives for everyone*
- *Creating neighbourhoods where people are proud to live*
- *Building a stronger economy*

5 THE REPORT

- 5.1 Advertisements are an important part of the street scene and are essential to commercial activity, particularly within town centres. Designed well and integrated with buildings advertisements can blend in with the character of an area. Conversely, a proliferation of advertisements can detract from the appearance of the building and street scene.
- 5.2 Currently planning applications for the display of banners and advertisements are determined against the provisions of national and local plan policy (see paragraphs 5.7 to 5.14 below).
- 5.3 Bath and North East Somerset Council (Tourism Leisure and Culture Service has secured (advertisement) consent for a limited number of locations to display banners.
- 5.4 The Council's Public Realm and Movement Strategy recognises the display of appropriately designed and positioned banners and exhibitions can add vitality and richness to the city whilst bolstering its economy.
- 5.5 To protect the character and setting of the city, the location and design of all promotional and exhibition material within the public realm needs to be carefully considered.
- 5.6 The Council needs to investigate the potential to establish a framework that addresses locational; design; delivery and management issues of the display of banners and other promotional material.

Planning Policy

- 5.7 National policy: Many outdoor advertisements (including those on roundabouts) and designs come within the scope of control of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and therefore require express consent from the local planning authority. As outlined in PPG19 'Outdoor Advertisement Control', this regime enables local planning authorities to control advertisements when it is justified in the interests of amenity and public safety.
- 5.8 The advertisement control system covers a wide range of advertisements and signs including:
- _ posters and notices
 - _ placards and boards
 - _ fascia signs and projecting signs
 - _ pole signs and canopy signs
 - _ estate agents' boards
 - _ captive balloon advertising (not balloons in flight)
 - _ flag advertisements
 - _ town and village name-signs
- 5.9 Certain advertisements are specifically excluded from control under the Regulations. There are 9 different classes of advertisement which are excluded from the direct control of the planning authority provided certain conditions are fulfilled. These categories and their relevant conditions/limitations are listed under Schedule 1 of the Town and Country Planning (Control of Advertisements) Regulations 2007. Given the complexity of the Regulations the categories are not summarised in this report. However, the Department for Communities and Local Government (DCLG) has published a simplified guide entitled 'Outdoor advertisements and signs: a guide for advertisers' which is attached as Appendix 1.
- 5.10 Other advertisements are granted deemed consent, which enables certain 'specified classes' of advertisement to be displayed without application being made to the planning authority. There are 16 such classes of outdoor advertisement, each with its own particular conditions. So the practical effect is that the number of advertisements in that class, their size and duration of display, are limited for each deemed consent. These categories and the relevant conditions are listed under Schedule 3 of the Town and Country Planning (Control of Advertisements) Regulations 2007 and are also explained in the DCLG guide attached as Appendix 1.
- 5.11 If it is considered appropriate, the Council may implement tighter controls over displays. This may be done by removal of 'deemed consent', taking discontinuance action to remove existing intrusive advertisements or by defining Areas of Special Control of Advertisements. There are however no designated Areas of Special Control within the district.
- 5.12 A direction under regulation 7 of the Town and Country Planning (Control of Advertisements) regulations 2007 restricts the display of 'To Let' and 'For Sale' signs within the City of Bath Conservation Area. This remains in place until April 2016, but can be renewed after this time. This means that advertisement consent is required each and every time such a sign is proposed to be displayed within the Bath Conservation Area.

- 5.13 The Council's existing planning policy on the display of adverts is set out in the B&NES Local Plan and reflects national policy. Policy BH17 states that (relevant to Bath) consent for the display of advertisements will be granted provided that they do not prejudice public safety or will not, either on their own or cumulatively be detrimental to visual or residential amenity. This means that the display of banners or advertisements may be refused because of the visual impact on the World Heritage Site and Listed buildings or in the interests of public safety e.g. if it is structurally unsound or it is likely to cause confusion with traffic signs and signals or navigational facilities.
- 5.14 Additionally, Policy BH.18 seeks to steer hoardings, panels and posters to a predominately commercial, industrial or mixed-use area. If an advertisement is placed on a hoarding which relates to land where building operations are taking place, the whole structure can be classed as an advertisement and can be deemed consent under Schedule 3, Class 8 of the regulations. This, as with the other classes has set conditions and limitations, for example the advertisement should not be located within a Conservation Area.

Strategy – The Way Forward

- 5.15 In reviewing the way forward the Council needs to establish a framework that will enable it to be in a better position to facilitate the display of appropriate banners and other promotional material in the right locations which ensure protection of the World Heritage Site. The approach needs to be clear and consistent.
- 5.16 In addition to location, the programming and management of installation needs to be controlled by the Council. This has the potential to be delivered within a business case that balances costs with income from displays.
- 5.17 An initial review of existing local planning policy concludes that it closely follows national guidance and there is little scope to amend it. However, there is considerable scope to set out a more proactive approach to facilitating the display of appropriate banners and promotional material in the right places. Three options on the way forward are set out below. For each of the options the advantages and disadvantages are summarised and an estimate of the indicative financial cost is also set out.
- 5.18 In assessing the options on the way forward and determining the approach that should be taken it is vital that a corporate approach is taken and that other relevant service areas are closely involved, in particular Transport, Tourism, Leisure & Culture and Development & Major Projects.

Options

- 5.19 Three options on the way forward are set out below. Option 3 is recommended as the most appropriate way forward as it delivers a proactive approach that will enable the Council to retain control in facilitating and managing delivery of the display of the right types of banners and promotional material in the right locations.

Option 1: Continue to use Existing Policy and Consents

- 5.20 The Council can harness its existing powers of control and use an existing permission to manage and promote the display of banners in appropriate locations.
- 5.21 National and Local policy, applied through the development management (control of advertisements) process, provides the Council with a reactive approach to managing the location, design and duration of banners and exhibition material within B&NES, judged against policy criteria relating to public safety and visual or residential amenity.
- 5.22 Advertisement consent for banners in Bath obtained by the Council in March 2011 (09/02576/AR) has secured permitted locations for banners at Milsom Street, Stall Street, Pulteney Street, North Parade. However, the decision refused permission for a number of more sensitive locations including Sydney Place, Orange Grove and Bath Street. It has also limited the duration of display. This consent has both enabled the display of some banners for the next four years and set a benchmark for any proposed alterations.

Option 1

Advantages

- 1 Minimises the need for financial commitments (within the capacity of the planning service)
- 2 Potential for immediate implementation.

Disadvantages

- 1 Reactive management tool with no specific guidance
- 2 No opportunity to deliver consistency
- 3 Existing permission limited in scope and durations.

Option 1

Financial Estimate

Zero capital

Planning Service revenue costs

Option 2: Increased Guidance

- 5.23 The Council may choose to produce design and process guidance to supplement existing policy. This would need to focus on design criteria and guide the process of assessing sites and duration of display to inform an application. It should not specify locations as these may not benefit from advertisement consent and could impose a risk to the Council.
- 5.24 This could be produced as informal or formal planning guidance (SPD)

Option 2

Advantages

- 1 Increases likelihood of receiving well considered proposals
- 2 Increases opportunity for objective assessment of proposals.
- 3 Contained single task with modest financial implications

Disadvantages

- 1 Reactive approach lacking the management control to secure consistency
- 2 Opportunities likely to be restricted by consent to 09/02576/AR until 2016.

Option 2 Financial Estimate

Consultant fee c£10-15,000

+ Corporate consultation and adoption process costs

Option 3: Maximise Control and Corporate Management

- 5.25 To secure maximum control and obtain wider opportunities for promotional banners, the Council may choose to agree a process towards obtaining a new advertisement consent that it could use to market its events and rent space to others. This would require the demonstration of new circumstances and clear design material as well as potential new management capacity within the Council.
- 5.26 A five-stage approach is suggested. This may be undertaken combining consultant input with in-house B&NES resources where available. Estimated consultant fees are noted with each stage. An indication of the month in which different stages of the work could be undertaken is also included. This assumes that work is progressed immediately after consideration by Cabinet and the necessary consultant support can be commissioned quickly.

A. Determining Locations (April-May)

Appraisal of streets and spaces within Bath city centre, city gateways and principle approach routes to assess;

- (i) Desktop research (existing consent 09/02576/AR)
- (ii) Assessment of character and visual impact.
- (iii) Heritage implications, impact on the fabric and setting of listed buildings.
- (iv) Structural implications and potential for fixing material to existing street furniture and buildings and surfaces.
- (v) Highway implications

This will produce a sieve map identifying locations where there is potential for the display of banners and exhibition material.

Financial Estimate:

Consultancy Fee c£5,000

B. Product Design (May-June)

The Public Realm and Movement Programme has delivered a coordinated suite of street furniture and way-finding material for Bath.

To enable banners and exhibition material to compliment this suite and the city's fabric, it is recommended the Council's retained product design consultants produce;

- (i) Designs for a range of bespoke and coordinated fixings/mounts for specific items.
- (ii) A design parameters manual to guide location of particular items and manage the design of all associated promotional and exhibition material.

Financial Estimate:
Product Design Fee c£10,000-15,000

C. Management Plan (May-June)

A management plan should be produced to address:

- (i) The duration and programme for the display of material within the recommended locations.
- (ii) The Council's management and administration systems to enable the on-going delivery of exhibitions and promotions.

Financial Estimate:
Consultant fee c£2,000

D. Delivery Strategy (June-July)

The Delivery strategy should ensure the Council has an action plan to secure:

- (i) Advertising consent to allow the display of banners and exhibition material within the identified locations design and durations.
- (ii) Other consents including highways and building/landowner.
- (iii) Procure the required suite of products.
- (iv) Establish the necessary management resource and systems.

This stage will include preparation of an advertising consent application and detailed supporting material.

Financial Estimate:

- *Consultant fee to prepare and co-ordinate delivery strategy/programme c£3,000*
- *Preparation and submission of applications for advertising and other consents; c£5,000*

E. Stakeholder Engagement and Communications (July)

In resolving preferred streets, spaces and product design, it is recommended a managed (pre-application) stakeholder engagement process is undertaken. This may reduce risk during the formal stages of gaining necessary consents and increase the quality of the scheme.

In moving the new offer forward a programme of promotions/communication may be undertaken to increase customer awareness.

Financial Estimate:
Consultancy fee, c £3,000

Summary of option 3 Estimated Financial Implications

- 1 *Total Financial Estimate for Strategy and Design and Delivery (excluding planning application preparation/submission and stakeholder engagement) c £20,000-25,000*
- 2 *Implementation Costs*
 - (i) *Stakeholder engagement and planning application preparation/submission fees c£8,000*
 - (ii) *Product (production of bespoke and co-ordinated fixings for different types of banners and promotional material – cost is dependent on results of design stage) (Optional)*
 - (iii) *Management Costs*

- 3 *Income*
 - (i) *Space/Equipment Rental*
 - (ii) *B&NES events income*

Option 3

Advantages

- 1 Proactive approach placing control and management with the Council
- 2 Maximum opportunities to deliver consistent design approach to compliment Public Realm Strategy
- 3 Opportunities for income generation

Disadvantages

- 1 Investment cost (see budget provision under section 3 of the Report)
- 2 Timescale for completion
- 3 Delivery Risk (Achieving Advertisement consent)

5.27 If Cabinet decides to pursue Option 3, the work outlined in stages A-E will need to be progressed. A further report will be taken to Cabinet following the completion of stages A-E, outlining the results of the work; the stakeholder engagement and the recommended content of a planning application. Cabinet would be asked to agree the submission of a planning application and to make a decision on the implementation process and specifically whether the Council should, in addition to producing design guidance on the fixings and mounts for different types of banners, seek to procure their production. Dependent on the decision taken, the Cabinet will also need to consider and agree funding streams to cover the cost of the procurement of production. At this stage more accurate information on the costs of production and the potential income from renting space and equipment will be available. As set out above the requested £30,000 budget carry forward covers the estimated cost of stages A to E of this option (but excluding costs of the production of fixings and mounts).

5.28 Cabinet should note that the recommended process outlined above would result in the submission of a planning application in the Autumn this year. As such this process cannot be completed in time for Olympics. Permission has recently been granted (application 11/05349/AR) for the display of 60 Olympic flags, 4 non-illuminated signs and bunting in various locations within the city from May until September. Therefore, it is assumed that this process does not need to be completed before the Olympics. However, if Cabinet is seeking to identify and benefit from the potential opportunities provided by the Olympics an alternative and shortened process will need to be followed e.g. pre-application stakeholder engagement could not be undertaken and consultation would need to take place only through the statutory notifications as part of the planning application determination process. However, given the sensitivity of the locations under consideration and the issues involved this is not recommended as an appropriate way forward.

6 RISK MANAGEMENT

6.1 The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

7 EQUALITIES

7.1 An Equalities Impact Assessment has not been completed for this report because this will be undertaken as part of the proposed way forward described in option 3 (paragraphs 5.25 to 5.26) above.

8 RATIONALE

8.1 Three options on the way forward to address the issue are set out in section 5 of the Report. Option 3 is recommended as the most appropriate way forward as it delivers a proactive approach that will enable the Council to retain control in facilitating and managing delivery of the display of the right types of banners and promotional material in the right locations.

9 OTHER OPTIONS CONSIDERED

9.1 The options considered are outlined in section 5 of the Report.

10 CONSULTATION

10.1 *Cabinet Member for Homes & Planning; Section 151 Finance Officer; Chief Executive; Monitoring Officer*

10.2 The recommended approach (option 3) includes managed stakeholder consultation and engagement in the process of determining the right locations and appropriate designs for banners and other promotional material. Various methods of consultation will be employed. The most appropriate methods will be determined dependent on the stakeholders to be involved.

11 ISSUES TO CONSIDER IN REACHING THE DECISION

11.1 *Social Inclusion; Customer Focus; Sustainability; Human Resources; Property; Corporate; Health & Safety; Other Legal Considerations*

12 ADVICE SOUGHT

12.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	<i>David Trigwell (Divisional Director - Planning and Transport, Planning and Transport Development), 01225 394125</i>
Sponsoring Cabinet Member	<i>Councillor Tim Ball (Cabinet Member for Homes & Planning)</i>
Background papers	Town and Country Planning (Control of Advertisements) (England) Regulations 2007
Please contact the report author if you need to access this report in an alternative format	

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Outdoor advertisements and signs: a guide for advertisers





Outdoor advertisements and signs: a guide for advertisers

June 2007
Department for Communities and Local Government

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Outdoor advertisements and signs: a guide for advertisers

Advertisement control

This booklet, prepared by Communities and Local Government, aims to explain to everyone who wants to display an outdoor advertisement how the system of advertisement control works in England.

Because you may find the system quite complicated at first, the booklet is arranged in separate sections and there are numerous illustrations which may show you how the system affects the type of advertisement you want to display.

The main sections in the booklet explain:

- How the advertisement control system works
- What advertisements are normally permitted
- What advertisements need specific permission and how to obtain it
- How planning authorities may control the display of advertisements in some special cases is explained in the Appendix.

This booklet is intended only to give advice. It does not state the law.

How the Advertisement Control System Works

Regulations for England

The advertisement control system in England consists of rules made by the Secretary of State, which is part of the planning control system. The present rule is the Town and Country Planning (Control of Advertisements) Regulations 2007 which has been in force since 6 April 2007.

If you need a copy of these rules, you can buy one from your nearest Stationery Office bookshop; you should ask for *Statutory Instrument 2007 No 783*. There is also an official Circular and Planning Policy Guidance Notes, produced by Communities and Local Government, which you may find helpful. You should ask for *Communities and Local Government Circular No 03/2007 and DOE Planning Policy Guidance (PPG) Note No 19*.

Who controls outdoor advertisements?

Throughout England, local planning authorities are responsible for the day-to-day operation of the advertisement control system, and for deciding whether a particular advertisement should be permitted or not. For this purpose the local planning authority for your area will normally be the district council, the County Council or the London borough council if you live in the Greater London area. But there are two exceptions to this arrangement:

- if your advertisement is to be displayed in any National Park, the planning authority is the National Park authority, or if it is to be displayed within the Broads area then the planning authority is the Broads authority;
- if your advertisement is to be displayed in an urban development area, the planning authority normally is the Urban Development Corporation for that area.

If the planning authority refuse consent for your advertisement, or require you to remove an existing advertisement, you have a right to appeal against their decision. In England, this appeal is to the Secretary of State. The operation of the appeal system is described below.

What is an 'advertisement'?

The advertisement control system covers a very wide range of advertisements and signs including:

- posters and notices
- placards and boards
- fascia signs and projecting signs
- pole signs and canopy signs
- models and devices
- advance signs and directional signs
- estate agents' boards
- captive balloon advertising (not balloons in flight)
- flag advertisements
- price markers and price displays

- traffic signs
- town and village name-signs

Memorials and railway signals are not regarded as advertisements

Three different groups of outdoor advertisement

To enable you to understand more easily whether you need the planning authority's permission for the outdoor advertisement you want to display, this booklet divides all advertisements into three main groups, which are explained in more detail later on. These groups are:

- advertisements which the rules exclude from the planning authority's direct control;
- advertisements for which the rules give a 'deemed consent' so that the planning authority's consent is not needed, provided your advertisement is within the rules (see page 10); and
- advertisements for which the planning authority's 'express consent' is always needed.

Three areas where special rules apply

Because there are some places in our cities and towns and many parts of the countryside in England which are especially vulnerable to the visual effects of outdoor advertisements, all planning authorities have three special powers which enable them to achieve a stricter control over advertisements than they can achieve in the ordinary way. These powers are:

1. to define an Area of Special Control of Advertisements;
2. to remove from a particular site or a defined area the benefit of the deemed consent normally provided by the rules; and
3. to require a particular advertisement, or the use of a site for displaying advertisements, to be discontinued.

The way in which the planning authority propose to use the first and second of these powers must be formally approved by the Secretary of State before it is effective; and there is a right of appeal to the Secretary of State against the planning authority's use of the third power (a 'discontinuance notice').

The 'standard conditions'

All outdoor advertisements must comply with five 'standard conditions'. They must:

- be kept clean and tidy
- be kept in a safe condition
- have the permission of the owner of the site on which they are displayed (this includes the Highway Authority if the sign is to be placed on highway land)
- not obscure, or hinder the interpretation of, official road, rail, waterway or aircraft signs, or otherwise make hazardous the use of these types of transport
- be removed carefully where so required by the planning authority.

Advertisements Which are Normally Permitted

Conditions for display without application

An outdoor advertisement is permitted for display without the planning authority's specific consent if:

- the effect of the rules is to exclude it from direct control; or
- it comes within the provisions of one of the 14 classes of deemed consent specified in the rules.

If your advertisement is not permitted in either of these ways, you must first obtain the planning authority's consent before you display it.

The description of advertisements which follows may not include all the conditions and limitations which apply to a particular class, and you are advised to consult the Regulations for all these details.

Advertisements which are excluded from direct control

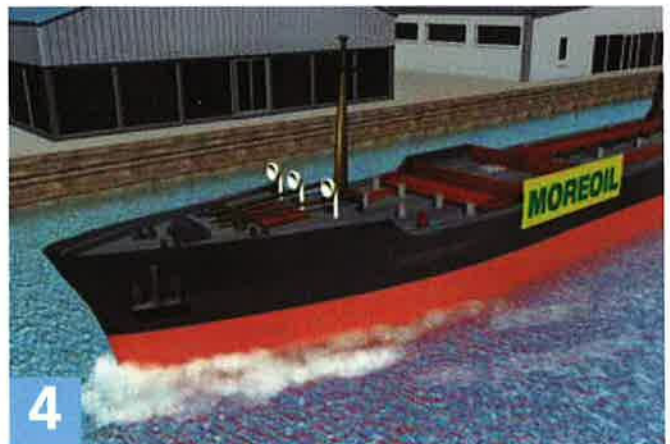
There are 9 different classes of advertisement which are excluded from the direct control of the planning authority provided certain conditions are fulfilled. These categories are:

1. Advertisements displayed on enclosed land. These would include advertisements inside a railway station forecourt, or inside a bus station or sports stadium or shopping mall (see illustrations 1 and 2↓↗).





2. Advertisements displayed on or in any vehicle or vessel which is normally moving (see illustrations 3 and 4↓↘).



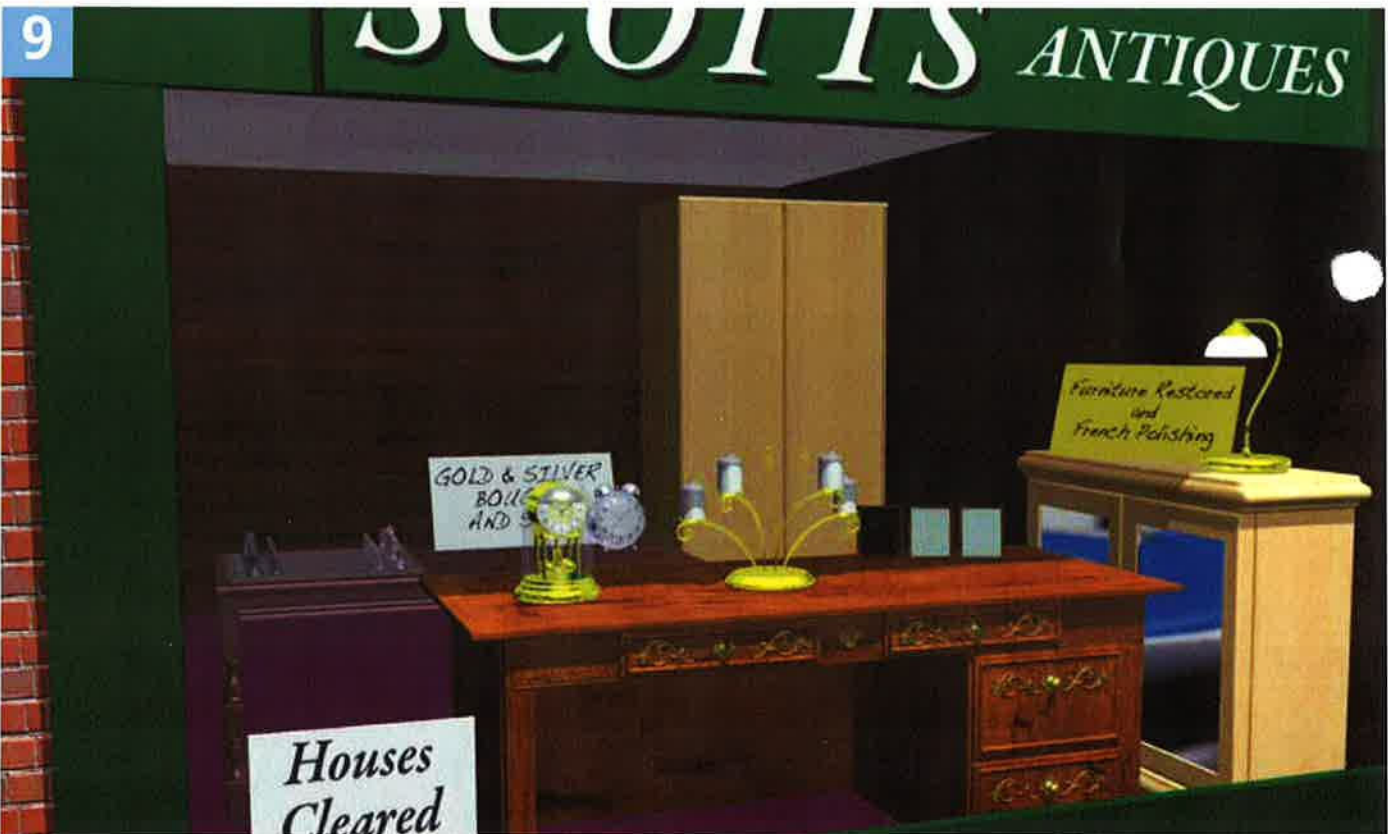
Outdoor advertisements and signs: a guide for advertisers

- Advertisements which are an integral part of a building's fabric (see illustration 5↓).
- Advertisements in the form of price tickets or markers, trade-names on branded goods, or displayed on petrol pumps or vending machines. These advertisements must not be illuminated, nor exceed 0.1 square metres in area. Examples are shown in illustrations 6 and 7.↙↘
- Advertisements relating specifically to a pending Parliamentary, European Parliamentary, or local government election or a referendum. These advertisements must not be displayed more than 14 days after the close of the poll.
- Advertisements required by any Parliamentary Order, or any enactment, to be displayed.
- Traffic signs. Any traffic sign (as defined in section 64(1) of the Road Traffic Regulation Act 1984).
- A national flag of any country, the flag of the European Union, the Commonwealth, the United Nations, English County flags and saints' flags associated with a particular county. Any national flag may be flown, so long as it does not have anything added to the design of the flag or any advertising material added to the flagstaff.





9. Advertisements displayed inside a building. These advertisements must not be illuminated or displayed within one metre of any window or other external opening through which they can be seen from outside the building (see illustrations 8 and 9↑↓).



Outdoor advertisements and signs: a guide for advertisers

Classes of advertisement benefiting from deemed consent

The rules enable certain 'specified classes' of advertisement to be displayed without application being made to the planning authority. There are 14 such classes of outdoor advertisement, each with its own particular conditions. So the practical effect is that the number of advertisements in that class, their size and duration of display, are limited for each deemed consent. There are also stricter rules for the display of deemed consent advertisements in any Area of Special Control of Advertisements. **Provided that the particular advertisement you propose to display conforms entirely to all the relevant provisions of its own class**, you do not need the planning authority's consent to display it. If you are in any doubt whether your advertisement benefits from deemed consent, you would be well advised to consult the planning authority before you display it.

Class 1 : 'functional advertisements' by public bodies

Advertisements in Class 1 are those which are needed by public bodies (such as government departments and local authorities, the public utilities and public transport operators) to give information or directions about the services they provide. These would include:

- a notice-board at a municipal swimming pool
- a bus or rail timetable
- a warning notice at an electricity sub-station
- the display of bye-laws for a recreation ground or common land.

Two examples of advertisements in Class 1 are shown in illustrations 10 and 11. ↙ ↘



Advertisements must not exceed 1.55 square metres in area and a reasonable degree of illumination is allowed to enable the information or directions to be read in hours of darkness.

A local planning authority may display advertisements in their own administrative area.

Class 2: miscellaneous advertisements on any premises

Class 2 gives consent for a wide variety of small notices and signs to be displayed on the premises or buildings to which the notice or sign relates. Class 2 is divided into three separate categories, (A), (B) and (C), each with its own provisions for deemed consent.

Class 2(A) permits notices or signs to be displayed on buildings or land as a means of identification, direction or warning. These would include:

- the street number or name of a dwelling-house
- a field-gate sign saying 'Please shut the gate'
- a warning notice saying 'Beware of the dog'
- a private sign saying 'No parking please'.

Advertisements in Class 2(A) must not exceed 0.3 of a square metre in area. Illumination is not allowed. Two examples of advertisements in this area are shown in illustrations 12 and 13. ↓ ↓



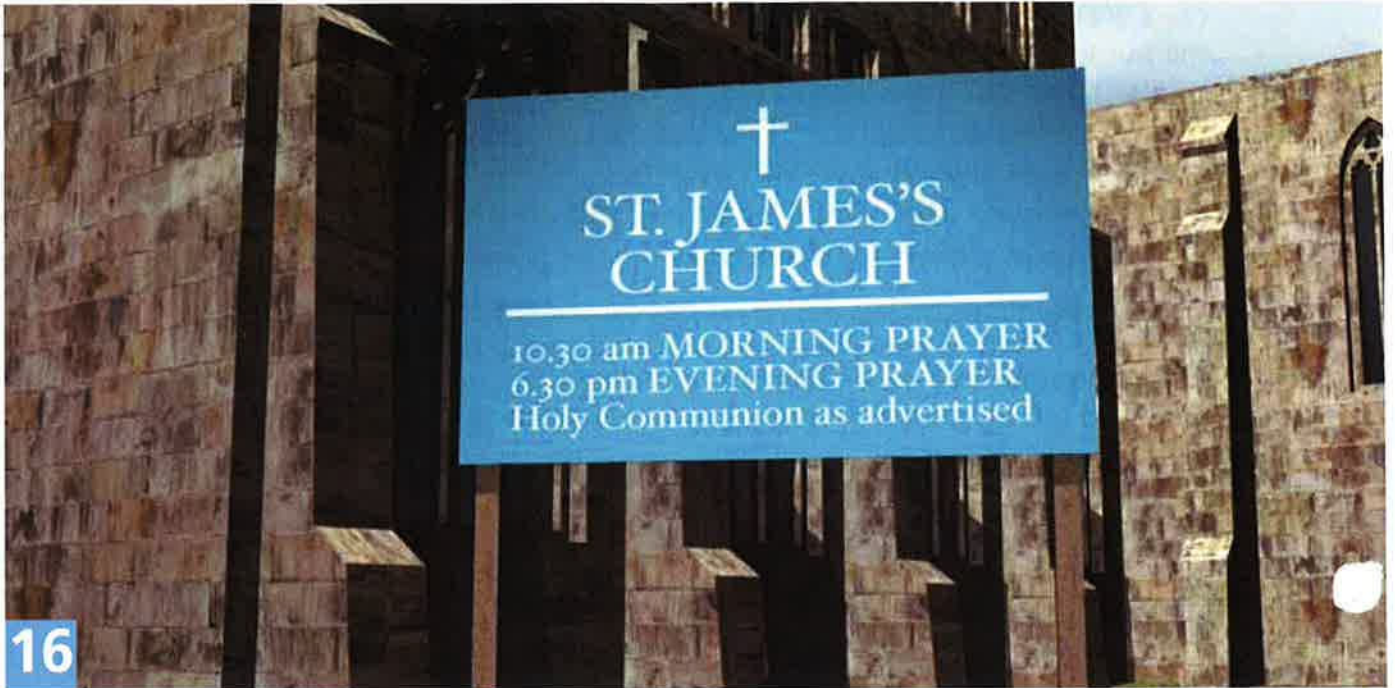
Outdoor advertisements and signs: a guide for advertisers

Class 2(B) permits notices or signs to be displayed on any premises for the purpose of advertising the fact that a person, partnership or company is carrying on a profession, business or trade at those premises. These would include:

- a brass plate outside a doctor's surgery
- a notice-board displaying the names of individuals in a partnership
- the name of a company operating from the premises.

An advertisement in Class 2(B) must not exceed 0.3 of a square metre in area, but if there is more than one entrance to the premises on different road frontages, two advertisements of 0.3 of a square metre each may be displayed (on a separate frontage), as in illustrations 14 and 15. ↙ ↘





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Class 2(C) permits notices or signs which relate to:

- any religious, educational, cultural, recreational, medical or similar institution; or
- any hotel, inn or public house, block of flats, club, boarding-house or hostel;

provided that the advertisement is displayed at the premises and does not exceed 1.2 square metres in area. If there is more than one entrance to the premises on different road frontages, two advertisements of 1.2 square metres each may be displayed (each on a separate frontage). Two examples of advertisements in this class are shown in illustrations 16 and 17.↑↓



17

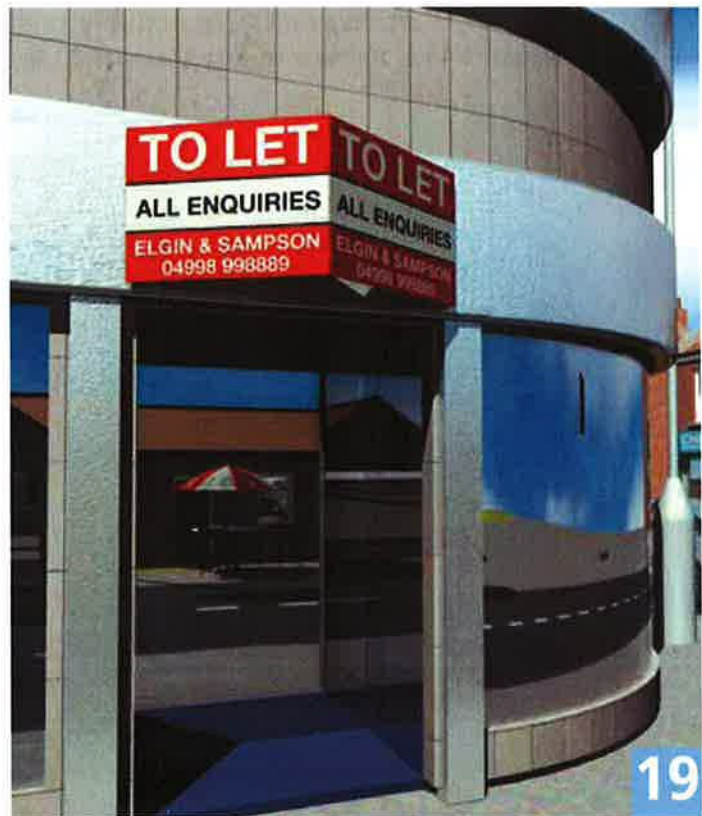
Outdoor advertisements and signs: a guide for advertisers

Any advertisement in Class 2B and 2C may be illuminated, with deemed consent, if the illumination is intended to indicate that medical or similar services or supplies are available at the premises. But no letters, figures, symbols or similar features included in the advertisement in Class 2 may be over 0.75 of a metre in height, or 0.3 of a metre in height if the premises are in any Area of Special Control of Advertisements.

Class 3: Temporary Advertisements

Class 3 gives consent for a wide variety of notices and signs which are usually displayed to publicise a forthcoming event, or to advertise a short-term use of the advertisement site. Class 3 is divided into six separate categories – (A), (B), (C), (D), (E) and (F) – each with its own provisions for deemed consent.

Class 3(A) permits boards to be displayed by such firms as estate agents, chartered surveyors, auctioneers and valuers, advertising that land or premises are for sale or to let. The advertisement board for each sale or letting must not exceed, if the sale or letting is for agricultural, industrial or commercial use or development for such use, 2 square metres; but, if two boards are joined together to form a single advertisement, a *total* surface area of 2.3 square metres is permitted. If the sale or letting is for residential use or development, the advertisement board must not exceed 0.5 of a square metre, or a total area of 0.6 of a square metre for two joined boards. No advertisement board is allowed to extend outwards from the wall of a building by more than 1 metre. In each case only one board may be displayed on premises and this must be removed not later than 14 days after completion of the sale or granting of the tenancy. Two examples are shown in illustrations 18 and 19. ↙↘



Class 3(B) permits advertisements to be displayed announcing that there is to be a sale of goods or livestock on land or premises which are not normally used for commercial purposes. These would include:

- an auction sale of house-contents at the house
- a sale of livestock on farm premises.

The advertisement board or notice must not exceed 1.2 square metres at the place where the advertised sale is to be held.

Class 3(C) permits firms or individuals who are carrying out building, engineering or construction work to advertise the fact at the site. One firm or individual may display their own advertisement board, provided it does not exceed 2 square metres; but if all those engaged on the contract rely on a single advertisement board, it can have a total area of 2 square metres, plus a further 0.4 of a square metre for each additional firm or person mentioned on the board.

Additionally, if the development project is known by a particular name, the size of the advertisement board may be increased to enable the name to be displayed. When this type of advertisement board is more than 10 metres away from a highway, it can have a total area of 3 square metres, plus a further 0.6 of a square metre for each additional firm or person mentioned on it. If the board is already being displayed, so that it is impracticable or inconvenient to add another name to it, any other firm, contractor or individual working at the site may display their own separate board for up to three months, provided that it is no larger than 0.5 of a square metre on each road frontage to the site of the project. Class 3(C) permits this type of advertisement board only during the time when the building, engineering or construction works are actually taking place on site. An example of Class 3(C) is shown in illustration 20.↓



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Class 3(D) permits temporary notices or signs which are intended to advertise any local event being held for charitable purposes, which may be religious, educational, cultural, political, social or recreational, but not for any commercial purpose. This permission would include an advertisement for:

- a church bazaar
- a fete for a parent-teacher association
- a sponsored marathon in aid of charity
- an amateur sports event, but not any sporting event organised for commercial purposes.

The advertisement permitted by Class 3(D) must not exceed 0.6 of a square metre.

Class 3(E) permits temporary notices or signs advertising that a demonstration of agricultural methods or processes is taking place on the land where they are being displayed. The total area of all such notices must not exceed 1.2 square metres in aggregate and no individual notice is to exceed 0.4 of a square metre. They may be displayed only for a period of six months in any year.

Class 3(F) permits temporary notices or signs announcing the visit of a travelling circus or fair. These advertisements must not be displayed more than 14 days before the opening of the circus or fair and must be removed within seven days afterwards. The local planning authority must be told 14 days beforehand of the sites of the notice. The notice or sign must not exceed 0.6 of a square metre.

Advertisements permitted by Class 3 **must not**:

- have any letters, figures, symbols or similar features of the design over 0.75 of a metre in height, or 0.3 of a metre in height if they are in any Area of Special Control;
- have the highest part of the advertisement at more than 4.6 metres above ground-level, or 3.6 metres in any Area of Special Control (except for estate agents' boards, in Class 3(A), advertising a sale or letting of premises situated in a building above these specified height limits); or
- be illuminated in any circumstances.

And, if a Class 3 advertisement relates to a sale or event, **it must not be displayed more than 28 days before the sale or event begins and must be removed within 14 days after it ends.**

Class 4: illuminated advertisements

Class 4 permits the display of advertisements with either internally illuminated letters or characters on an unilluminated background or lit by 'halo' illumination.

An advertisement permitted by Class 4:

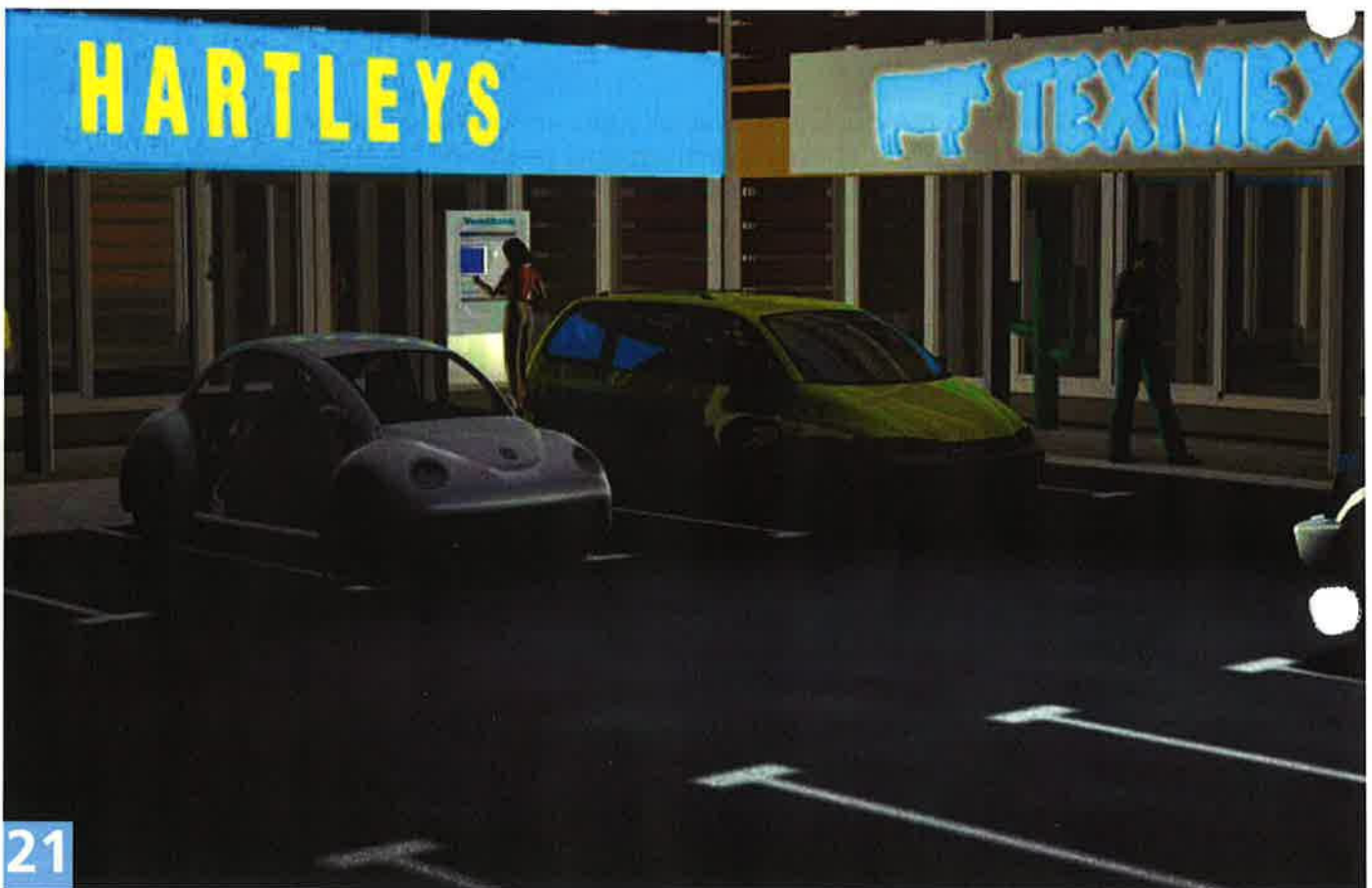
- **must not** have any intermittent light source, moving feature, animation or exposed cold cathode tubing;

Advertisements which are normally permitted

- **must not** have more than one such fascia panel and one projecting at right angles;
- in the case of a shop, **may only** be displayed on the wall with a shop window;
- **must be at least** 2.5 metres high at its lowest point;
- if a fascia panel, **must not** extend more than 0.25 of a metre from the wall;
- if a projecting sign, **must not** exceed 0.25 of a metre between the two sides.

Class 4 does not extend to any premises in a Conservation Area, Area of Outstanding Natural Beauty, National Park, the Broads, or Area of Special Control of Advertisements.

Class 4(A) permits internally or 'halo' illuminated advertisements on premises within a retail park but only on a frontage which faces or overlooks a communal car park. A projecting sign on these premises must not exceed 1 square metre, project more than 1 metre from the wall or be more than 1.5 metres high. An example is shown in illustration 21.↓

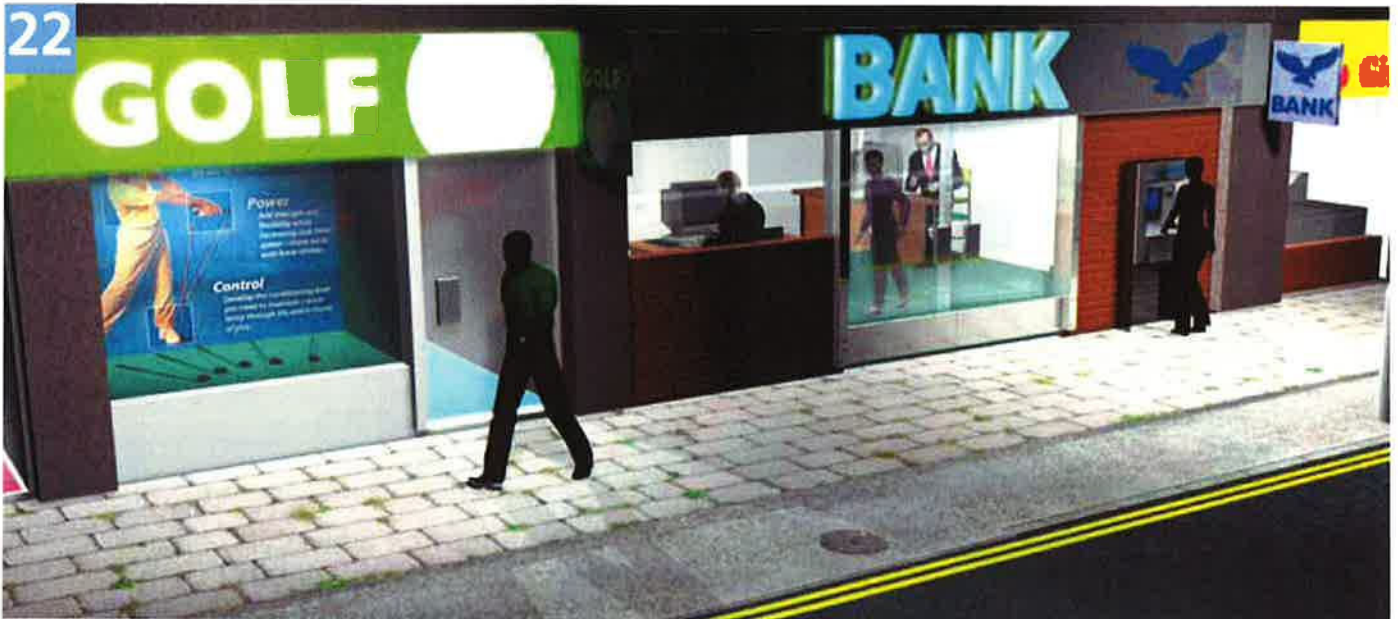


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Class 4(B) permits internally or 'halo' illuminated advertisements on other business premises (see Class 5 below) if they relate wholly to the business or name or qualifications of the person carrying on the business or the goods sold or services provided. A projecting sign must not exceed 0.75 of a square metre in area, project more than 1 metre from the wall, exceed two-thirds of the width of any pavement below it, or be more than one-sixth of the frontage measured to the top of the advertisement. An example is shown in illustration 22.↓

Maximum levels of luminance are detailed in the Regulations.



Class 5: advertisements on business premises

Class 5 gives consent for a wide variety of notices, signs and advertisements to draw attention to any commercial services, goods for sale, or any other services available at the premises where the advertisement is being displayed. 'Business premises' means any building in which a professional, commercial or industrial undertaking is being carried on, or any commercial services are being provided for the public. This term would include:

- office buildings
- banks and building societies
- shops and shopping arcades
- supermarkets and hypermarkets
- theatres, cinemas and dance-halls
- bingo halls and amusement arcades
- vehicle showrooms and garages
- privately owned factories and works
- restaurants and cafes.

The advertisement must be displayed on the exterior of the building (see illustration 23↓).



Class 5 is not intended to permit all forms of outdoor advertising on any business premises; it **only permits advertisements for the goods or services available at the particular premises**. This means advertisements which refer to:

- the business or other activity at the premises;
- the goods for sale or the services available; and/or
- the name and qualifications of the firm or person providing the service in the premises.

An advertisement permitted by Class 5 **must not**:

- have any letters, figures, symbols or similar features in the design over 0.75 of a metre in height, or 0.3 of a metre in height if they are in any Area of Special Control of Advertisements;
- have its highest part at more than 4.6 metres above ground-level, or 3.6 metres in any Area of Special Control of Advertisements;
- have its highest part above the level of the bottom of the first-floor window in the wall where the advertisement is;
- be illuminated, unless the illumination is intended to indicate that medical or similar services or supplies are available at the premises; and
- if the premises are in any Area of Special Control of Advertisements, exceed in area 10 per cent of the external face of the building, measured up to a height of 3.6 metres above ground-level.

Additionally, if the business premises is a shop, an advertisement may be displayed only on an external wall which has a shop window in it.

Outdoor advertisements and signs: a guide for advertisers

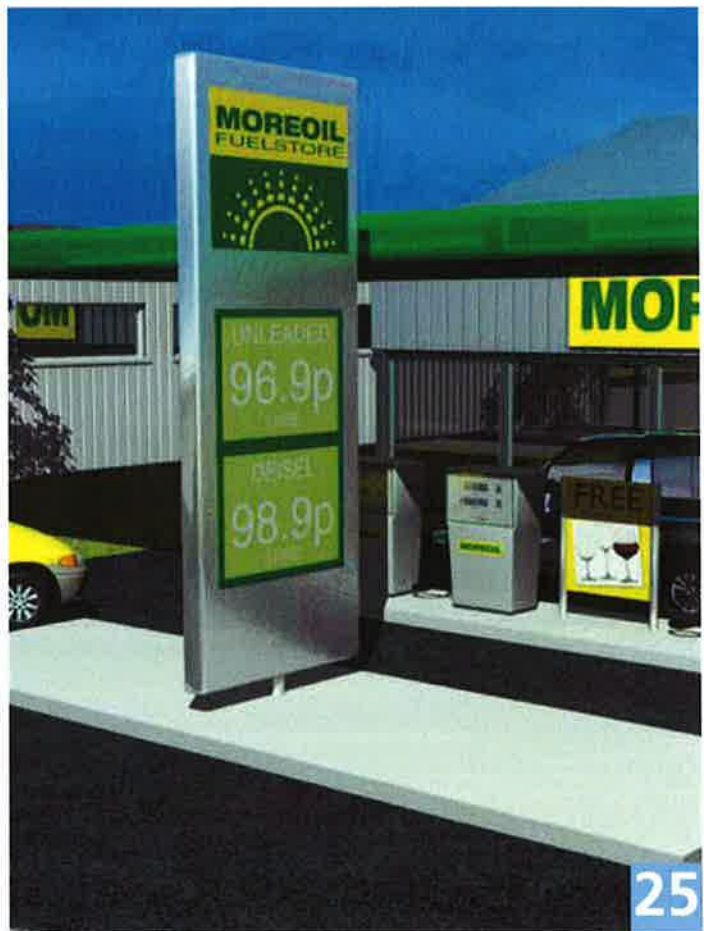
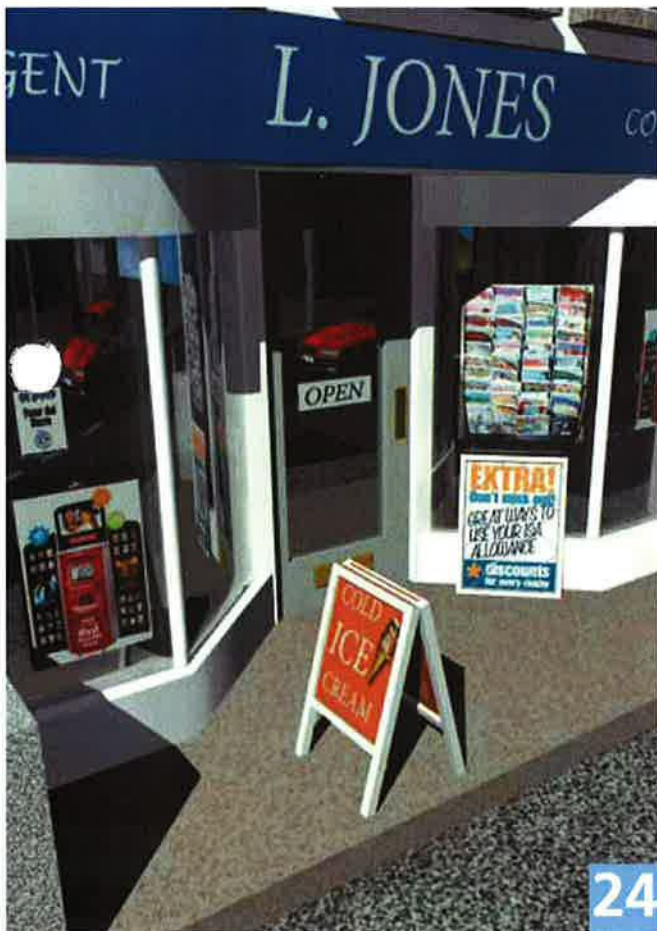
Class 6: advertisements on forecourts of business premises

When business premises have a forecourt (or more than one), Class 6 gives a further consent to display the type of advertisement permitted by Class 5, namely notices, signs and advertisements to draw attention to any commercial services, goods for sale, or other services available at the premises. The term 'forecourt' includes any enclosing fence, wall, screen or other structure, so long as the means of enclosure is not part of the business premises itself. So a forecourt would include:

- the enclosed area in front of a newsagents or tobacconist's shop;
- the area at a petrol filling station where pumps are situated;
- a terrace in front of a restaurant or cafe.

A forecourt does not include the area of pavement in front of business premises which forms part of the highway.

Because Class 6 permits advertisements on the forecourt of business premises, any such notices, signs or advertisements must be at ground-level. And the total permitted area for all forecourt advertisements must not exceed 4.6 square metres on *each* forecourt frontage to the premises. So a building with two forecourt frontages may have advertisements not exceeding 9 square metres in all, provided that those on each frontage do not exceed 4.6 square metres. Forecourt advertisements must not be illuminated in any circumstances. Two examples are shown in illustrations 24 and 25. ↓ ↓



Class 7: flag advertisements

Class 7 permits some flag advertisements. (This deemed consent has no effect upon any display of the national flag of any country – see number 8 on page 8). **Class 7(A)** permits an advertisement to be displayed as a flag, on one flagstaff, fixed upright on the roof of a building. There is no height limit for this consent, but the flag itself may only have on it the name, emblem, device or trademark of the company or person occupying the building, or refer to a specific event of a limited duration taking place in the building. So flags are not permitted to advertise products, unless they have the planning authority's specific consent.

Class 7(B) permits the display of advertising flags at housebuilding sites and where new houses remain available for sale, **except in a National Park, Area of Outstanding Natural Beauty, Conservation Area, the Broads or Area of Special Control of Advertisements.** The rules for Class 7(B) are:

- each flag must be on a single vertical flagstaff;
- a site where 10 houses or less are built may have one flag, 11 to 100 houses may have two flags, and over 100 houses may have three flags;
- the flagstaffs must not exceed 4.6 metres high;
- the flags must not exceed 2 square metres in area;
- the flags and flagstaffs must be removed at the end of one year after construction of the last house is completed.

There are special arrangements for sites being developed in phases or by more than one housebuilder. An example is shown in illustration 26.↓



Outdoor advertisements and signs: a guide for advertisers

Class 8: advertisements on hoardings around temporary construction sites

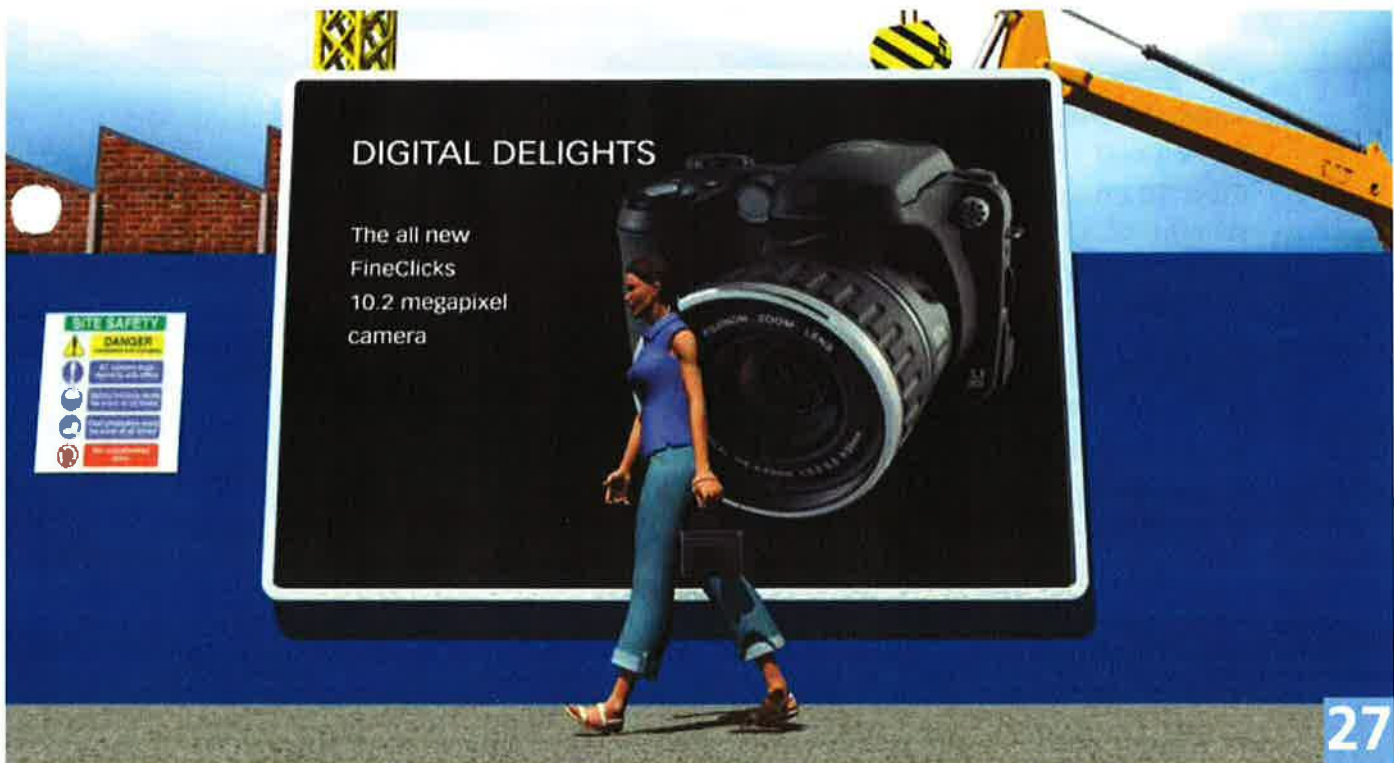
Class 8 permits the display, **for three years only**, of poster-hoardings which are being used to screen building or construction sites while the work is being carried out on site. The purpose of this consent is to bring about some environmental benefit on building sites, by enabling screening (and perhaps also temporary landscaping) of the site to take place, thus providing the advertisers with some financial incentive for this purpose. But the benefit of Class 8 is **not available in any National Park, Area of Outstanding Natural Beauty, Conservation Area, the Broads, or Area of Special Control of Advertisements**. Outside those designated and defined areas, this consent is limited to land being developed for commercial, industrial or business use, and is *not* available for any residential development.

Advertisements permitted by Class 8 **must not**:

- be displayed more than three months before the date on which the building or construction works actually start;
- be more than 38 square metres in area
- be more than 4.6 metres above ground level
- be displayed for more than three years.

Additionally, the advertiser must send written notification to the planning authority of his intention to display such an advertisement at least 14 days before the display starts, and provide a copy of the detailed planning permission for the site.

These advertisements may be illuminated in a manner reasonably required to fulfil the purpose of the advertisement. An example is shown in illustration 27.↓



Class 9: advertisements displayed on purpose-designed highway structures

Class 9 enables the smallest standard size of poster-panel (known as four-sheet) to be displayed on structures or objects placed on highway land with the local council's approval, under the Highways Act 1980 (section 115E).

The rules for Class 9 are:

- the structure, such as a bus shelter or information kiosk, must be purpose-designed for displaying this size of poster-panel;
- the poster-panel must not exceed 2.16 square metres in area; and
- no illumination is permitted. An example is shown in illustration 28.↓



Class 10: properly authorised signs for approved Neighbourhood Watch and similar schemes

Class 10 enables outdoor signs for a closed circuit television surveillance scheme or a Neighbourhood Watch and other Watch schemes, jointly established by a local Watch committee and the police authority, to be displayed on, or near, highway land, saying that a Watch scheme is in operation in the area. This is also intended to include Home Watch, Crime Watch, Farm Watch and Industrial Watch schemes set up jointly with the police authority. The rules for Class 10 are:

- signs must not exceed 0.2 of a square metre in area;
- no sign may exceed 3.6 metres above ground level;
- for signs on highway land, the highway authority's permission *must* first be obtained;
- 14 days before any sign is put up, the local planning authority must be told where it is to be displayed and assured that it is properly authorised by the police and (if necessary) the highway authority; and
- if the police or highway authority withdraw their approval, or the Watch scheme ceases to operate, the signs must be removed within 14 days.

Outdoor advertisements and signs: a guide for advertisers

Class 11: directional advertisements

Class 11 permits housebuilding firms to put up temporary directional signs, telling potential housebuyers and other visitors how to reach a site where new residential development is taking place. The rules for Class 11 are:

- signs **must not** exceed 0.15 of a square metre in area;
- **no sign may** exceed 4.6 metres above ground level, or 3.6 metres in an Area of Special Control of Advertisements;
- any lettering or other information on the sign **must not be less than** 40 millimetres or more than 250 millimetres high;
- retroflective material and illumination **must not** be used;
- the sign **must not** look like an official traffic sign;
- the sign **must** be near to, but not on, highway land and not within 50 metres of an official traffic sign facing in the same direction;
- **no sign may** be more than two miles from the main entrance to the housebuilding site;
- 14 days before any sign is put up, the local planning authority **must be** told where it is to be displayed and from what date; and
- **no sign may** continue to be displayed after development of the housebuilding site is completed; or for more than two years.

An example is shown in illustration 29.↓



Class 12: advertisements displayed inside buildings

Class 12 permits advertisements to be displayed inside a building if;

- they are illuminated (for example, a sign in the window of a chemist's shop);
- the building is mainly used to display advertisements; or
- the advertisement is within one metre of any window or other external opening through which it can be seen from outside the building.

Class 13: advertisements on sites used for the preceding ten years for displaying advertisements

Class 13 allows advertisements to be displayed on a site that has been used continually for the preceding ten years for the display of advertisements. Class 13 does not permit any substantial increase in the extent, or alteration in the manner, of the use of the site or the display of the advertisement.

Class 14: advertisements displayed after the expiry of express consent

Class 14 permits the continued display of advertisements for which the permitted period of express consent (usually five years) has expired and for which the planning authority has not forbidden any further display of that advertisement, or refused an application for its renewed display.

Class 15: Captive balloons advertisements

One balloon advertisement may be displayed if it is:

- not more than 60 metres above the ground;
- not displayed for more than 10 days in any calendar year; and
- not in any Area of Special Control of Advertisements, National Park, Area of Outstanding National Beauty, Conservation Area or the Broads.

Although captive balloon advertisements displayed at a height of more than 60 metres above ground level may be displayed, they are subject to the civil aviation controls over all forms of aerial advertising, and you must obtain the Civil Aviation Authority's consent before you fly any balloon at a height of more than 60 metres.

Class 16: advertisements on telephone kiosks

Class 16 allows the display of an advertisement on the glazed surface of a telephone kiosk, other than a kiosk of type K2 (1927) or K6 (1935) designed by Giles Gilbert Scott.

- No advertisement may be displayed in an Area of Outstanding Natural Beauty, a Conservation Area, a National Park, the Broads or an Area of Special Control of Advertisements.
- Illumination is not permitted.
- With the exception of the name of the electronic communications code operator, its trading name or symbol, no advertisement may be displayed on more than one face of the kiosk.
- Where three or more kiosks are sited in a row or group, the display of an advertisement on any face of one kiosk shall preclude the display of an advertisement on the face of any adjacent kiosk.

Advertisements Which Need Specific Permission, and How to Obtain it

Express consent

If an advertisement you want to display is not excluded from control, and does not benefit from any of the provisions for deemed consent, you need the planning authority's express consent before you can display it. Some frequently displayed types of advertisement for which you need the planning authority's consent are:

- virtually all posters
- some illuminated signs
- fascia signs and projecting signs on shop-fronts or business premises where the top edge of the sign is more than 4.6 metres above ground level
- most advertisements on gable-ends.

How to obtain advertisement consent

To obtain consent to put up an advertisement or sign you will need to apply to the planning authority for the area where it will be displayed. Most planning authorities provide a standard application form, which you can obtain from the local Council's Planning Department. Electronic standard application forms are available from the Planning Portal via the following link: www.planningportal.gov.uk. In addition to the completed application form, illustrative plans and drawings are required; and you will have to pay the appropriate charge for the advertisement application. The tariff of charges is related to the type of advertisement involved in the application, and the amounts are reviewed annually. Information about current charges is given on the application form, or can be obtained from the Planning Department's area office.

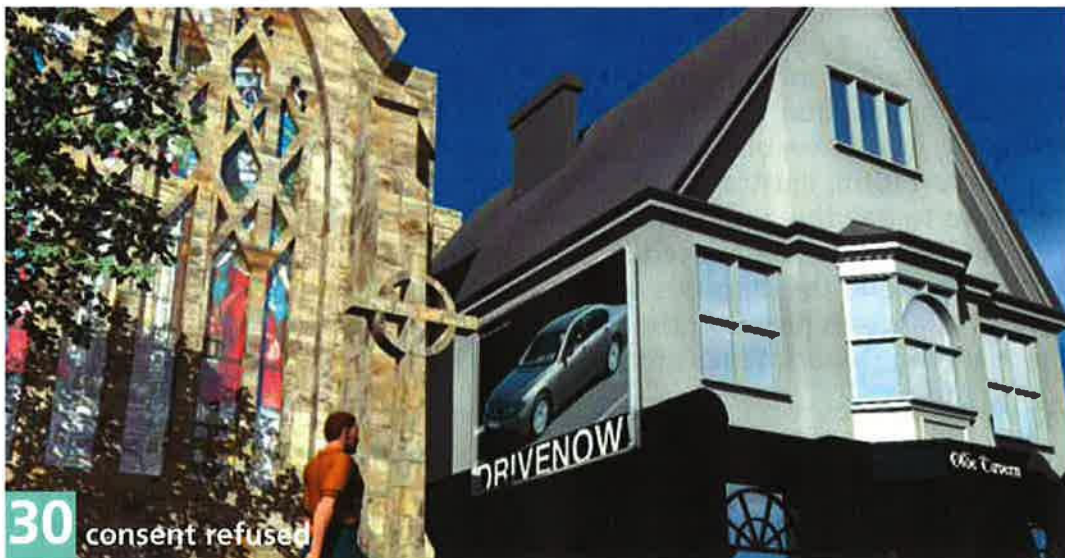
How your application for consent is decided

Your application for consent to display an advertisement will usually be decided by the Planning Committee of the district council or London borough council, for the site where the advertisement is to be displayed. Alternatively, the Planning Committee may have delegated this responsibility to an officer of the Council's Planning Department. In deciding whether to approve your application, the planning authority may consider only two issues; these are described in the rules as the interests of amenity and public safety. Many planning authorities have formulated and adopted advertisement control policy statements, indicating what detailed considerations they regard as relevant to their decisions on advertisement applications. The statements often indicate the circumstances in which advertisements are likely to be permitted or refused. But while a relevant policy statement will be a material factor in deciding your advertisement application, it should not be the only decisive factor because the planning authority must always have regard to the circumstances of each individual advertisement application.

What do 'amenity' and 'public safety' mean?

The terms 'amenity' and 'public safety' are not defined in detail in the advertisement control rules, although advice on these terms is given in

Circular 03/2007 and *PPG 19*. Each planning authority (and the Secretary of State on appeal) must interpret what is meant by these expressions as they apply in particular cases. In practice, 'amenity' is usually understood to mean the effect upon visual and aural amenity in the immediate neighbourhood of displaying the advertisement, or using an advertisement site, where passers-by, or people living there, will be aware of the advertisement. So in assessing amenity, the planning authority will always consider the local characteristics of the neighbourhood. For example, if your advertisement will be displayed in a locality where there are important scenic, historic, architectural or cultural features, the planning authority will consider whether it is in scale and in keeping with these features. This might mean that the planning authority would refuse consent for a large poster-boarding which would visually dominate a group of 'listed' buildings. But where there are large buildings and main highways, for example in an industrial or commercial area of a major city, the planning authority may grant consent for large advertisements which would not adversely affect visual amenity in the neighbourhood of the site. Two examples are shown in illustrations 30 and 31.↓



Outdoor advertisements and signs: a guide for advertisers

It also means aural amenity, so any noise the advertisement makes will be taken into account before express consent is given.

If you are in doubt whether an advertisement needing specific consent will be acceptable on grounds of amenity, staff in the local authority's Planning Department will usually advise you informally before you submit an application formally to them. Among amenity considerations the authority must not include the content or subject-matter of an advertisement, nor whether an advertisement would offend public decency, or moral values. These factors are controlled by a voluntary 'code of conduct' supervised by the Advertising Standards Authority.

'Public safety' means the considerations which are relevant to the safe use and operation of any form of traffic or transport on land (including the safety of pedestrians), over water or in the air. So, for this purpose, the planning authority must assess the likely effects of your advertisement in relation to such matters as the behaviour of drivers, possible confusion with any traffic sign or signal, or possible interference with a navigational light or aerial beacon. But the planning authority will assume that all advertisements are intended to attract people's attention, so that the advertisement you want to display would not automatically be regarded as a distraction to passers-by in vehicles or on foot. What matters is whether your advertisement, or the spot where you propose to site it, will be so distracting or so confusing that it creates a hazard for, or endangers, people who are taking reasonable care for their own and others' safety. When they are considering 'public safety' factors for your advertisement, the planning authority will normally consult other relevant bodies, for example the highway authority if your advertisement is alongside a major road.

What happens after the authority's decision?

If the planning authority have granted consent for the display of your advertisement, the consent usually lasts for five years. But the authority may grant consent for a longer or shorter period than five years; so it is worth checking, in the notification of their decision, for how long the consent will last. However, unless the planning authority have imposed a condition that your advertisement must be removed after their consent expires, you may continue to display it without making any further application, although the authority may still take 'discontinuance action' against it.

What happens if the planning authority refuse consent?

If the planning authority refuse consent for your advertisement, or they impose a condition on their consent with which you are dissatisfied (for example, the hours for illuminating a shop fascia sign are very strictly limited), you have a right to appeal against the authority's decision to the Secretary of State (as explained in the following paragraph). You also have a right to appeal to the Secretary of State if the planning authority fail to give their decision within eight weeks of the date of your advertisement application, or within any period longer than eight weeks which you and the planning authority may have agreed. But you have no right to appeal if the planning authority tell you that they have treated your application as withdrawn because it is similar, in all relevant respects, to one on the

same site which has been refused by the Secretary of State on appeal within the preceding two years.

How and when you can appeal to the Secretary of State

If you wish to appeal against the planning authority's decision for an advertisement site in England, your appeal must be made to the Secretary of State for Communities and Local Government. The best way to appeal is to complete the official advertisement appeal form which is available from Communities and Local Government at the following address:

Department for Communities and Local Government

Customer Support Unit
Room 315, Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
Tel: 0117 372 6372

Your appeal must normally be made within eight weeks of the date when you receive notification of the planning authority's decision; but the Secretary of State has discretion to allow a later appeal if she considers that the circumstances justify it. The appeal procedure is fully explained on the appeal form, and Communities and Local Government will usually be able to provide any additional advice you need. The Secretary of State's decision on an appeal is usually the final determination, on 'amenity', and 'public safety', for your advertisement application, although there is a further right to appeal to the High Court, on a point of law or if there has been a breach of natural justice.

Illegal advertisements

Anyone who displays an advertisement, or uses an advertisement site, or knowingly permits someone else to do so, without the consent required for it is acting illegally. It is then immediately open to the planning authority to bring a prosecution in the Magistrates' Court for an offence under section 224 of the Town and Country Planning Act 1990. But, unless an offence is especially flagrant or repeated, the planning authority may not initially consider it necessary to prosecute for an advertisement offence. Instead, they may invite the advertiser to apply for the consent they believe he needs, and, if consent is refused, there will be a right of appeal to the Secretary of State.

The continued display of any advertisement after consent has been refused, and any appeal dismissed, may well result in prosecution. The maximum fine on conviction of an offence is presently £2,500, with an additional daily fine of one-tenth of the maximum penalty on conviction of a continuing offence.

It is illegal to display any advertisement (even if it has deemed consent) without first obtaining the permission of the owner of the site, or any other person who is entitled to grant permission.

Outdoor advertisements and signs: a guide for advertisers

Any form of fly-posting (that is, displaying an advertisement without consent) is an offence which is immediately open to prosecution, or to the removal or obliteration of any fly-posting material if the district council or London borough council decide to take remedial action against fly-posting in their area. In the case of a placard or poster, if the material identifies the advertiser displaying it, the Council must give two days' written notice of the intention to remove or obliterate it. This advance notice gives the advertiser the opportunity to contest the Council's proposed actions, but if the advertiser is not identified a placard or poster may be immediately removed or obliterated.

Appendix: Special Controls

Power to take away the benefit of deemed consent

The rules enable the planning authority to invite the Secretary of State to order that, in any particular area, or on any particular site, an advertisement which would normally benefit from deemed consent is not to be displayed without the planning authority's specific consent. Before making any such order, the Secretary of State must ensure that the planning authority's representations to her are publicised, so that local people and interested organisations may have an opportunity to make whatever representations they wish about the merits of the proposed withdrawal of deemed consent. She must take account of any objections to the order; and, if she does decide to make it she must give her reasons in writing for doing so.

Because the withdrawal of a deemed consent may adversely affect people's livelihoods, it will be confined to those few circumstances where it is clear to the Secretary of State that one or more of the deemed consent provisions have had such adverse effects on the environment that there is no prospect of an improvement in the quality of advertising in the locality unless the planning authority are enabled to control that particular type of advertising. Once such an order has been made by the Secretary of State, the class of deemed consent to which the order relates is no longer available to advertisers after a specified date.

Power to take 'discontinuance action'

The rules enable the planning authority to take discontinuance action against any advertisement, or the use of any advertisement site, which normally has the benefit of any of the categories of deemed consent. Action to serve a 'discontinuance notice' may be taken only if the planning authority are satisfied it is necessary to do so to remedy a substantial injury to the amenity of the locality or a danger to members of the public.

When the planning authority decide to take discontinuance action they must ensure that a copy of their discontinuance notice reaches the advertiser and the owner and occupier of the site on which the advertisement in question is displayed. The discontinuance notice must state:

- the advertisement or advertisement site whose display or use is to stop;
- the period within which the display or use must stop;
- the reasons why the planning authority consider that the display or use should stop; and
- the effective date of the notice (not less than eight weeks after it is served).

Anyone who receives a discontinuance notice has a right of appeal against it to the Secretary of State before the specified date on which it is to take effect. The Secretary of State then considers the appeal on its own merits in the usual way. If the appeal succeeds, the discontinuance notice does not take effect; if the appeal fails, the display of advertisements, or the use of the advertisement site, must stop on the date specified in the decision on the appeal.

Outdoor advertisements and signs: a guide for advertisers

What is an Area of Special Control of Advertisements?

An Area of Special Control of Advertisements is an area specifically defined by the planning authority because they consider that its scenic, historical, architectural or cultural features are so significant that a stricter degree of advertisement control is justified in order to conserve visual amenity within that area. Legislation requires that Areas of Special Control are to be:

- rural areas; or
- other areas which appear to the Secretary of State to require 'special protection on grounds of amenity'.

Before any Area of Special Control defined by a local planning authority can be effective, the Secretary of State must approve it. This approval procedure ensures that nationally applicable standards are used in determining what areas are to have stricter advertisement control.

In practice, Areas of Special Control vary considerably in their extent. For example, large areas of the Lake District and the Peak District and of the counties of North Yorkshire, Norfolk, Devon and Cornwall are Areas of Special Control, as are, at the other extreme, the cathedral precinct in York, parts of Westminster and small areas in the city of Leeds. The boundary of any Area of Special Control must always be defined precisely, by reference to an Ordnance Survey base-map, so that it is possible to ascertain whether particular premises are within special control or not. For this reason, it may be worth checking exactly where the boundary is because there may be small enclaves (such as a moderately sized town) where the stricter provisions do not apply.

In any Area of Special Control of Advertisements three main categories of outdoor advertising are permitted. They are:

- public notices
- advertisements inside a building
- advertisements for which there is deemed consent.
- Additionally, the planning authority may give their specific consent in an Area of Special Control for:
 - notices about local events or activities;
 - advance signs or directional signs which are 'reasonably required' in order to direct people to the place identified by the sign;
 - an advertisement required for public safety reasons; and
 - an advertisement in any of the deemed consent classes if it is considered reasonable for the normal limits on that class to be exceeded.

The main consequence for advertisements which can be displayed with deemed consent in an Area of Special Control is that there are stricter limits on permitted height and size of the advertisement than elsewhere. These limits are explained in relation to each class of deemed consent.

Bath & North East Somerset Council		
MEETING:	Cabinet	
MEETING DATE:	11 April 2012	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2383
TITLE:	Draft Concept Statements for MoD sites in Bath	
WARD:	All Bath Wards	
AN OPEN PUBLIC ITEM		
<p>List of attachments to this report:</p> <p>Appendix 1: draft Concept Statements for MoD Foxhill (TO FOLLOW)</p> <p>Appendix 2: draft Concept Statements for MoD Warminster Road (TO FOLLOW)</p> <p>Appendix 3: draft Concept Statements for MoD Ensleigh (TO FOLLOW)</p> <p>Appendix 4: proposed public consultation strategy on MoD sites concept statements</p>		

1 THE ISSUE

1.1 The MOD has announced that its sites at Ensleigh, Foxhill, and Warminster Road in Bath are surplus to requirements for military purposes. In response the Council has been working with the MOD to prepare Concepts Statements for each site in order to guide their redevelopment and the disposal process. The draft Concept Statements will be published for public consultation before their finalisation and endorsement by the Cabinet.

2 RECOMMENDATION

2.1 The Cabinet agrees that:

- 1) the draft Concepts Statements for the MoD sites at Ensleigh, Foxhill, and Warminster Road in Appendices 1, 2 and 3 are approved for public consultation,
- 2) delegated authority is granted 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, and
- 3) the proposed public consultation strategy in Appendix 4 is approved

2 FINANCIAL IMPLICATIONS

- 2.1 The preparation of the three Concept Statements is being funded from Planning Service Placemaking Plan budget in the Local Development Framework budget. Any additional funding required will be drawn from Development & Major Projects reserves subject to the appropriate approvals for the use of these reserves.
- 2.2 It is not currently envisaged that the Council will need to make a contribution to the redevelopment of these sites, other than that referred to in paragraph 2.1 above, for the preparation of Concept Statements. However, the Council will need to prioritise the infrastructure provision to be supported by developer contributions. The draft Concept Statements start this process by identifying key infrastructure requirements associated with the development of each of the three sites.
- 2.3 Based on the (Strategic Housing Land Availability Assessment) SHLAA the three sites have the capacity of generating up to £10.5 million pounds in New Homes Bonus under the current regime. The future use of any New Homes Bonus receipts arising will be considered by the Council as part of the medium term service and resource planning process in the appropriate financial year.

3 CORPORATE OBJECTIVES

- 3.1 Due to the strategic nature of the sites, the MOD is finalising a Statement of Intent (SOI) with Bath & North East Somerset to work together to achieve the objectives of both organisations.
- 3.2 For Bath & North East Somerset Council, this is to;

Build a stronger economy by:

- a) optimising the development potential of the sites, having regard to the Council's planning and economic development policies for the City.
- b) supporting the objectives of the Economic Strategy and underpin the Growth Agenda

Promoting independence and positive lives for everyone and creating neighbourhoods where people are proud to live by:

- c) promoting a housing led mixed-use development of the sites which will assist in delivering Bath and North East Somerset's strategic housing and, employment objectives, including local affordable housing needs, and address wider environmental, social and community issues as outlined in the Draft Core Strategy and so contribute to its objectives.
- d) consulting with and consider local community views and needs
- e) mitigating local labour market and transportation impacts and support bids for funds to promote local employment growth

- 3.3 For the MOD, Statement of Intent is to ;

- a) optimise the disposal receipt for the sites

- b) ensure site disposal by March 2013 in accordance with MOD requirements

4 THE REPORT

Introduction

- 4.1 The three MOD sites are of significant importance to Bath and North East Somerset in terms of new housing supply. They form a key part of the Core Strategy approach of focussing development needs on brownfield land to limit urban expansion onto greenfield sites. The sites are identified within the SHLAA as providing around 20% of Bath's supply in the period up to 2026.
- 4.2 Relocation of staff to MOD Abbey Wood has already commenced with the MOD expecting to have vacated the sites by March 2013, although a portion of the Ensleigh site is anticipated to remain in active MOD use until approximately 2018. The MOD intends to start marketing the sites from September 2012.

Project Governance

- 4.3 An officer steering group has been formed that includes senior representatives from the MOD, Bath & North East Somerset Council and the Homes and Communities Agency. The role of the Steering Group is to provide overall project direction to the project and to make or ratify key project decisions.
- 4.4 A cross-service project team has been created to co-ordinate the preparation of a Concept Statement for each site.

Concept Statements: Contents and Objectives

- 4.5 For sites such as these, the Council would normally prepare formal planning policy through a Development Plan Document (DPD) but because there is insufficient time in the disposal timescale to complete this statutory process, the Concept Statements are being prepared. However, the Concept Statements are the first stage in the preparation of the Council's Placemaking Plan (Site Allocations DPD) and their preparation will be subject to the initial stages of statutory Plan preparation, including assessment of evidence and public consultation. This will provide sufficient planning weight to provide a basis for on-going discussions with developers.
- 4.6 The Concept Statements are not detailed site briefs or masterplans. Instead, they set out the high level development principles to assist developers in the formulation of proposals for each site. The Concept Statements will highlight the relevant evidence base as well as highlighting what further work is required. They will assist developers in what is required to create sense of place and quality whilst also maximising the development potential of each site.
- 4.7 The Concept Statements will set out in a concise manner:
- The aspirations for each site,
 - The key planning priorities and requirements for new development as they relate to each site,

- The process setting out how developers (once the sites have been sold) should engage with local communities.

4.8 Preparation of the Concept Statements is intended to provide developers with greater certainty by identifying a clear process towards gaining planning permission. They set out the tools that the Council can offer to applicants to enable the delivery of a managed planning process.

Partnership working

4.9 As the Concept Statements will ultimately drive the value of the three sites, it is important to ensure the MoD remain committed to partnership working and support the content of the Statements. In addition to the Statement of Intent (section 3 above), a verification process has been agreed with the MoD.

4.10 The MoD has agreed to provide its own resources for the verification of the Council's baseline analysis together with resources to support community and stakeholder consultation, where appropriate.

Timetable

4.11 A project plan has been agreed with the MOD that will enable the three Concept Statements to be prepared and agreed by the Council to meet with MoD's disposal timescales. Key dates are;

Currently:	Evidence collation and options testing
April:	Cabinet considers draft Concept Statements for public consultation
April to May:	Public consultation (including consideration by PTE Policy Development & Scrutiny Panel in May)
May to July:	Revision and finalisation
July:	Cabinet endorsement of Concept Statements

5 RISK MANAGEMENT

5.1 The report author and Lead Cabinet Member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

5.2 It should be noted that the Concept Statements will not be formal Development Plan Documents and hence cannot be accorded the full weight of adopted Planning Policy. However their preparation is the first part of preparing the statutory Placemaking Plan which will afford them sufficient planning weight at this stage.

6 EQUALITIES

6.1 An Equality Impact Assessment (EqIA) has been completed. No adverse or other significant issues were found.

6.2 The following impacts have been identified that have a positive impact on all groups and the community as a whole.

- Positive impact for all of increased housing opportunities including affordable homes.
- Increased housing to reinforce local centres
- Increased connectivity to and from areas of housing, employment and neighbourhood centres.
- Implementation of Core Strategy Policies PC43 and PC84 which will have a positive impact for all as reduces carbon emissions with benefits for health and wellbeing, and where heritage assets are made more energy efficient there will be cost savings.

6.3 In accordance with the B&NES Statement of Community Involvement, the public consultation process will ensure that relevant target groups (in this case young people, faith, ethnic and language groups, disabled people, small business owners and residents have the opportunities to engage in the process

7 RATIONALE

7.1 Preparation of Concept Statements will assist in setting out the Council's development requirements and priorities clearly and at an early stage in the disposal of the MoD sites. This provides clarity for any prospective site purchasers and will assist in the redevelopment process. There is insufficient time to prepare a formal Development Plan Document in the disposal process.

8 OTHER OPTIONS CONSIDERED

8.1 Adoption of a statutory Development Plan Document or Supplementary Document: Whilst the Concept Statements represent the start of a statutory plan-making process, there is insufficient time available to complete the preparation of Statutory Planning Documents.

8.2 Preparation of a Masterplan/development brief: This would entail a level of detail premature at this stage in the development process and commit the Council to unwarranted cost.

8.3 Do nothing: This will result in lack of clear planning guidance and lack of clarity of corporate priorities. This will be of detriment to the site disposal process, result in lack of clarity for developers and to guide the site disposal process and could inhibit the Council achieving its corporate objectives.

9 CONSULTATION

9.1 *Ward Councillor; Cabinet members; Parish Council; Overview & Scrutiny Panel; Staff; Other B&NES Services; Local Residents; Community Interest Groups; Youth Council; Stakeholders/Partners; Other Public Sector Bodies; Charter Trustees of Bath; Section 151 Finance Officer; Chief Executive; Monitoring Officer*

9.2 The proposed public consultation strategy on the draft Concept Statements is set out in Appendix 4.

9.3 At their meeting on 13th March, PTE Scrutiny Panel gave their approval to the process as set out in this report

10 ISSUES TO CONSIDER IN REACHING THE DECISION

10.1 *Social Inclusion; Customer Focus; Sustainability; Human Resources; Property; Young People; Human Rights; Corporate; Health & Safety; Impact on Staff; Other Legal Considerations*

11 ADVICE SOUGHT

11.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	David Trigwell (Divisional Director, Planning and Transport Development) 01225 394125
Sponsoring Cabinet Member	Councillor Tim Ball (Cabinet Member for Homes and Planning)
Background papers	B&NES Core Strategy (Submission Version 2011) B&NES Strategic Housing Land Availability Assessment 2011
Please contact the report author if you need to access this report in an alternative format	

MoD Concept Statements:

Consultation and Communications Approach

Overview

The MoD Concept Statements must provide clarity and reduce risk for communities and developers. Therefore, within timescale targets, the documents must achieve the maximum level of planning “weight” as emerging planning policy through demonstrating their relationship with adopted and emerging policy such as the Core Strategy, and through an appropriately rigorous drafting and approvals process.

This includes appropriate and sound engagement within the drafting process to reflect best practice in planning policy, and to accord with relevant Planning Regulations, the Council’s Statement of Community Involvement and the emerging Neighbourhood Planning Protocol. This will help ensure that they have sufficient weight to secure their objectives through the development management process.

Overview of key phases and tasks

Pre Consultation Period	
Present – 18 th April	<ul style="list-style-type: none"> • Identify audiences (B&NES wide and site specific) • Develop and deliver wider communications approach • Website – draft content / arrange project specific pages including evidence base / publish / communicate • Print – procure and coordinate design / establish brand identity / draft copy / select images / production of Concept Statements / distribution • Preparation for staffed community exhibitions x4 – procure and coordinate design / draft copy / select images / planning / venue booking / communication • Undertake informal discussions with key stakeholders to prepare them and raise their awareness of forthcoming consultation events, and to minimise risk of unidentified issues emerging during later stages. This is not about providing specific detail on the content of the Concept Statements, although discussions will need to be tailored to reflect relevant issues.

Consultation period	
18th April – 30th May	<ul style="list-style-type: none"> • Update Website • Inform public about process and Council’s response to MoD sites / invite to community exhibitions • Documents online / printed and available in key locations • Focussed Questionnaire online / printed and available in key locations (to be determined) • Deliver staffed community exhibitions x4 (one near each site and one in Bath city centre) , together with recording hopes and fears suggestions
Post Consultation period	
30th May – site disposal (Sept)	<ul style="list-style-type: none"> • Website – Feedback • Revision, endorsement, and launch of Concept Statements • Site Disposal begins, with next phase of PR and Communications strategy to ensure objectives achieved.

Bath & North East Somerset Council		
MEETING:	Cabinet	
MEETING DATE:	11th April 2012	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2325
TITLE:	A Community Infrastructure Levy for Bath & North East Somerset	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix A: B&NES Preliminary Draft Charging Schedule		

1 THE ISSUE

1.1 The Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule has been prepared for public consultation. The CIL is a new tariff system that allows local authorities to raise funds from developers to contribute to the costs of providing the infrastructure needed to support new development. The introduction of CIL coincides with significant changes to the s.106 regime. From April 2014, local authorities will no longer be able to operate their existing s.106 arrangements and to secure developer contributions they will need to have adopted a CIL Charging Schedule.

2 RECOMMENDATION

The Cabinet agrees that:

- 2.1 The preliminary draft charging schedule (Appendix A) is approved for a public consultation in April – June 2012.
- 2.2 Responsibility is delegated 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.
- 2.3 A procedure to monitor annually and review the CIL to ensure rates remain appropriate and effective is established.
- 2.4 Following consultation on the preliminary draft charging schedule a further report is considered by Cabinet on the draft charging schedule

3 FINANCIAL IMPLICATIONS

- 3.1 CIL has the potential to make an important contribution to the funding of infrastructure needed to support the District's long term growth aspirations as set out in the Core Strategy. It is estimated that CIL could yield around £ 21.5 million up to 2026 (the Core Strategy plan period). CIL can only be levied if there is a funding gap in infrastructure provision.
- 3.2 The Infrastructure Delivery Programme (IDP Nov 2011) identifies the infrastructure required from a broad range of Service Providers and statutory undertakers to deliver the District's plans for growth in the Core Strategy. The IDP includes an estimate of the costs although this is continually being updated and refined. The costs and requirements in the longer term are unavoidably more difficult to identify. The IDP is therefore a 'live' document subject to ongoing updating and refinement. It is not a formal investment programme and does not entail financial commitment by the Council or other statutory providers. It will be subject to prioritisation, influenced by the sequence of development and availability of funds.
- 3.3 The IDP confirms that there is a funding gap to which CIL will need to make a contribution. However CIL will not be the sole funding source. It will supplement other potential funding streams such as Business Rate Growth, New Homes Bonus, the Revolving Infrastructure Fund and HCA funding. Each of these will need to be considered by the Council as part of its medium term service and resource planning process as for example, New Homes Bonus is currently being used to help support frontline services.
- 3.4 The preparation of CIL during 2011/12 has been funded by New Growth Point Funding. This will continue during 2012/13 in conjunction with the Local Development Framework budget. A request has therefore been made to carry over the £13,000 unspent New Growth Point funding to 2012/13 to fund the preparation of CIL.
- 3.5 Alongside setting the CIL charging schedule, work is underway to establish the Local Authority as a CIL Charging Authority. This includes the appointment of a CIL Coordinator to arrange and oversee charging arrangements and s.106/CIL monitoring officer to implement CIL.
- 3.6 Charging Authorities will be able to use funds from the levy to recover the cost for setting up and administering the levy using up to 5% of their total receipts on administrative expenses.
- 3.7 The Council has secured nearly £20 million through s.106 agreements in the last 10 years. However, the current Planning Obligation SPD will need to be reviewed during 2012/13 to align it with CIL. This work will

be funded by the Local Development Framework budget during 2012/13.

3.8 In order to determine what infrastructure the funds gained through CIL will be spent on, the Council must prepare a “Regulation 123 Statement”. The spending priorities will be informed by the Council’s infrastructure Delivery Plan and the Planning & Financing the Future project. A meaningful amount must also be apportioned to local communities where the development takes place but the Government is yet to issue guidance on this.

4 CORPORATE PRIORITIES

- *Promoting independence and positive lives for everyone*
- *Creating neighbourhoods where people are proud to live*
- *Building a stronger economy*

4.1 The CIL will contribute to economic growth through facilitation of the infrastructure needed to support new development. This will also help to ensure that the types of new neighbourhoods created are those in which people are proud to live.

5 THE REPORT

Overview of the Community Infrastructure levy

5.1 The Community Infrastructure Levy allows local authorities to charge a levy on new development to raise funds to contribute to the costs of infrastructure to enable growth.

5.2 The money raised must be used to provide infrastructure to support the development of the area. For example by providing new roads and transport, school places, local amenities such as a park, community centre, or a new health centre. However, CIL will not be sufficient to fund all infrastructure – it is intended to contribute to the funding gap that remains once other sources of funding have been explored. CIL applies to net increases in floorspace and is charged at a rate per m². Local authorities can charge and spend the levy and are known as **charging authorities**.

5.3 Charging authorities must produce a **charging schedule** that sets out the rate or rates they will charge. They are required to consult their residents and other interested parties in setting their rate(s) and those rate(s) must be supported by evidence. The key consideration in setting the rate is the impact on the economic viability of new development. Consultation is required at an early stage (Preliminary Draft Charging Schedule) and on the Draft Charging schedule.

5.4 Draft Charging schedules are examined publically by an independent examiner who will assess whether the legislation has been complied with and that the rates that are proposed will support rather than harm the delivery of new development. The preparation procedures are governed by statute and the timetable for B&NES is set out below.

Table 1: Overall timetable

Key Stage	Date
Project commencement	July 2011
Publish Preliminary Draft Charging Schedule <i>This is the first stage of public consultation and the Council will amend the Draft Charging Schedule in light of comments received.</i>	April – June 2012
Public Consultation on Draft Charging Schedule <i>This is the second consultation which will be used to further shape and refine the CIL.</i>	Autumn 2012
Submission <i>The Draft Charging Schedule submitted to the Secretary of State.</i>	January 2013
Examination <i>Draft Charging Schedule examined in public by an independent inspector.</i>	March 2013
Report <i>The independent examiner's makes recommendations.</i>	June 2013
Adoption <i>The final version of the document adopted by the council</i>	September 2013

Monitoring

5.5 The adoption of a CIL system relies on viability assessments undertaken at a fixed point in time. It is acknowledged that fluctuations in the markets and changes in building costs may have significant impact on development viability. Therefore the Council will establish a procedure to monitor annually and review the CIL to ensure rates remain appropriate and effective. Any changes to CIL rates will be subject to consultation as set out in the CIL Regulations.

Preliminary Draft Charging Schedule

5.6 The Preliminary Draft Charging Schedule (Appendix A) sets out the levels of CIL that the council proposes to charge. In deciding the rate(s) of CIL, the most important consideration for authorities is achieving a balance between securing additional investment for infrastructure to

support development and the potential economic effect of imposing CIL upon development across the district.

5.7 The Preliminary Draft Charging Schedule rates have been arrived at by assessing the level of CIL at which development remains viable as informed by the **Viability Study** which is available as a background paper. Additional corroboration of the Viability Study has been undertaken through the **Planning and Financing the Future** project. Progression of this project, which is looking at options for financing the delivery of Bath City Riverside 'City of Ideas' Enterprise Area, was agreed by Cabinet in November 2011 (see Cabinet Report as a background paper). The results of the work are currently anticipated to be reported to Cabinet in June 2012.

DEVELOPMENT TYPE	CIL RATE	
Residential (Class C3) (including sheltered accommodation)	Residential Zone A Bath Bath North and East Chew Valley West Bath North/West/South Chew Valley East Keynsham Norton Radstock	£ 100 m ²
	Residential Zone B Bath Rural/Bathavon	£ 200 m ²
Office	£ nil m ²	
Hotel	In Bath £100 m ²	
	Outside Bath £ nil m ²	
In-centre/High Street Retail	Bath city centre	£150 m ²
	Other centres	£ nil m ²
Out-of and Edge-of Centre Retail	<280m ²	£ nil m ²
	>280m ²	£150 m ²
Industrial and warehousing	£ nil m ²	
Student accommodation	On Campus £60 m ²	
	Off Campus £100 m ²	
Any other development	£ nil m ²	

Options

- 5.8 If there is significant spatial variation of viability, a charging authority can vary the rate across the district. Likewise, the Council can also differentiate in the rate between different uses such as residential or commercial if supported by the evidence. The evidence in Bath & North East Somerset indicates that both a geographic and a development type differentiation is warranted.

Links with other key documents/initiatives

- 5.9 **Core Strategy and Economic Strategy** – preparing a CIL charging schedule will help demonstrate the deliverability of the infrastructure that is needed to support the development proposed in these strategies. The Council must have an adopted Core Strategy before it can adopt CIL. It is anticipated that the Core Strategy will be adopted later this year.
- 5.10 **Infrastructure Delivery Plan (IDP)** – the Council’s IDP prepared identifies the infrastructure needs in the district to support its growth aspirations. As well as being a key evidence for the Core Strategy, it forms the basis for the setting of the CIL level.
- 5.11 **Planning and Financing the Future (PaFF)** - PaFF is a pilot study instigated to test the viability and deliverability of different quantum and mixes of development across ten strategic sites within the Bath City Riverside ‘City of Ideas’ Enterprise Area. The PaFF work has been undertaken using a common assessment base with the CIL work. The PaFF project has studied specific sites but the CIL viability study provides the more strategic assessment as required by the regulations.

CIL and Section 106 Planning Obligations

- 5.12 Planning obligations (s. 106 Agreements and unilateral undertakings) will continue to be required on individual developments to provide site specific mitigation. Whilst there is some scope for pooling S106 contributions, they cannot overlap with CIL payments. It is therefore necessary to revise the B&NES Planning Obligations Supplementary Planning Document (SPD) and publish it alongside the CIL draft charging schedule submission document in autumn 2012.
- 5.13 To avoid overlap with s.106, a charging authority may publish, on its website, a list of infrastructure projects or types of infrastructure that it intends will be, or may be, wholly or partly funded by the CIL. This list is described as ‘**Regulation 123 Statement**’. The process of setting up and updating the list is separate to the formal process of setting and reviewing its charging schedule.

Affordable Housing

- 5.14 Currently CIL excludes Affordable Housing. However the Government is reviewing this position. If any changes are made, these will need to be taken on board during the preparation of the B&NES CIL.

How will the levy be spent?

- 5.15 The levy is intended to focus on the provision of new infrastructure rather than remedy pre-existing deficiencies. The Regulation 123 Statement will set out the Council's infrastructure spend priorities. Local authorities are required to pass a meaningful proportion of receipts arising from development to local neighborhoods where development takes place. This requires the Council to establish a formal process.

6 RISK MANAGEMENT

- 6.1 The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.
- 6.2 If adoption of CIL is delayed beyond April 2014, the funding that the Council can secure from new development will be significantly reduced. As a prerequisite for adoption of CIL is an adopted Core Strategy, there is some risk to the programme for preparation of CIL if there is any delay in the Core Strategy. Therefore some contingency has been built into the timetable to allow for delays or any unforeseen events.
- 6.3 The non-negotiable nature of CIL may result in pressure on the remaining negotiable development contributions under s.106 (such as affordable housing) if unusual development costs arise on specific sites.

7 EQUALITIES

- 7.1 An EqlA has been completed. No adverse or other significant issues were found. The Regulation 123 Statement will need to be part of a separate EqlA.

8 RATIONALE

- 8.1 Establishing a CIL tariff will give developers certainty on what they will have to pay. It will also spread the cost of providing infrastructure across a wider range of developments, including the cumulative impact of small schemes, which may not have previously contributed under s.106 arrangements. CIL is a levy on all eligible development which is

different from the site specific nature of s.106 obligations. This is important as from 2014 it will no longer be possible to pool contributions (limited to 5 schemes) gained through S106, so the council would no longer be able to take open space or sustainable transport contributions in the way it currently does if it does not introduce CIL.

- 8.2 It is therefore recommended that the preliminary draft charging schedule is agreed for consultation. If the council wishes to introduce a CIL, it must consult on a draft charging schedule that has been informed by a robust assessment of infrastructure needs and an assessment of the impact of CIL charging on development viability. Both of these criteria have been met in producing the preliminary draft charging schedule attached to this report.

9 OTHER OPTIONS CONSIDERED

- 9.1 Preparation of CIL is not obligatory. However, the funding that the Council can secure from new development under s.106 will be significantly scaled back from 2014. Therefore not producing CIL is not considered appropriate.

10 CONSULTATION

- 10.1 *Cabinet members; LDF Steering Group members; PTE Policy Development and Scrutiny Panel; Staff; Business Stakeholders; Section 151 Finance Officer; Chief Executive; Monitoring Officer*
- 10.2 A cross service officer group has supported the development of CIL and has included officers from Planning Services, Sustainability Team, Building Control, Housing, Property and Development & Major Projects. Briefing sessions with Strategic Directors were undertaken through the evidence gathering stage and the rate testing workshop was undertaken on 12th March 2012.
- 10.3 **Development Industry workshop:** Engagement with development industries was undertaken through a stakeholder workshop held on 17th October 2011. A report of this event is included as part of the Viability Study.

11 ISSUES TO CONSIDER IN REACHING THE DECISION

- 11.1 Customer Focus; Sustainability; Human Resources; Property; Impact on Staff; Other Legal Considerations

12 ADVICE SOUGHT

12.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	David Trigwell (Divisional Director, Planning and Transport Development) 01225-394125
Sponsoring Cabinet Member	Cllr Tim Ball (Cabinet Member for Homes and Planning)
Background papers	<ol style="list-style-type: none"> 1. B&NES CIL Viability Study March 2012: <ol style="list-style-type: none"> a. Report b. Appendix 1: Residential Appraisal Results c. Appendix 2: Residential Appraisal Results Filtered d. Appendix 3: Commercial Appraisals e. Appendix 4: Stakeholder Workshop Notes 2. B&NES Infrastructure Delivery Programme (IDP) 3. Cabinet Report, 9th November 2011: Delivering Sustainable Economic Growth
Please contact the report author if you need to access this report in an alternative format	

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Appendix A

Community Infrastructure Levy Preliminary Draft Charging Schedule

Bath and North East Somerset Council

April 2012

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1. Introduction

- 1.1. The purpose of this consultation document is to set out Bath and North East Somerset Council's Community Infrastructure Levy Preliminary Draft Charging Schedule in accordance with Regulation 15 of CIL Regulations 2010 (as amended 2011). It also sets out the background to the charging schedule, including the methodology and assumptions made, and the evidence base used to inform the proposed draft levy.
- 1.2. This consultation runs from 18th April until 8th June 2012. Comments should be made via email to planning_policy@bathnes.gov.uk or in writing to:

Community Infrastructure Levy
Planning Policy
Bath and North East Somerset Council
PO Box 5006
Bath BA1 1JG

2. General Principles of CIL

What is CIL

- 2.1. The Community Infrastructure Levy (CIL) enables local planning authorities to raise funds from developers undertaking new building projects in their area to provide key infrastructure needed as a result of development. CIL will not be the sole funding source for all necessary infrastructure but will supplement other funding streams.
- 2.2. CIL takes the form of a standard charge per m² of additional new floor space and based on the size and type of the new development.

Legislative Background

- 2.3. The CIL regulations came into force on 6 April 2010 and amended regulations came into force on 6 April 2011.
- 2.4. The introduction of CIL coincides with significant changes to the Section 106 Planning Obligations regime, which will be scaled back to cover only site-specific mitigation measures and affordable housing, on the earlier of the following dates:
 - The adoption of a local CIL Charging Schedule
 - The end of a transitional period concluding on 6 April 2014.
- 2.5. At this point existing Section 106 tariff based arrangements must cease operating.

Development that will be liable for CIL

- 2.6. The following development types will be liable for CIL:
 - Development comprising 100m² or more of new build floorspace
 - Development of less than 100m² of new build floorspace that results in the creation of one or more dwellings

- The conversion of a building that is no longer in lawful use (Please see para. 2.10)

What are the benefits of CIL?

2.7. New development has an impact on the demand for infrastructure and facilities in a local area. CIL is one way of securing contributions from new development schemes, to ensure this impact is mitigated. CIL provides a simpler process which is fair and transparent. The main advantages of CIL are set out below:

- CIL is a standard fixed charge, so developers will be clear about how much they will need to pay, and can factor this in to their development calculations.
- CIL is non-negotiable, so should save time compared to Section 106 agreements, which can be time-consuming in terms of negotiations and procedure.
- The CIL system is fairer as it takes account of the specific size of a scheme, as it is based on £ per m².
- CIL will provide local communities with some direct control over infrastructure delivery, as a 'meaningful proportion' of CIL will in the future be passed back to local communities to spend on improvements in their area.
- The CIL system will provide flexibility in pooling and spending CIL monies. From April 2014 local authorities will be unable to pool contributions from more than five planning obligations secured via Section 106 agreements, for each infrastructure project. CIL monies can also be spent on any identified infrastructure need (unlike Section 106 agreements which require a direct link between the development and any infrastructure project).

Exemptions from CIL

2.8. The CIL regulations provide for certain types of development to be exempt from CIL. Therefore the following types of development will not be liable for CIL:

- Development by registered charities for the delivery of their charitable purposes
- Those parts of a development which are to be used as affordable housing
- The conversion of any building previously used as a dwelling house to two or more dwellings
- Development of less than 100m² of new build floorspace, provided that it does not result in the creation of a new dwelling.
- The conversion of, or works to, a building in lawful use that affects only the interior of the building
- Development of buildings and structures into which people do not normally go (eg, pylons, wind turbines, electricity sub stations)

2.9. Where planning permission is granted for a new development that involves the extension or demolition of a building in lawful use, the level of CIL payable will be calculated based on the net increase in floorspace. This means that the existing floorspace contained in the building to be extended or demolished will be deducted from the total floorspace of the new development, when calculating the CIL liability.

2.10. The definition of lawful use is contained in Regulation 40(10) of the 2010 CIL Regulations, which states the following:

“For the purposes of this regulation a building is in use if a part of that building has been in use for a continuous period of at least six months within the period of 12 months ending on the day planning permission first permits the chargeable development”

Discretionary relief from CIL

- 2.11. The Regulations allow charging authorities to permit discretionary relief from CIL, where exceptional circumstances can be demonstrated. The key requirements are that the site must also have a Section 106 agreement relating to it which is greater than the value of the CIL charge, and that the combined cost of the Section 106 agreement and CIL charge would have an unacceptable impact on the viability of the development. In such cases the developer would be expected to demonstrate this via an open book approach with an independent valuer. Relief can also only be granted if it does not constitute notifiable state aid.
- 2.12. Given these requirements, most development will not be eligible for exceptional circumstances relief. However, the Council may be prepared to consider applications for relief, and will confirm this on adoption of the charging schedule.

The relationship between CIL and Section 106 agreements

- 2.13. The CIL system will result in the scaling back in the use of Section 106 agreements, but will not replace them entirely. The Council’s Planning Obligations SPD (July 2009) will be revised to reflect these changes, and set out details of the streamlined Section 106 system. Section 106 agreements (and Section 278 Highways agreements and planning conditions) will still be used by the Council in 3 main ways, to secure:
- **Site-specific mitigation** - e.g. local improvements/infrastructure necessary to enable the grant of planning permission. For example, access roads, on-site open space, archaeology, and some off-site requirements directly related to support individual sites.
 - **Affordable housing** - Under the current Regulations, Section 106 agreements will also continue to be used to secure affordable housing. However, the Government recently published a consultation document asking whether it should allow local authorities to deliver affordable housing through CIL, or through a combination of Section 106 and CIL. We will keep the options under close review as we move forward with CIL, and reflect any changes in future drafts of the CIL Charging Schedule.
 - **Development-specific infrastructure on large-scale major development sites**– Large sites often necessitate the provision of their own development-specific infrastructure, such as primary schools, which are dealt with more suitably through a Section 106 agreement.

When is CIL payable?

- 2.14. CIL becomes due for payment upon commencement of the development, and payment must be made in full within 60 days of the commencement date. Where outline planning permission is granted for a large-scale development which will take place in phases, CIL will be levied on each agreed phase, rather than the whole site in its entirety.
- 2.15. However, the 2011 Amendment Regulations allow Councils to introduce an instalment policy. This would enable CIL payments to be phased over a period of time following the date of commencement of the development.
- 2.16. The Council is supportive of this approach in principle, as it may aid viability and deliverability. Therefore the Council intends to introduce an instalment policy, which would be offered in all cases where the total CIL liability is greater than £35,000. In such cases CIL payments would be accepted in the following instalments:
- 33% on commencement
 - 33% 12 months after commencement; and
 - 34% 18 months after commencement.
- 2.17. A notice of liability will be issued by the Council as soon as practicable after planning permission is granted, stating the chargeable amount on the development. The responsibility to pay the levy runs with the ownership of the land on which the liable development will be situated, and is a local land charge. However, liability can be transferred and assumed by others (for example, developers).
- 2.18. Failure to comply with the instalment policy will result in the total unpaid balance becoming payable immediately.

3. Evidence base

- 3.1. This section sets out the evidence the Council has used to inform the Preliminary Draft Charging Schedule and the proposed CIL rates in Chapter 4.
- 3.2. Local authorities need to ensure that the CIL rate does not put at serious risk the overall development of their area. The CIL Regulations are clear that in setting rates, the charging authority must aim to strike an appropriate balance between:
- a) the desirability of funding from CIL (in whole or part) the actual and expected estimated total cost of infrastructure required to support the development of its area, taking into account other actual and expected sources of funding; and*
 - b) the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area.*
- 3.3. The Charging Schedule is to be informed by an appropriate evidence base, which should include:
- An up to date Development Plan

- An Infrastructure Delivery Plan
- A broad assessment of the likely impact of CIL on the viability of development across the District.

B&NES Local Development Framework

- 3.4. B&NES Core Strategy is scheduled for adoption by September 2012 following the Examination in Public held in January-March 2012. The Core Strategy includes the council's strategic policies for different parts of the district. It sets out the type, scale and broad location of where new homes, transport improvements, jobs, shops, open spaces and services will be located in the period up to 2026. It also includes policies to ensure new development addresses the key issues facing the district.
- 3.5. The Council is preparing Placemaking DPD in which specific development sites will be allocated. This DPD has already commenced and issues and options are scheduled for public consultation in Autumn 2012.

Infrastructure Delivery Programme

- 3.6. Accompanying the B&NES Core Strategy is the Council's Infrastructure Delivery Programme (IDP: Nov 2011). This document outlines the infrastructure requirements (along with known costs and funding streams) necessary in order to unlock and support the scale of growth identified in the Core Strategy.
- 3.7. The IDP covers the breadth of the infrastructure requirements for all statutory providers and public services. The IDP is a "live" document that will be regularly updated to take account of changing needs and circumstances over the plan period. It is not a formal investment programme and does not entail financial commitment by the Council or other statutory providers. It will be subject to prioritisation, influenced but the sequence of development and availability of funds.

Funding Gap

- 3.8. CIL can only be charged if there is a funding gap for the infrastructure needed to meet the needs of new development. The focus should be on providing evidence of an aggregate funding gap that demonstrates the need to levy CIL.
- 3.9. Estimated indicative costs and the available levels of funding for the infrastructure identified in the IDP are not yet finalised, however a significant funding gap is evident from a high level assessment of educational facilities, the major transport schemes and flood mitigation infrastructure requirement. These are described in more detail below.
- 3.10. The role of this evidence is not to provide absolute assurances as to how authorities intend to spend CIL, but to illustrate that their intended CIL targets is justifiable given local infrastructure need and is based on appropriate evidence.
- 3.11. The Government also recognises that the indicative infrastructure types or projects identified in their IDPs may differ from those that the charging authority may

subsequently decide to include in its **Regulation 123 Statement**. This is an acknowledgement that priorities can change over time.

Education

- 3.12 The Council has a statutory responsibility to ensure sufficient provision for pre-school aged children as well as primary and secondary school provision.
- 3.13 The level and location of new development proposed in the draft Core Strategy generates the need for three Primary Schools in Bath and one Primary School in Keynsham. Further school places should be provided either new schools or as extensions to existing schools, to address cumulative increase by other development. The estimated cost of providing school places is circa **£21m** as identified in the IDP. This excludes land purchase costs that may arise.
- 3.14 It is important to note that there will also be capital implications for Early Years provision and Youth Service provision as a result of future housing development as stated in the IDP. The expectation at this stage is that Secondary and Post 16 provision is likely to be sufficient for future needs.

Major Transport Schemes

- 3.16 The growth proposals in the Core Strategy rely on the implementation of the Bath Transportation Package (BTP) and the investment required for this has largely been accounted for through DfT funding and the Council's capital programme in September 2011. However other transportation investment requirements are not budgeted for such as commitments to improve public transport by providing a Park and Ride facility at the East of Bath, A36 bus lane, southern access to the Park and Ride at Odd Down and Keynsham Greenways. The estimated cost for these schemes is circa **£12m**.

Flood Mitigation

- 3.17 The draft Core Strategy proposes the implementation of an upstream storage facility combined with on-site defences to enable development in vulnerable areas of the Central Area and Western Corridor in Bath. Creation of compensatory storage would require forward funding ahead of the receipt of developer contributions.
- 3.18 Regeneration within the Bath City Riverside Enterprise Area is a key element of the Core Strategy and the Council's Economic Strategy. Flood mitigation and the resolution of the Windsor Gas Station removal are required to realise this growth. These will need forward funding, linked to payback mechanisms through s. 106 / CIL. The indicative cost estimate of these are **£24.7m** which is included in the aggregated funding gap.

CIL Viability Assessment

- 3.19 The Council commissioned BNP Paribas to undertake a CIL viability study for B&NES, to show what level of CIL charge could be introduced without putting the overall

development of the area at serious risk. The CIL Viability Assessment Report accompanies this consultation document (see background papers).

- 3.20 The viability assessment is based on well-established development appraisal techniques which involve looking at the impact of potential CIL rates on residual land values. The study takes account of Core Strategy requirements, including the costs involved in complying with Code for Sustainable Homes Level 4, and the provision of 35% affordable housing, where appropriate.

Table 1 Summary of the Viability Study conclusions

Land use	Summary of key findings
Residential	<p>The ability of residential schemes to make CIL contributions varies significantly depending on size and type of scheme, area and the current use of the site. Adopting a single rate for residential development across the District is unlikely to be practicable, given the significant variations in sales values. Taking the minimum levels of CIL that could viably be charged, rates of CIL per square metre that could be adopted are as follows:</p> <p>Bath - £98; Bath Rural/Bathavon: £196; Bath North and East: £154; Chew Valley West: £112; Bath North/West/South and Chew Valley East: £98; Keynsham: £98; and Norton Radstock: £126.</p>
Office development	<p>Office development is unlikely to come forward in the short to medium term. Although there is an adequate demand for space, this has not generated rents that would be high enough to support new development, particularly in Bath where build costs are significantly higher. We therefore recommend that the Council sets a nil rate for offices.</p>
Hotel	<p>Hotel developments could accommodate a CIL of up to a maximum of £160 per sq metre. We would suggest a rate of around £100 to allow an adequate buffer for site-specific factors.</p>
Retail	<p>Residual values generated by Retail developments vary significantly. Retail development in Bath City is likely to be viable and able to absorb CIL of up to £280 per square metre. Outside Bath, retail rents are considerably lower and residual values will be insufficient to support any level of CIL. Retail parks generate sufficient residual values to absorb CIL set at up to £280 per square metre. Given the sensitivity of residual values to changes in rent levels, we recommend that the Council might wish to consider a CIL on retail development in</p>

	Bath of around £150 per sq metre and an identical rate for retail park development. Outside Bath, high street retail development should be nil rated.
Industrial and warehousing	Our appraisals of developments of industrial and warehousing floorspace indicate that these uses are unlikely to generate positive residual land values. We therefore recommend a zero rate for industrial floorspace.
D1 uses (eg health care facilities, schools etc)	D1 uses often do not generate sufficient income streams to cover their costs. Consequently, they require some form of subsidy to operate. We therefore recommend a zero rate for D1 uses.

4 **Proposed CIL rates for B&NES**

Setting the CIL rate

- 4.16 The BNP Paribas CIL Viability Study informs the proposed CIL rates for B&NES. The rates are proposed at a level that does not put the level of development required in the Core Strategy at risk, and which acknowledge that development in the B1, B2 and B8 use classes is currently not viable with the imposition of CIL. CIL rates for residential development are aligned with the areas identified in Core Strategy Policy CP9 as being able to provide 35% affordable housing.
- 4.17 The CIL Regulations acknowledge that the rates of CIL may make some development unviable. The key consideration is to ensure that the imposition of CIL does not harm economic viability across the district. It is also important to note that CIL should not be set at the margins of economic viability.
- 4.18 A CIL set at or near the maximum level could have a serious adverse effect on development throughout the district if there was a market or policy change that tipped viability over this point. It is considered that the proposed CIL rates should be resistant to market and policy changes, given that they have been set at an amount that is viable in the current difficult economic climate.

CIL Charging Schedule

- 4.19 The proposed CIL rates for B&NES are set out in the Charging Schedule below. The attached Ordnance Survey map extract identifies the Policy Zones to which the Residential CIL charges apply.

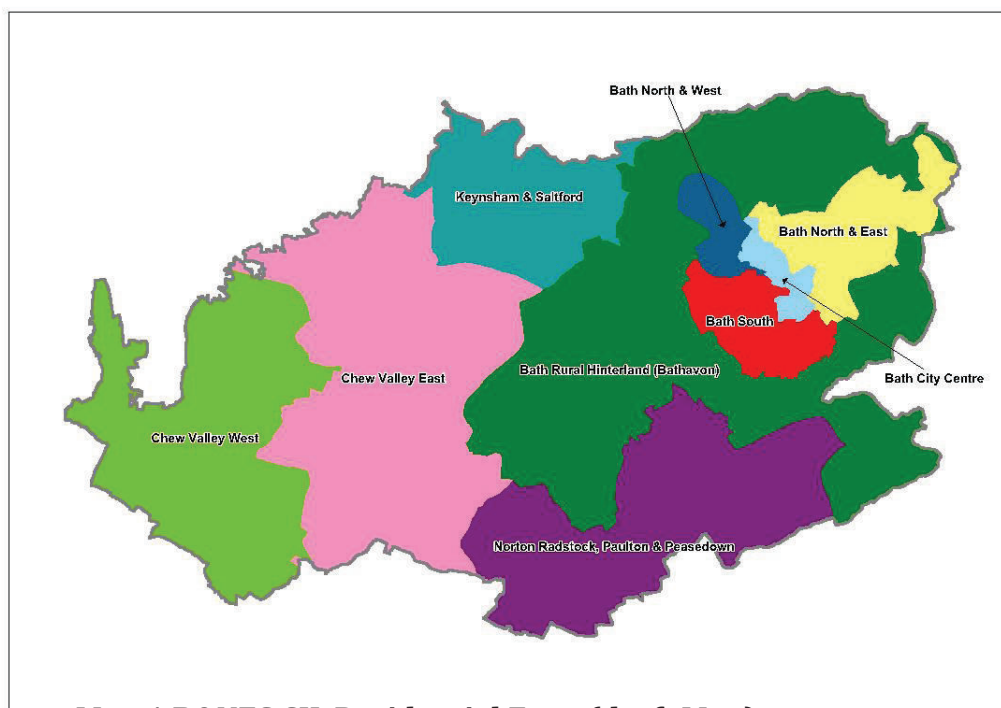
Calculating the chargeable amount

- 4.20 The Council will calculate the amount of CIL payable by a development (the 'chargeable amount') in accordance with Regulation 40 of the CIL Regulations 2010. The method involves multiplying the net area and the CIL charge – and factoring in an index figure. The index figure allows for inflation, as the charge is based on the CIL rate at the time of planning permission, but payment occurs at commencement. The index used in the calculation is the national 'All-in Tender Price Index' published by the Building Cost Information Service of Royal Institution of Chartered Surveyors.

4.21 The CIL Regulations also specify that where the overall chargeable amount on a scheme is less than £50, it is deemed to be zero.

Table 2 B&NES CIL CHARGING SCHEDULE

Development Type	CIL Rate	
Residential (Class C3) including sheltered housing	Residential Zone A <ul style="list-style-type: none"> • Bath City Centre • Bath North and East • Chew Valley West • Bath North/West/South • Chew Valley East • Keynsham • Norton Radstock 	£ 100 m ²
	Residential Zone B Bath Rural/Bathavon	£ 200 m ²
Office	£ nil m ²	
Hotel (Class C1)	In Bath	£100 m ²
	Outside Bath	£ nil m ²
In-centre / High Street Retail	Bath city centre	£150 m ²
	Other centres	£ nil m ²
Out-of centre/Edge of centre Retail	<280 m ²	£ nil m ²
	>280 m ²	£150 m ²
Industrial and warehousing	£ nil m ²	
Student accommodation	On Campus	£60 m ²
	Off Campus	£100 m ²
Any other development	£ nil m ²	



Map 1 B&NES CIL Residential Zone (draft Map)

5 How to comment on this Preliminary Draft Charging Schedule

5.16 This consultation runs from 18th April until 8th June 2012. If you wish to comment on the B&NES Community Infrastructure Levy Preliminary Draft Charging Schedule, comments should be made via email to planning_policy@bathnes.gov.uk or in writing to:

Community Infrastructure Levy
 Planning Policy
 Bath and North East Somerset Council
 PO Box 5006 Bath BA1 1JG

5.17 For any queries regarding this consultation, please contact Kaoru Jacques on (01225) 477548, or planning_policy@bathnes.gov.uk.

6 Next Steps

6.16 Following this consultation, the Council will consider the responses received and any other evidence that emerges and use these to inform the charging schedule it intends to implement.

6.17 Once the Council considers that the Draft Charging Schedule is ready for independent examination, it will be published for a four-week consultation period together with the relevant supporting evidence and the responses received to this consultation.

6.18 During the four-week period, representations may be made and any person making a representation has the right to be heard at the CIL examination. It is anticipated that

the four-week consultation period will take place late 2012, prior to an independent examination in 2013.

Time Table

Evidence gathering	July 2011 – February 2012
Public consultation on Preliminary Draft Charging Schedule	April/June 2012
Consider comments & Preparation of Draft Charging Schedule	June to September 2012
Public consultation on Draft Charging Schedule	Autumn 2012
Submission	January 2013
Examination Hearings	March 2013
Inspector's Report	June 2013
Adoption	September 2013

Useful information:

B&NES Community Infrastructure Levy

<http://www.bathnes.gov.uk/environmentandplanning/planning/planningpolicy/localdevelopmentscheme/Pages/CIL.aspx>

B&NES Local Development Framework

<http://www.bathnes.gov.uk/environmentandplanning/planning/planningpolicy/localdevelopmentscheme/Pages/default.aspx>

Planning Advisory Service: Frequently asked questions

<http://www.pas.gov.uk/pas/core/page.do?pagelid=1242969>

Communities and Local Government

<http://www.communities.gov.uk/planningandbuilding/planningsystem/communityinfrastructurelevy/>

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Bath & North East Somerset Council		
MEETING:	Cabinet	
MEETING DATE:	11 April 2012	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2372
TITLE:	School Term and Holiday Dates 2013-14 Academic Year.	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix A – Proposed School Term and Holiday Dates 2013-14 Academic Year		

1 THE ISSUE

1.1 This report asks the Cabinet to agree the School Term and Holiday dates for the academic year 2013-14.

2 RECOMMENDATION

The Cabinet agrees that:

2.1 The School Term and Holiday dates as shown in Appendix A are adopted for the 2013-14 academic year.

2.2 The importance of good school attendance and the link with good outcomes for children and young people is recognised and supports schools in encouraging parents to take holidays out of term time.

3 FINANCIAL IMPLICATIONS

- 3.1 If the dates shown in Appendix A are agreed there will be 201 school days in the 2013-14 financial year. The standard academic year is based on 195 school days. The Home to School Transport budget is flexed each year depending on the number of school days and there will be 6 more days in 2013-14 when school transport will be provided. This will lead to an increase in the transport budget of approx £140,000 in the 2013-14 year.
- 3.2 The increase in days in 2013-14 is mainly due to the fact that the Easter holiday in 2014 falls completely in the 2014-15 financial year. Therefore when dates are set for 2014-15 it is likely there will be a similar size saving in the transport budget for this year.
- 3.3 If as a result of an Academy, VA or Foundation school adopting their own dates there is an increase in Home to School Transport costs the Council will aim to recover the cost of the additional transport from the school.

4 CORPORATE OBJECTIVES

- Promoting independence and positive lives for everyone
- Creating neighbourhoods where people are proud to live
- Building a stronger economy

5 THE REPORT

- 5.1 The Education [Schools and Further Education] Regulations indicate that in each academic year a school shall be open to receive pupils for not less than 380 sessions or 190 days. These proposed dates satisfy those requirements.
- 5.2 Officers from our neighbouring authorities have agreed on the same dates for consultation.
- 5.3 The proposed term dates contain as many complete weeks as possible. When a holiday occurs for part of the week only, pupil absence is higher for the remainder of that week.
- 5.4 Academies are outside of Local Authority control and are therefore free to adopt their own dates. Voluntary Aided and Foundation Schools also have the power to vary their dates.

6 RISK MANAGEMENT

- 6.1 The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

7 EQUALITIES

- 7.1 An EqIA has been completed. No adverse or other significant issues were found.

8 RATIONALE

- 8.1 The dates as set out in Appendix A are recommended for approval so common dates with neighbouring authorities are maintained.

9 OTHER OPTIONS CONSIDERED

9.1 None

10 CONSULTATION

10.1 Trades Unions;; Staff; Other B&NES Services; Service Users; Local Residents; Youth Democracy Group; Stakeholders/Partners; Section 151 Finance Officer; Monitoring Officer

10.2 Consultation took place with all schools during Term 3 of the 2011-12 Academic Year. Consultation has also taken place with the Trade Unions and the proposals were outlined on the Bath and North East Somerset Web Site.

10.3 No adverse comments on the proposed dates have been received.

11 ISSUES TO CONSIDER IN REACHING THE DECISION

11.1 Social Inclusion; Customer Focus; Sustainability; Human Resources; Property; Young People;; Impact on Staff; Other Legal Considerations

12 ADVICE SOUGHT

12.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	Kevin Amos Tel 01225395202 E Mail Kevin_Amos@bathnes.gov.uk
Sponsoring Cabinet Member	Councillor Nathan Hartley
Background papers	
Please contact the report author if you need to access this report in an alternative format	

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School Term and Holiday Dates – 2013/14

AUGUST 2013						SEPTEMBER 2013						OCTOBER 2013							
M			5	12	19	26	M	2	9	16	23	30	M		7	14	21	28	
T			6	13	20	27	T	3	10	17	24		T	1	8	15	22	29	
W			7	14	21	28	W	4	11	18	25		W	2	9	16	23	30	
TH			1	8	15	22	29	TH	5	12	19	26		TH	3	10	17	24	31
F			2	9	16	23	30	F	6	13	20	27		F	4	11	18	25	
S			3	10	17	24	31	S	7	14	21	28		S	5	12	19	26	
SU			4	11	18	25	1	SU	8	15	22	29		SU	6	13	20	27	
NOVEMBER 2013						DECEMBER 2013						JANUARY 2014							
M			4	11	18	25		M	2	9	16	23	30	M		6	13	20	27
T			5	12	19	26		T	3	10	17	24	31	T		7	14	21	28
W			6	13	20	27		W	4	11	18	25		W	1	8	15	22	29
TH			7	14	21	28		TH	5	12	19	26		TH	2	9	16	23	30
F	1		8	15	22	29		F	6	13	20	27		F	3	10	17	24	31
S	2		9	16	23	30		S	7	14	21	28		S	4	11	18	25	
SU	3		10	17	24	1		SU	8	15	22	29		SU	5	12	19	26	
FEBRUARY 2014						MARCH 2014						APRIL 2014							
M			3	10	17	24		M	3	10	17	24	31	M		7	14	21	28
T			4	11	18	25		T	4	11	18	25		T	1	8	15	22	29
W			5	12	19	26		W	5	12	19	26		W	2	9	16	23	30
TH			6	13	20	27		TH	6	13	20	27		TH	3	10	17	24	
F			7	14	21	28		F	7	14	21	28		F	4	11	18	25	
S	1		8	15	22	1		S	8	15	22	29		S	5	12	19	26	
SU	2		9	16	23	2		SU	9	16	23	30		SU	6	13	20	27	
MAY 2014						JUNE 2014						JULY 2014							
M			5	12	19	26		M	2	9	16	23	30	M		7	14	21	28
T			6	13	20	27		T	3	10	17	24		T	1	8	15	22	29
W			7	14	21	28		W	4	11	18	25		W	2	9	16	23	30
TH	1		8	15	22	29		TH	5	12	19	26		TH	3	10	17	24	31
F	2		9	16	23	30		F	6	13	20	27		F	4	11	18	25	
S	3		10	17	24	31		S	7	14	21	28		S	5	12	19	26	
SU	4		11	18	25	1		SU	8	15	22	29		SU	6	13	20	27	

= SCHOOL TERM DATES



= SCHOOL HOLIDAY DATES

TERM 1

Start: Monday 2 September 2013
Finish: Friday 25 October 2013

TERM 2

Start: Monday 4 November 2013
Finish: Friday 20 December 2013

TERM 3

Start: Monday 6 January 2014
Finish: Friday 14 February 2014

TERM 4

Start: Monday 24 February 2014
Finish: Friday 4 April 2014

TERM 5

Start: Tuesday 22 April 2014
Finish: Friday 23 May 2014

TERM 6

Start: Monday 2 June 2014
Finish: Tuesday 22 July 2014

PUBLIC HOLIDAYS:

25 December 2013	Christmas Day
26 December 2013	Boxing Day
01 January 2014	New Year's Holiday
18 April 2014	Good Friday
21 April 2014	Easter Monday
05 May 2014	May Day Bank Holiday
26 May 2014	Spring Bank Holiday

Bath & North East Somerset Council		
MEETING:	Open Cabinet	
MEETING DATE:	11th April 2012	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2274
TITLE:	Alcohol Harm Reduction Strategy for Bath & North East Somerset	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix 1: Draft Refreshed Alcohol Harm Reduction Strategy		
Appendix 2: Strategy Action Plan 12/13– Adults and Children & Young People		

1 THE ISSUE

1.1 Alcohol misuse is a serious and growing public health issue. The link between alcohol misuse and damage to health is well documented, alongside the impact crime and anti-social behaviour linked to alcohol misuse has on children and young people and community safety in general. The Government has set the agenda for action in its recently launched Alcohol Strategy (March 2012) which seeks to reduce the availability of cheap alcohol and irresponsible promotions and support the work of local agencies to tackle local problems. The National Strategy will introduce: a minimum unit price for alcohol; a consultation on a ban on multi buy promotions in the off-trade; strengthened and extended powers for local areas to restrict alcohol sales late at night, introduce a late night levy and control the density of premises, including a new health-related objective for alcohol licencing. In order to stem the rising trend of alcohol related harm locally, partnership working to maximise efficiency and a co-ordinated approach is crucial. The attached draft Alcohol Harm Reduction Strategy for B&NES provides the framework and structure to support this aim.

2 RECOMMENDATION

The Cabinet agrees that:

2.1 this Draft Refreshed Alcohol Harm Reduction Strategy for B&NES is adopted and the key priorities are agreed

3 FINANCIAL IMPLICATIONS

- 3.1 Recurrent funding of £100,000 has been released from the pooled substance misuse budget through the strategic shift from three to two adult treatment providers. It has been agreed by the Joint Commissioning Group for Substance Misuse and the B&NES Clinical Commissioning Committee (23 Feb 2012) that these savings are used to increase alcohol treatment capacity. Specifically the funding will be used to deliver increased and enhanced services in line with NICE Guidelines CG115 on alcohol use disorders, specifically a programme of community detoxification support which includes access to psychological therapies. It will also provide additional Alcohol Treatment Requirements delivered through the Criminal Justice System.
- 3.2 B&NES Primary Care Trust has committed to continue funding the Alcohol Harm Reduction Project Officer post for 2012/13, based within the Council Public Protection Team. This post supports implementation of the Action Plan in relation to primary prevention work and building capacity for identification and brief advice within the community. The other elements of the action plans will be delivered through core business and existing resources.
- 3.3 From April 1st 2013, subject to Parliament, B&NES Council will have a duty to protect the health of the population, with overall responsibility for Public Health across B&NES. This includes the commissioning of alcohol and drug services. PCT budgets for Public Health will be transferred to the Local Authority from this date. Decisions relating to budgets for alcohol and drug services from 1st April 2013 will be the responsibility of the Council and therefore will be subject to review as part of the 2013/2014 Council Budget process and the corporate priorities of the Council.
- 3.4 Three year funding has been secured from Comic Relief to expand the work of the Young People's Alcohol Project within Project 28. This will enable the roll out of the Think/Drink Brief Intervention Tool to increase the skills of the local children's workforce in identifying alcohol problems, delivering brief interventions and/or refer on appropriately. The Comic Relief funded work is a standalone project which will build local workforce skills in early intervention and embed processes into mainstream delivery, ensuring sustainability once grant funding ends. There are no additional funding implications beyond the period of the grant.
- 3.5 Where additional needs are identified invest to save proposals/business cases will be developed as required.

4 CORPORATE OBJECTIVES

- Promoting independence and positive lives for everyone
- Creating neighbourhoods where people are proud to live
- Building a stronger economy

A Strategy for Alcohol Harm Reduction in B&NES will support improvement in health outcomes for residents through increased information, advice, support and access to effective treatment where appropriate. Enabling people to make informed choices regarding their lifestyle and ensuring help is available if they need it. Improved co-ordination amongst local agencies in terms of regulation, enforcement, education and supporting behaviour change in relation to alcohol misuse will contribute towards the vision and reputation of Bath and North East Somerset as a safe and enjoyable place to live, work and socialise. Reductions in antisocial behaviour, crime, domestic violence and absenteeism through alcohol misuse will directly support the local economy.

5 THE REPORT

5.1 The attached Draft Strategy is a refresh of the previous B&NES Alcohol Strategy (2006) and aims to prevent the harm arising to individuals, families, and society from alcohol misuse in B&NES and to treat, rehabilitate and care for those people who misuse alcohol. It outlines where we would like to be with alcohol-harm reduction, harmonises with current local and national policies and plans, identifies the key needs, gaps, and priorities, and spells out the initial actions we need to take. Stakeholders have identified key developmental service and organisational priorities for reducing the harm caused by alcohol misuse in B&NES and these have been incorporated into the attached Strategy Action Plan.

5.2 To date the following bodies have been consulted on the Strategy:

- B&NES Children's Trust Board (Dec 2010)
- Overview and Scrutiny Panel Healthier Communities and Older People (Mar 2011),
- Partnership Board for Health and Wellbeing (June 2011)

The Strategy was agreed and adopted by the following:

- B&NES PCT Professional Executive Committee (Feb 2011)
- Health and Social Care Committee of the Partnership Board for Health & Wellbeing (June 2011)

5.3 Key issues raised during the above consultation period included the need to enhance the focus on protection of children and young people from alcohol related harm and the need for additional focus on irresponsible promotion of alcohol through off licence premises e.g. supermarkets. These issues have been incorporated through the development of a specific children and young people's action plan to support Strategy implementation and through inclusion of a specific action in relation to gathering local evidence on inappropriate promotion of alcohol to inform debate on the effectiveness of legislation.

5.4 The Alcohol Harm Reduction Steering Group, chaired by the Director of Public Health, formed in April 2011 to take forward implementation of the elements of the Strategy that could be progressed without additional resourcing. The following is a summary of key progress made to date:

- Development of Multiagency Action Plans for Children and Young People and Adults (see Appendix 2)
- Funding identified during 2011/12 for 10 additional Alcohol Treatment Requirements for clients in the criminal justice system via the Joint Commissioning Group for Substance Misuse.
- Identification of recurrent funding of £100K to increase access to community detoxification, psychosocial programmes of support in the community and enable ongoing delivery of Alcohol Treatment Requirements from April 2012.

- Training delivered for over 100 professionals from health, social care, police, housing and mental health in Alcohol Identification and Brief Advice/Intervention.
 - Scoping of an enhanced data collection project in the Royal United Hospital Emergency Department which aims to provide detailed information on alcohol related injury and violence/assault to support multiagency targeted prevention work.
 - Introduction of a Community Alcohol Partnership in Midsomer Norton
 - Co-ordination of a programme of alcohol awareness sessions between education, police and health in schools, colleges and with University students.
- 5.5 The Alcohol Harm Reduction Steering Group will report on progress with the Strategy to the Responsible Authorities Group and the Partnership for Health and Wellbeing (or its successor body) on a regular basis.
- 5.6 This Strategy provides the overarching framework for local delivery and will be refreshed within 12 months to reflect the recently launched National Alcohol Strategy and emerging local priorities. Annual action plans will be produced to drive delivery priorities.

6 RISK MANAGEMENT

6.1 The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

7 EQUALITIES

An Eq1A has been completed. No adverse or other significant issues were found.

The Strategy has clearly identified equalities issues in relation to inaction on this issue. These are:

- access to support services for vulnerable groups,
- inequalities in terms of the impacts of alcohol misuse on disadvantaged communities
- Men, young people, and the socio-economically deprived are more at risk from alcohol-related harm
- Specific issues relating to the risks to children and young people whose parents drink have also been highlighted.
- We will ensure that access to services is the same for all regardless of age, sex, disability, ethnicity, sexuality, or religion.

8 RATIONALE

The Strategy covers the World Class Commissioning Competencies of working with community partners, engaging with public and patients, collaborating with clinicians, and managing knowledge and assessing needs.

It will ensure local leadership and an evidence based approach to addressing local issues which in turn will maximise the use of limited resources and optimise local expertise and experience.

A local Strategy with supporting action plans will ensure local consensus on priorities and provide a structure and mechanism for monitoring and evaluating local initiatives in terms of benefits to individuals, local communities and the local economy.

9 OTHER OPTIONS CONSIDERED

9.1 None

10 CONSULTATION

10.1 Ward Councillor; Cabinet members; Overview & Scrutiny Panel; Staff; Other B&NES Services; Service Users; Local Residents; Community Interest Groups; Stakeholders/Partners; Other Public Sector Bodies; Section 151 Finance Officer; Chief Executive; Monitoring Officer

Consultation has taken place throughout the whole process of Strategy refresh including meetings, workshops and one to one communication with stakeholder agencies and groups and Strategy drafts were presented to:

- B&NES Children's Trust Board (Dec 2010)
- B&NES PCT Professional Executive Committee (Feb 2011)
- Overview and Scrutiny Panel Healthier Communities and Older People (Mar 2011)
- Partnership Board for Health and Wellbeing (June 2011)

11 ISSUES TO CONSIDER IN REACHING THE DECISION

11.1 Social Inclusion; Young People

12 ADVICE SOUGHT

12.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	Cathy McMahon, Public Health Development and Commissioning Manager 01225 831537
Sponsoring Cabinet Member	Councillor Simon Allen
Background papers	None
Please contact the report author if you need to access this report in an alternative format	

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Draft Refreshed Alcohol Harm Reduction Strategy for Bath and North East Somerset 2012

The previous strategy was produced in 2006

Authors:

Philip Milner	Public Health Consultant
Jodie Smith	Project Officer (Alcohol Harm Reduction)
Carol Stanaway	Substance Misuse Joint Commissioning Manager
Pamela Akerman	Acting Joint Director of Public Health

With contributions from:

Andy Thomas, Group Manager Partnership Delivery, B&NES Council
Simon Ellis, Chief Inspector Operations, Bath and North East Somerset District Police
Paul Scott, Assistant Director of Public Health, NHS B&NES
Jane Shayler, Programme Director, Non-Acute Health, Social Care & Housing
November 2010



Avon and
Somerset
Probation Trust



Royal United Hospital Bath **NHS**
NHS Trust



Avon and Wiltshire **NHS**
Mental Health Partnership NHS Trust

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Summary

Our goal is to prevent the harm arising to individuals, families, and society from alcohol misuse in B&NES and to treat, rehabilitate and care for those people who misuse alcohol. The draft strategy outlines where we would like to be with alcohol-harm reduction, harmonises with current local and national policies and plans, identifies the key needs, gaps, and priorities, and spells out the key initial actions we need to take.

Our vision is that local children and adults know about the physical and social effects of alcohol and take actions to drink sensibly and those who experience problems as a result of their own or other's drinking know where to seek help and will receive appropriate help in a timely fashion.

The draft strategy considers the 5 Year B&NES Strategic Plan 'Improving Health & Wellbeing in Bath & North East Somerset', the B&NES Community Safety Plan and the Responsible Authorities Group, and the B&NES Sustainable Community Strategy as well as national drivers such as the UK Government 2010 June Budget Statement, the Big Society, the Police Reform and Social Responsibility Bill, and the new mandatory drinking code.

The alcohol-harm reduction needs and gaps in services and organisation for B&NES were identified through routine information indicators, meetings, communications, and specific consultations. The only problem identified in B&NES by the North West Public Health Observatory Local Authority Alcohol Profile was a high proportion of staff working in bars. The total cost in B&NES of the harm arising from alcohol-use disorders is some £45.0 million a year. Research shows that for every £1 spent on treatment, the public sector saves £5. We need to gather the information on the current resourcing of local alcohol-harm reduction services urgently and evaluate how effective services are being delivered.

Current local services, groups and partnerships tackling alcohol related harm are described. The services are assessed against the models of care recommended and research evidence.

The overall governance of this Alcohol Related Harm Reduction Strategy will be through the Bath and North East Somerset Health and Wellbeing Partnership Board (or its successor body). The community safety aspects of the Strategy will be reported to the Responsible Authorities Group.

Stakeholders have identified 24 developmental service and organisational priorities for reducing the harm caused by alcohol misuse in B&NES. The top developmental ones are with the numbers indication priority:

Service developments

1. There is a need to increase alcohol treatment capacity for people in B&NES who misuse alcohol.
2. The identification of people in B&NES who misuse alcohol and are offered brief interventions needs consolidating in primary care and rolling out to other settings.

1 Purpose and Scope

3. We need to find out if we are doing enough to identify, risk reduce, and support children of problem drinkers.

Organisational developments

4. There is a need for a B&NES Alcohol Harm Reduction Implementation Group or Annual Stakeholder Forum for checking progress.

5. We need a code spelling out the clear and consistent messages around alcohol and the behaviour expected of B&NES citizens and visitors that the local statutory agencies expect.

6. We need to identify the key local indicators and information sources for alcohol misuse priorities as part of our Joint Strategic Needs Assessment and report the position yearly.

7. We need a comprehensive care pathway for people with alcohol misuse in B&NES that is clear to users, citizens, commissioners, and providers.

8. We need to contribute to the Big Society initiative and engage local communities and citizens on reducing alcohol related harm.

1 Purpose and Scope

1 Purpose and Scope

- 1.1 Our goal is to prevent the harm arising to individuals, families, and society from alcohol misuse in B&NES and to treat, rehabilitate and care for those people who misuse alcohol
- 1.2 The strategy outlines where we would like to be with alcohol-harm reduction, harmonises with current local and national policies and plans, identifies the key needs, gaps, and priorities, and spells out the key initial actions we need to take.
- 1.3 The scale of alcohol harm covered is the same as in the Alcohol Harm Reduction Strategy for England.¹ This covers health, crime and disorder, work problems, and family/community problems.
- 1.4 The Strategy is aimed to cover people of all ages (children and adults) who live, work or visit Bath and North East Somerset.
- 1.5 The strategy considers the services and partnerships available to prevent and reduce alcohol-related harm and treat, rehabilitate, and care for those who misuse alcohol
- 1.6 The outcomes we are seeking to achieve are:
 - Increasing the number of people drinking sensibly within the daily safe limits (men should consume no more than 3-4 units daily and women 2-3 units daily)
 - Decreasing the physical and emotional harm arising in people who misuse alcohol
 - Decreasing the crime and disorder arising in people who misuse alcohol
 - Decreasing the impairment at work arising in people who misuse alcohol
 - Decreasing the amount of family and community harm related to alcohol misuse
 - Preventing children and young people and adults from misusing alcohol

¹ Cabinet Office Prime Minister's Strategy Unit. The Alcohol Harm Reduction Strategy for England. London; Cabinet Office, 2004.

2 Vision

- 2.1** In Bath and North East Somerset we recognise that drinking is associated with a range of harms to individuals and wider communities. We will work together to reduce alcohol-related harms within our communities and better monitor the effects of alcohol on our community so that we can more effectively target our actions.
- 2.2** We will work to ensure that:
- information on the physical and social effects of alcohol is widely disseminated and appropriately targeted
 - those who suffer problems as a result of their own or other's drinking know where to seek help and we will endeavour to provide appropriate help in a timely fashion
- 2.3** We will ensure that access to services is the same for all regardless of age, sex, disability, ethnicity, sexuality, or religion.
- 2.4** We will work to promote a culture where drinking is seen as an adjunct to having an enjoyable and sociable time and not as an end in itself. We recognise that drinking alcohol can form an enjoyable part of socialising and we will seek to encourage the development of a variety of venues where drink is available in settings that promote enjoyment.
- 2.5** We will actively seek in implementing this vision to balance the interests of drinkers with those who are directly or indirectly affected by the behaviours and actions of drinkers.
- 2.6** There will be no presumption in favour of a 'right to drink'.
- 2.7** We will not tolerate the use of drunkenness as an excuse for anti-social, violent or other criminal behaviour and will intervene to prevent this at every opportunity.
- 2.8** We will work to ensure that licensees understand their obligations and that they work in partnership with other agencies to promote the responsible consumption of alcohol and provide a safe and secure environment in which to drink.
- 2.9** We will work to ensure that drinkers understand that they have an obligation to respect themselves and others.
- 2.10** Drinkers should respect themselves:
- By understanding the effects of alcohol and by taking steps to protect themselves
 - By always knowing how much they have drunk and keeping within recommended alcohol consumption levels
 - By knowing where to get help if their drinking becomes a problem to themselves or others.
 - By behaving courteously to staff in licensed premises, those working in the night-time economy, and to those who live and work near licensed premises.
 - And others by not using alcohol as an excuse to behave in ways that they otherwise would not – harassment, violence, vandalism, littering and fouling the streets.

2 Vision

- 2.11** We will work to provide alternatives to alcohol as a diversion for young people and we will assist parents to take responsibility for establishing positive approaches to alcohol in their children as a part of effective parenting.

3. Context

3 Context

3.1 Local partnership priorities, policies and plans

3.1.1 The 5 Year Strategic Plan ‘Improving Health & Wellbeing in Bath & North East Somerset‘

The 5 Year Strategic Plan for 2010/11 – 2014/15 of the Bath & North East Somerset Health and Well Being Partnership identified that alcohol misuse is one of the leading causes of death and disability in B&NES. Commissioning priorities were specified as:

- Continue to provide primary prevention & education/Healthy Schools programme
- Commission brief interventions at RUH A&E
- Increase drug treatment capacity
- Strengthen Purple Flag scheme to reduce antisocial behaviour
- Strengthen partnership to reduce irresponsible promotions

The outcomes sought are:

- Reduce potential for long term organ damage
- Reduce mental illness as result of dependency
- Reduced A&E attendances and hospital admissions
- Reduction in antisocial behaviour and crime

Primary prevention and education is progressing in schools, brief interventions have been commissioned at the RUH, and the Purple Flag Scheme has become exemplary. But the alcohol treatment capacity has not been increased and irresponsible promotions continue.

3.1.2 The Community Safety Plan and the Responsible Authorities Group

The impetus to tackle alcohol-related harm has come from the B&NES Community Safety Partnership, the Responsible Authorities Group, that identified tackling Substance Misuse (including alcohol) as one of its key objectives. The priority for the PCT from the Community Safety Plan is to minimize the harm that substance misuse causes to society, communities, families and individuals (NI-40). We have also identified how each priority helps to deliver the designated targets within the Local Area Agreement. Priority Actions against alcohol misuse will also contribute to the Partnership’s objectives of reducing the fear of crime within the local community and tackling anti-social behaviour.

3.1.3 The Sustainable Community Strategy

The Sustainable Community Strategy sets out what type of place Bath & North East Somerset should become. An important component of this is to influence wider Local Strategic Partnership partners. Top priorities for local residents include the need for activities for teenagers, reducing the level of crime, cleanliness of streets, and the level of pollution. Alcohol misuse can impact adversely on all of these.

3. Context

3.2 National partnership priorities, policies and plans

3.2.1 UK Government 2010 June Budget Statement

The UK Governments current budget plans are to make government and the public sector more efficient as well as reducing their expenditure as an aid to reducing our national budget deficit. For the statutory agencies this means doing more for less as well as less of the lower priority activities. All public agencies have to make savings currently. So any spending on new priorities will have to come from savings or other services.

3.2.2 The Big Society

The UK Government's aim is to not only create the largest co-operative or mutual in Britain, but to create a mutual that is Britain. Every citizen can be a shareholder, contribute, and receive help and rewards. The Big Society is a society in which we as individuals do not feel small. The Big Society Network is an organisation being set up by frustrated citizens for frustrated citizens, to help everyone achieve change in their local area. The aim is to create a new relationship between Citizens and Government in which both are genuine partners in getting things done, real democracy using all the human and technology tools.

3.2.3 The Police Reform and Social Responsibility Bill

The new coalition national government says that it will do more to tackle alcohol-related harm than its predecessor. In the 25 May 2010 Queen's Speech on the Police Reform and Social Responsibility Bill the main benefit for reducing alcohol related-harm was the proposal for increased powers on licensing to tackle alcohol-fuelled crime and disorder. Main elements cover overhauling the Licensing Act to give local authorities and the police much stronger powers to remove licenses from, or refuse to grant licenses to, any premises that are causing problems; banning the sale of alcohol below cost price; and allowing local councils to charge more for late-night licenses to pay for additional policing, giving them powers to shut down shops or bars persistently selling to children, and doubling the maximum fine for selling to children to £20,000.

3.2.4 New mandatory drinking code

Under a new mandatory drinking code irresponsible promotions including "all you can drink for £10" deals, women-drink-free deals and speed drinking competitions are banned. Other deals that are made unlawful are "dentists' chairs" where drink is poured directly into the mouths of customers making it impossible for them to control the amount they are drinking. In a third measure bars and clubs will be forced to ensure that tap water is available, free of charge, for all drinkers. Two remaining conditions came into force on 1 October 2010 as part of the mandatory code include requiring bar staff to check the ID of anyone who looks under 18 and ensuring that small measures of beer, wine and spirits are on offer to customers, so they have the choice to drink less. Bar and club owners who fail to comply with the new code risk losing their licence, a fine of up to £20,000 and six months in prison. Enforcing these new measures will have to wait until the guidance from the Home Office is published.

4. Identified needs

4 Identified needs

4.1 Alcohol-related harm indicators

The North West Public Health Observatory publishes an alcohol profile yearly in September for each PCT and/or local authority.² The one for 2010 for B&NES is shown below in Figure 1. Performance in B&NES is red for % of staff working in bars. The hospital specific admissions for alcohol for women and the mortality rates for males from alcohol harm are high but not outlined as red. Positively for the key priority of the Health and Well Being Partnership we are much lower than the average for hospital admissions for alcohol-related harm (shown as green against NI 39 in Figure 1). In 2008/09 for B&NES the directly age and sex standardised rate of hospital admissions for alcohol-related harm was 1,384.7 per 100,000 population. This figure is just below the national and regional averages and ranks B&NES 153rd out of 326 local authorities in England. There is no more readily accessible timely local information on alcohol misuse. Such information should cover the local priorities for alcohol harm-reduction such as reducing disorder in the night time economy and ensuring that services for alcohol misusers are effective. The local health services in secondary care including the emergency department should routinely record alcohol status in all cases where alcohol is a contributory factor and respond accordingly. A key priority therefore, as part of our Joint Strategic Needs Assessment, is to identify the key local indicators and information sources for alcohol misuse priorities and to report the position on these indicators yearly.

4.2 The costs of alcohol harm in B&NES

4.2.1 Health Care Costs

Alcohol-use disorders, either directly or indirectly, increases the work burden on all aspects of health and social care. The following NHS services are heavily used because of alcohol-use disorders: inpatients, A & E departments and ambulance services, mental health services, outpatients, GPs and other primary care services, drugs dependency services, and alcohol dependency services.³ Cost breakdown of alcohol-use disorders shows a major strain on NHS hospitals. We estimate that up to £5.0 million is spent yearly on health care for alcohol-use disorders in B&NES.³

4.2.2 Costs of the results of alcohol-specific crime

The costs of alcohol-related crime nationally fall into three main categories:³ Costs

- incurred in anticipation of crime
- incurred as a consequence of crime
- incurred in response to crime

We estimate that up to £21.3 million was spent yearly as a result of crime related to alcohol-use disorders in B&NES.³

² North West Public Health Observatory Local Authority Alcohol Profiles 2010.

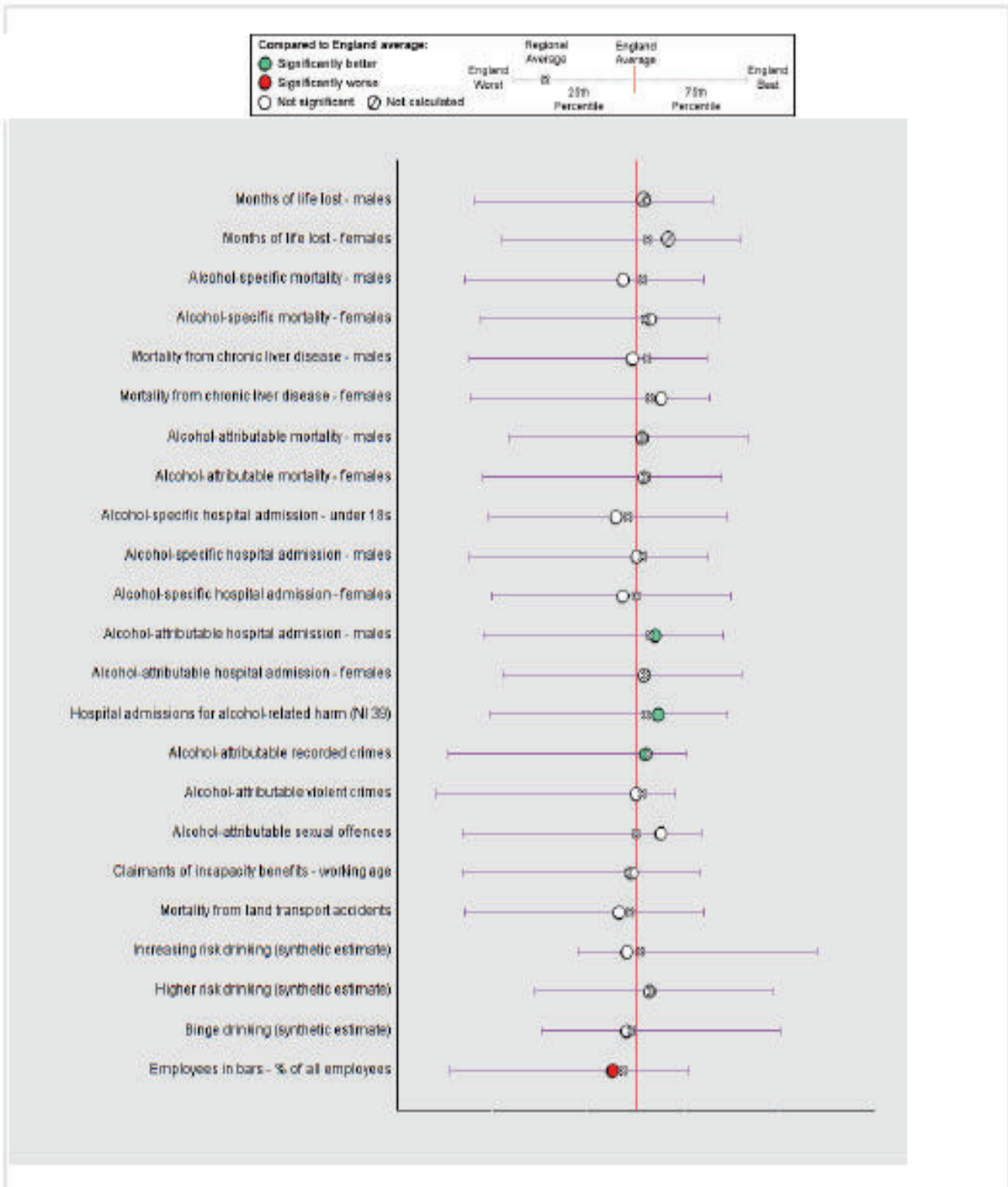
<http://www.nwph.net/alcohol/lape/LAProfile.aspx?reg=k>

³ Leontaridi R. Alcohol misuse: how much does it cost? London; Cabinet Office Strategy Unit, 2003.

4. Identified needs

Figure 1: Profile of alcohol-related harm for B&NES in 2010

Profile of alcohol related harm - Bath and North East Somerset



4.2.3 Workplace and Wider Economy Costs

Alcohol-use disorders affect workplace activity and hence incur costs to the economy in three major ways nationally. Alcohol-related working days and hence economic output are lost through:

- Alcohol-related unemployment and early retirement
- Alcohol-related premature deaths

4. Identified needs

- Alcohol-related absenteeism

We estimate up to £18.7 million is lost yearly due to the economic output reduction caused by alcohol-use disorders in B&NES.³

4.2.4 Costs to families and society

The government and researchers have so far been unable to estimate the costs to families and society of alcohol-use disorders because of the incompleteness of appropriate data. There are undoubtedly major costs incurred here though. There are also all the costs of the homeless and the children living in poverty from alcohol-use disorders.

4.2.5 Total yearly costs of alcohol-use disorders

The total cost in B&NES of the harm arising from alcohol-use disorders is some £45.0 million a year.³

4.3 Costs & effectiveness of local alcohol harm reduction services & interventions

The direct cost of a brief intervention delivered to hazardous or harmful drinkers was calculated to be only £20 in 1993.⁴ A recent WHO study estimated that the cost effectiveness of brief interventions for hazardous and harmful drinking is approximately £1,300 per year of ill-health or premature death averted.⁵ This is nearly equivalent to the cost-effectiveness of smoking cessation interventions which is about £1,200. Recent studies suggest that alcohol treatment has both short and long term savings. Analysis from the UKATT Study suggests that for every £1 spent on treatment, the public sector saves £5.⁶ The provision of alcohol treatment to 10% of the dependent drinking population within the United Kingdom would reduce public sector resource costs by between £109m and £156m each year.⁷ In a Scottish study, alcohol treatment reduced long-term health care costs by between £820 and £1,600 per patient (2002/3 prices).⁷

The costs to society of the harm from alcohol misuse are clear. The crucial question is whether we can reduce these costs by spending on alcohol-harm prevention and treatment. The totality of the funding tackling alcohol-harm reduction in B&NES directly is not known.

Gap 1: Identify how much we are spending on all services targeted directly at reducing alcohol-related harm (Evidence: Refresh consultation)

⁴ Freemantle N, Gill P, Godfrey C et al. Brief Interventions for alcohol problems: a review. *Addiction* 1993;88:315-335.

⁵ Hutubessy R, Chisholm D, Tan-Torres Edejer T, WHO-CHOICE. Generalized cost effectiveness analysis for national-level priority-setting in the health sector. *Cost-effectiveness and Resource Allocation* 2003;1:8.

⁶ UKATT Research Team. Cost effectiveness of treatment for alcohol problems: findings of the randomised United Kingdom Alcohol Treatment Trial (UKATT). *BMJ* 2005;331;544-48.

⁷ NHS National Treatment Agency. Alcohol-use disorders Interventions: Guidance on developing a local programme of improvement. London: Department of Health, 2005.

4. Identified needs

4.4 Local stakeholder views

4.4.1 Report of the B&NES Alcohol Harm Reduction Strategy Stakeholder Event

Some of the key points made in December 2005 that are still relevant were:

- There is a need for a strategic alcohol group (Progress: not done)
- Clear and consistent messages around alcohol help to set the tone locally (Progress: not done)
- No clear local picture of the existing level of provision nor of the level of need (Progress: partly done)
- A comprehensive treatment pathway needs to be developed locally (Progress: not done)
- Agencies need to develop a coordinated approach to evidence gathering if the review process of the new Licensing Act is to be used (Progress: partly done)
- Consideration should be given to establishing a wider alcohol forum of stakeholders to ensure co-ordination of actions and be responsible for monitoring the effects (Progress: not done)

4.4.2 Alcohol Use and Attitudes among Vulnerable Young People in Bath and North East Somerset in 2004

Some of the key points made that are still relevant were:

- Many participants had friends that they felt had severe problems with alcohol and that they were concerned about
- Most felt that there was no one they could trust to talk to about alcohol misuse
- Several girls, as well as boys commented on the link between alcohol and violence
- Most of the discussions around substance misuse showed that participants felt there was little they could do to help others with a perceived problem, since those with a problem have to recognise it as an issue in the first place
- When asked what advice the young people would like to give to the DAAT, some felt they should be left alone, that no amount of intervention will make any difference, and others that drugs education could play a role but that they did not want advice

4.4.3 Feedback from B&NES Drugs and Alcohol Action Team Awayday in 2010

The key points made were in participants' words:

- There is a high demand on alcohol treatment services
- Review alcohol harm outside of Bath city centre as well
- Have clear alcohol referral and treatment pathways
- There is a lack of funding for alcohol harm reduction services
- Alcohol and drug use are very often interconnected
- The best solution for harm reduction is more housing assistance and more bed and breakfast placements
- What is the difference in levels of harm between young & older binge drinkers?
- When should alcohol education begin? Is there too young an age?
- Is public transportation enabling binge drinking?
- There should be a commitment to alcohol policies in the workplace (public sector should set the standard)

4. Identified needs

4.4.4 Feedback to current strategy

The following items mentioned have been recurring in the work to refresh the strategy:

- A full care pathway should be developed locally with all the routes into treatment and provision at different levels of need
- There is a need for a B&NES alcohol implementation group
- Clear and consistent messages around alcohol and expected behaviours will help to set the tone locally
- Agencies need to develop a coordinated approach to evidence gathering if the review process of the new Licensing Act is to be used
- Review alcohol harm outside of Bath city centre as well
- There is a high demand on alcohol treatment services
- Publicise better the successes in B&NES in reducing alcohol-related harm

4.4.5 Alcohol Harm Reduction Strategy Workshop 6 October 2010 (Appendix 2)

The Alcohol Harm Reduction Strategy Workshop considered the draft strategy so far and commented on supply chains for service delivery and prevention, gaps identified and priority actions. These are summarized in Appendix 2. There were particular focuses on children and young people, health, disorder, society, and workplace as well as mapping delivery outcomes and working better together. Other specific outputs sought were: What is working well and not working as well as it should be? How can the system be improved to improve outcomes? What can we offer to others in the system? What is the ambition for Alcohol Harm Reduction? Good practice example sharing; How can we work together smarter? How can we increase community participation? What are participants going to do to help this happen? and What new joint projects can we implement? The workshop was very valuable for describing the actions needed. Participants were also asked to rank the draft priorities emerging from the strategy so far. The top eight out of the 24 gaps in organisational and service developments identified were:

1. There is a need to increase alcohol treatment capacity for people in B&NES who misuse alcohol.
2. The identification of people in B&NES who misuse alcohol and are offered brief interventions needs consolidating in primary care and rolling out to other settings.
3. There is a need for a B&NES Alcohol Harm Reduction Implementation Group or Annual Stakeholder Forum for checking progress.
4. We do not know if we are doing enough to identify, risk reduce, and support children of problem drinkers.
5. We need a code spelling out the clear and consistent messages around alcohol and the behaviour expected of B&NES citizens and visitors that the local statutory agencies expect.
6. Identify the key local indicators and information sources for alcohol misuse priorities as part of our Joint Strategic Needs Assessment and report the position yearly.
7. A comprehensive care pathway for people with alcohol misuse in B&NES that is clear to users, citizens, commissioners, and providers needs elaborating.

4. Identified needs

8. Contribute to the Big Society initiative and engage local communities and citizens on reducing alcohol related harm.

5. Current services and models of good practice

5 Current services and models of good practice

5.1 Current services for alcohol-related harm

5.1.1 Health and social services

5.1.1.1 All the general practices (Tier 1) in B&NES offer services covering alcohol misuse in primary care. All the local community pharmacies can offer advice, counselling and signposting to people who misuse alcohol.

5.1.1.1.2 Social Services staff is in a position to work with vulnerable people and their families and identify those who misuse alcohol and offer advice, counselling and signposting.

5.1.1.1.3 The Emergency Department at the Royal United Hospital in Bath will see many people attending who misuse alcohol. These attendees can be offered brief interventions through New Highway. The ambulance service also carries many people who misuse alcohol.

5.1.1.1.4 The AWP Mental Health Trust provides services for people with mental health problems, most of which can be made worse by alcohol misuse.

5.1.1.1.5 There are three providers contracted to provide specialised alcohol treatment services in B&NES. These are New Highway (Tiers 1 & 2 - used to be Bath Alcohol and Drug Advisory Service); the Developing Health and Independence (Tiers 1, 2 & 3 - used to be Drugs and Homeless Initiative (DHI); and Specialist Drug and Alcohol Services (Tier 3 & 4 - SDAS). Of these, New Highway and DHI are voluntary sector providers and SDAS is a statutory agency that currently operates as part of the AWP Mental Health Trust. At any time these agencies will be treating around 150 – 160 clients in total and the interventions offered will usually last for about 3 months or so.

Gap 2: There is a need to increase alcohol treatment capacity for people in B&NES who misuse alcohol (Evidence: HWBP Plan, research evidence on cost effectiveness, & numbers with alcohol-related problems or dependency and those having treatment)

5.1.1.1.6 At the moment outcome data for all individual clients using the specialised alcohol treatment services are not collected, analysed and reported to the commissioners to see how well services are working. The alcohol treatment services need to use a standardised assessment process for clients and report to the commissioners on the health outcomes achieved quarterly. The other alcohol-harm reduction providers should also openly publish regularly their outcomes so that their effectiveness can be assessed. We can then estimate whether we can invest to save.

Gap 3: Evaluate how effective alcohol harm reducing local services are and set up systems that routinely report their effectiveness (Evidence: Refresh consultation)

5.1.2 Criminal justice services

Police (Appendix 1)

The aim of the Police is to work together with partner agencies and the community to

5. Current services and models of good practice

minimise the harm caused by alcohol in terms of crime, health, anti-social behaviour and violence, thereby improving public safety and public confidence.

Probation Service

Other Criminal Justice Service (e.g. magistrates)

Public Protection Team & Licensing Services (B&NES Council)

The Public Protection Service has a key role both as a regulatory service and as an educator. The service's lead role includes licensing, trading standards, health and safety at work, and health improvement.

The Licensing Team administers the processes for licensing premises, agencies, and individuals to sell and/or serve alcohol and the review of such licenses (Appendix 1).

Trading Standards (B&NES Council) (Appendix 1)

The Trading Standards Team works to restrict the sale of alcohol to people under the age of eighteen.

Youth Offending Team (Appendix 1)

The Youth Offending Team (YOT) assesses the young people who offend to see if they misuse alcohol and refer for specialist intervention from health staff if necessary. The YOT tries to break the cycle of offending and alcohol misuse and build self esteem. Members of the YOT may also provide low-level educational interventions.

Criminal Justice Steering Group

5.1.3 Workplace services

Health@Work of B&NES PCT and Council (Appendix 1)

Health@Work works with businesses to minimise the harm arising to their employees through alcohol misuse related to the work setting.

Occupational Health Departments

Occupational Health Departments in businesses and large agencies provide support to employees about alcohol misuse.

5.1.4 Family and community services

Youth Service

Bath & NES Youth Service through its professional youth workers in local youth hubs and projects carries out a range of informal educational programmes to increase awareness, knowledge and understanding of a sensible drinking message and the health risks caused by alcohol misuse for young people aged 11-25 years old, focusing on those aged 13-19 years.

Other services

There are a variety of other services supporting families and communities in reducing the harm from alcohol misuse. These include:

- Project Officer (Alcohol Harm Reduction)
- Voluntary sector including Julian House, Street Pastors, and Pubwatch
- Bath Rugby Club

5. Current services and models of good practice

- Community Safety Partnership (B&NES Council)
- Schools - PSHE & Drugs Consultant
- Colleges/Universities
- PCT (Health Promotion Specialists & Health Trainers)
- Project 28 (Outreach Workers)
- Children & Young People Substance Misuse Partnership
- School Nursing

5.2 Models of care for alcohol misuse - MOCAM⁸

5.2.1 The 'MOCAM' approach promoted by the National Treatment Agency is to offer different levels of intervention and treatment based on the level of need of an individual with an alcohol misuse problem - the 'stepped care' approach. However, there is not a simple relationship between the severity of an individual's drink problem and his or her readiness to access or receive services. Hence, the challenge in implementation is to offer appropriate levels of care that are readily accessible when an individual seeks help and to facilitate movement between different levels of service as clients' needs change.

5.2.2 A holistic approach to alcohol misuse treatment is required involving partnership working, with a range of agencies coordinating their input for any client. This means conducting needs assessments early on in the treatment process and using these to plan care. Care may involve a range of inputs such as: offering support to individuals as they prepare to enter treatment; offering appropriate treatment for alcohol misuse and other health needs; and providing support to address wider social issues that contribute to or exacerbate alcohol misuse (e.g. housing, financial problems).

5.2.3 Tier 1 services are likely to be provided principally in general practice and other front-line health, social services, and other settings, many will be provided as a part of routine care. These interventions will focus on assessing an individual's level of drinking, providing education and alcohol awareness and will offer targeted brief interventions to drinkers but will also act as a referral route into more specialised services.

5.2.4 Tier 2 services are similar to those in Tier 1 but are targeted at those with a higher level of need. They require practitioners to have specific training in dealing with alcohol issues. They focus around more intensive engagement with a client. Settings in which such services are provided include General Practice and Community Health facilities but extend to specific open access or drop-in alcohol services and may include some services offered by specialist providers as well as those offered by self help groups. These services will engage with clients who may require a step up to more intensive treatment as well as those who are receiving ongoing support following intensive treatment.

5.2.5 Tier 3 services are those provided in community settings generally by specialised alcohol service providers but consist of specialised assessment of alcohol related needs and the planning and co-ordination of packages of care addressing them. These include

⁸ DH/National Treatment Agency for Substance Misuse. Models of Care for Alcohol Misusers. June 2006.

5. Current services and models of good practice

intensive support and the use of psycho-social therapies, as well as interventions such as supported detoxification and treatment with drugs to assist with alcohol withdrawal.

5.2.6 Tier 4 Services are in-patient or residential treatments offered as part of planned care package. The elements of care are similar to those in Tier 3 services but differ only in the setting in which they are delivered.

5.3 Care pathways

Evidence-based care pathways for alcohol withdrawal and alcohol liver disease are available from the Map of Medicine, which provides care pathways for the NHS.⁹

5.4 National Institute of Clinical Excellence Public Health Guidance No. 24

On the basis of the best available evidence on preventing the development of hazardous and harmful drinking, this guidance identifies the policy and practitioner options that are most likely to be successful in combating such harm.¹⁰

Policy

The three policy recommendations made are:

- Consider introducing a minimum price per unit
- Revise legislation on licensing to ensure protection of the public's health
- Ensure children and young people's exposure to alcohol advertising is as low as possible by considering a review of the current advertising codes

Licensing

The recommendation on local licensing includes identifying and taking action against premises that regularly sell alcohol to people who are under-age, intoxicated or making illegal purchases for others; undertaking test purchases; and ensuring sanctions are fully applied to businesses that break the law on under-age sales, sales to those who are intoxicated and proxy purchases.

Resourcing

The recommendation on resourcing states chief executives of NHS and local authorities should prioritise alcohol-use disorder prevention as an 'invest to save' measure.

Practice

The 7 practitioner recommendations made cover:

- supporting children and young people aged 10 to 15 years
- screening young people aged 16 and 17 years
- extended brief interventions with young people aged 16 and 17 years
- screening adults
- brief advice for adults
- extended brief interventions for adults

⁹ Map of Medicine. <http://eng.mapofmedicine.com/evidence/map/index.html>

¹⁰ National Institute of Clinical Excellence Public Health Guidance No. 24 on preventing the development of hazardous and harmful drinking <http://www.nice.org.uk/nicemedia/live/13001/49024/49024.pdf>

5. Current services and models of good practice

- referral to specialists

6. Gap analyses

6 Gap analyses of needs versus services and service quality

6.1 Prevention

6.1.1 Alcohol Harm in B&NES

6.1.1.1 Numbers of 'problem' drinkers in B&NES

6.1.1.1.1 There is no locally derived data recording drinking behaviour. Reliable estimates of these can be derived, however, by applying national and regional surveys of drinking behaviour to the local population. But in the longer term locally derived data are required to enable us to monitor both the geographical spread of drinking problems across the local area and the effectiveness of the interventions needed.

Gap 4: Identify the key local indicators and information sources for alcohol misuse priorities as part of our Joint Strategic Needs Assessment and report the position on these indicators yearly (Evidence: Refresh consultation)

6.1.1.1.2 There were estimated to be within B&NES:

- 20.4% of people aged between 16 and 74 years locally who are hazardous drinkers and 3.8% problem drinkers in 2007¹¹
- more than 29,335 people who are 'risky' drinkers (hazardous) - threatening their health because they are drinking too much or are binge drinking
- 5,464 people in B&NES will be drinking at a problem level that is causing them to experience physical or psychological harm but will not be dependent upon alcohol
- Around 5,177 people will have problems in both controlling their drinking and in continuing to function effectively and will be dependent on alcohol.¹² This group is at real risk of significant health problems. Around 575 people of this dependent group will have significant problems in both controlling their drinking and in continuing to function effectively and 143 people of them will be severely dependent upon alcohol and have a wide range of associated problems – medical and mental health problems associated with drinking; dependence upon other drugs; and social problems.
- About 20% of children aged 11-15 years who drank on average 12.7 units weekly¹¹ and around 800 children (11-15 year olds) who were drinking to get drunk weekly

6.1.1.1.3 Most of the 10,600 local people who have physical and/or psychological problems caused by alcohol misuse or are dependent will not be receiving health services to help them.

¹¹ The NHS Information Centre. Alcohol Statistics. NHS Information Centre, 2009.

<http://www.ic.nhs.uk/webfiles/publications/alcoholeng2009/Final%20Format%20draft%202009%20v7.pdf>

¹² Drummond C, Oyefeso A, Phillips T et al. Alcohol Needs Assessment Research Project (ANARP). London; Department of Health, 2005.

6. Gap analyses

6.1.2 Young people

6.1.2.1 Children of parents who drink

Parents who drink place their children at risk of harm. The conflict and disruption to family life associated with having a family member who misuses alcohol is associated with problems in children's emotional and psychological development. The impact on children of parental drinking can vary with both the pattern of drinking and whether one or both parents are drinkers. Children's lives are more disrupted where parents engage in binge drinking or have sustained consumption than where drinking occurs principally at evenings or weekends. Children's concerns are over violence in the home and the safety of a non-drinking parent or their own safety where violence is directed against them: disruption to their own lives associated with the wider family consequences of drinking. Although children often collude in denial of a parent's drinking to those outside the family this may be motivated by a desire to protect a family identity and be associated with children assuming roles as carers and mediators.¹³

Gap 5: We do not know if we are doing enough to identify, risk reduce, and support children of problem drinkers. (Evidence: Refresh consultation)

6.1.2.2 Children and Young People and their drinking habits

6.1.2.2.1 Many children and young people drink alcohol regularly in B&NES.¹¹

Youngsters mainly obtain alcohol from their parents, friends and relatives and also see these as an important source of advice on drinking behaviour. Other important sources of alcohol education were seen as teachers and through the media.

6.1.2.2.2 Underage drinking is declining but those underage people who do drink are drinking more.¹⁴ Drinking behaviours can be established in very early adulthood for many and a small group of young adults have already established patterns of drinking that are harmful in the longer term. Those who binge drink at young ages are more likely to return to binge drinking as adults and this pattern of drinking continues into their 40's.¹⁵

6.1.2.2.3 Within Bath and North East Somerset specialised alcohol services for children and young people up to 19 years of age are provided through Project 28 based in central Bath. It was established as a drugs service but has expanded to accommodate children with alcohol problems in response to demand. Referrals are currently at a rate of 5-6 per month for primary alcohol misusers (around 15 referrals a month are for children abusing alcohol with other drugs). Referrals come through self-referral, via the Youth Offending Team and through Social Services. On average there are around 30 clients receiving treatment for alcohol problems. The main modalities offered to clients with alcohol

¹³ Alcohol Concern. Putting the children first. <http://www.alcoholconcern.org.uk/home>

¹⁴ Public Health Commission. Key Facts: Alcohol. <http://www.publichealthcommission.co.uk/pdfs/PHCMeetings/C&S-KeyfactsAlcohol.pdf>

¹⁵ BJMH Jefferis, C Power and O Manor Adolescent drinking level and adult binge drinking in a national birth cohort.. *Addiction* 2005;100:543-9..

6. Gap analyses

problems are one-to-one counselling and family work and diversionary activities. One key aspect to the work is supporting the parents and carers of young problem drinkers. The Project offers intensive aftercare during vulnerable periods for those withdrawing despite limited capacity to do so. However the Project also offers brief and minimal interventions to clients on a drop-in basis and provides advice and training in harm reduction to professionals working with children and young people and to clients. Project 28 has developed the Young Person's Brief Intervention tool & plans with Department of Health Innovations Funding for its future use.

6.1.2.2.4 A sub group of the DAAT with responsibility for young people meets regularly. The group feels that there is a need to maintain or expand the current approaches to tackling anti-social behaviour in young people and to maintain action on under-age sales. We do not know how to convey alcohol harm reduction messages to children and young people in an accessible way through mediums other than schools.

Gap 6: We do not know the best way to engage with young binge drinkers and to get them to adopt risk reducing strategies when out drinking. Evidence: Previous strategy)

Gap 7: Is there enough appropriate provision for the treatment of alcohol misuse in children and young people? (Evidence: Previous strategy)

6.1.3 Students

6.1.3.1 Bath plays host to 20,000 students in its higher and further education institutes and the vast majority of these are aged 18-24 years and are at high risk from both hazardous drinking and alcohol-related crime. The night time economy in Bath has targeted the student market by offering entertainments during the early and mid week. There is concern that this may increase students' risk of harm through drinking at hazardous levels and may artificially extend the period and amount of environmental disturbance in the city centre.

6.1.3.2 Student leaders have begun to call time on mass drinks promotion at the University of Bath, as the students' union hardens its stance on binge drinking. The union wants to enhance town-gown relations and ensure the safety of each new intake of students. The student union president has been working closely with the Federation of Bath Residents' Associations and wants to stop those bars which entice students with the offer of cheap alcohol. It wants to keep students on its campus as much as possible during Freshers' Week and is restricting the number of city bars and clubs appearing at its Freshers' Fair.

The students' associations have run other campaigns in B&NES to increase students' awareness of the impact of their behaviour on the local community such as the "Sssh!" campaign that encouraged them to disperse quietly from pubs and clubs for local residents.

6.1.3.3 Students are a particularly vulnerable group. The student period marks the transition into independence for many young adults. They are vulnerable to peer pressure and the need to be seen to conform to perceived social norms. Many are away from home and established social and support networks for the first time and may not know

6. Gap analyses

where to turn when problems emerge. Educational institutions and students' associations have a difficult role in providing pastoral and welfare support while at the same time fostering independence. The Student Community Partnership, a partnership between the University of Bath, Bath Spa University and Bath & North East Somerset Council is an ideal forum for developing a policy on the promotion of alcohol to students locally to ensure consistency of approach.

Gap 8: All agencies should support the Student Community Partnership in developing a policy on the promotion of alcohol to students locally (Evidence: Previous strategy and consultation refresh)

6.1.4 Workplace

6.1.4.1 Drinking outside of work may impinge on an individual's ability to perform and to hold down a job. Many safety critical industries recognise this and put in place policies that seek to ensure that alcohol is not consumed at work and that employees take care to ensure that their ability to perform at work is not affected by drinking. However, workplace alcohol policies can also play an important role in educating the working population about how to minimise the harmful effects of alcohol and can be a route into effective treatment for some problem drinkers. Employers will introduce alcohol policies if they are clear that they stand to benefit in business terms from their implementation. Whereas large employers may have sufficient resources within their human resources and occupational health departments to develop and implement effective workplace policies, smaller and medium sized businesses may require external facilitation and support. In the workplace the manifestations of alcohol misuse are likely to be increased absenteeism, under-performance and loss of productivity among individuals and teams containing problem drinkers, accidents in the workplace, and ultimately loss of employment. Employers that fail to adequately address the issue of problem drinking may face additional penalties through the loss of highly trained personnel. In most instances it is more cost effective to intervene to address the problems associated with alcohol misuse than to deal with the consequential costs of ignoring them.

6.1.4.2 As part of the Health@Work scheme which has an alcohol element within its core topics staff of the PCT and Council have delivered sessions to employee groups about employer concerns about drinking excessively.

6.1.4.3 Workplace alcohol policies that are well-designed will ensure that:

- there is clarity among all staff about acceptable behaviour for drinking and work and that managers and staff are clear about their rights and responsibilities
- appropriate procedures are put in place to be followed where a problem is identified
- a culture is promoted where managers and supervisory staff have the confidence to raise the issue of their or an employee's alcohol problem early and are equipped with the tools to appropriately address the problem
- such referrals will be handled sensitively and lead to the provision of assistance rather than to disciplinary proceedings

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Gap 9: We do not know the extent or quality of workplace alcohol policies among large employers within B&NES. (Evidence: Previous strategy) A survey would establish the level and content of such policies and provide a spring board for work with medium and smaller businesses. The results of such a survey could be published and examples of model practice be promoted locally.

Gap 10: We do not know how the introduction of workplace alcohol policies could best assist in the promotion of harm reduction messages nor how to best pilot such approaches. (Evidence: Stakeholders events and Refresh consultation)

Gap 11: We do not know how current occupational health departments deal with people who misuse alcohol. (Evidence: Refresh consultation) Should a provider be commissioned to receive referrals from them?

6.1.5 Partnership

We know that statutory agencies are facing budgetary problems. In these circumstances partnership working arrangements are very important. We want to know:

- how to cope with fewer resources?
- how much resource is currently spent and how effective is it?
- what each stakeholder group wants from another?
- how can we work together smarter?
- what are the recent successes
- what new joint projects can we undertake?

Gap 12: We need more strengthened partnership work on reducing alcohol related harm. (Evidence: Refresh consultation)

The Big Society challenges us to engage better with local citizens and communities. We know that identifying local leaders and networks and working with them can reap benefits.

Gap 13: How can we contribute to the Big Society initiative and engage local communities and citizens on reducing alcohol related harm? (Evidence: Refresh consultation)

There is no group looking at the generality of alcohol related harm locally and thus no group with the responsibility for ensuring that actions from the strategy are implemented.

Gap 14: There is a need for a B&NES Alcohol Harm Reduction Implementation Group or Annual Stakeholder Forum for checking progress (Evidence: Stakeholders events and Refresh consultation)

6.2 Treatment

6.2.1 Opportunistic screening and brief interventions

6.2.1.1 A key plank for improving the detection and management of alcohol problems in various settings is the implementation of a programme of “opportunistic screening”. This refers to actions that seek to use encounters with health services and other agencies as an opportunity to assess the level of an individual’s drinking and any harm that may be associated with it and to offer appropriate interventions. It requires front-line care

6. Gap analyses

practitioners to be alert to the presentations that are associated with alcohol and to be confident in their ability to assess the client appropriately and to intervene effectively – either themselves or through appropriate referral. Front-line includes:

- social services department
- homelessness services
- antenatal clinics
- police settings e.g. custody cells
- probation and prison services
- education and vocational services
- occupational health services

6.2.1.2 A number of validated tools exist that allow health and social care professionals to assess alcohol consumption in a range of settings. These are simple to administer within existing workload. However, practitioners will require training in identifying presentations associated with an underlying alcohol disorder and the administration and interpretation of the appropriate screening tools. Tools that can be used include the full AUDIT questionnaire or its abbreviated form (e.g. FAST) in primary care. The use of the TWEAK and T-ACE questionnaires is recommended in antenatal settings.¹⁶

6.2.1.3 The introduction of screening needs to be coupled with the provision of effective interventions for those identified as having an alcohol problem without which there is little point in identifying a problem. Many of those with an identified need will appropriately be treated in Tier 1 services by receiving brief or time limited interventions. However, opportunistic screening will also identify a small but significant number of drinkers with problems that will require more specialised interventions. Brief interventions have not been shown to be effective in patients who have identified that they have a drinking problem and have actively sought help with this but they can be effective in drinkers who are drinking at harmful levels where this is picked up through opportunistic screening.

6.2.1.4 Brief interventions incorporate a variety of techniques but they share the central concept that they can be delivered by non-specialist staff in a range of settings. The issues raised on implementation of opportunistic screening and brief interventions relate to a perceived lack of capacity to undertake this work allied to a lack of confidence in the ability of staff to deliver them.

6.2.1.5 Collecting data for those receiving treatment through General Practice has now become possible through identifying hazardous, problem and dependent drinkers and offering them brief interventions or onward referral to specialist services. This good start needs consolidating in primary care and rolling out to other settings.

Gap 15: The identification of people in B&NES who misuse alcohol and are offered

¹⁶ Raistrick D, Heather N, Godfrey C. Review of the effectiveness of treatment for alcohol problems. London: National treatment Agency, 2006.

http://www.nta.nhs.uk/programme/national/docs/Review_of_the_Effectiveness_of_Treatment_for_Alcohol_Problems.pdf

6. Gap analyses

brief interventions needs consolidating in primary care and rolling out to other settings through multi-sectoral training (Evidence: Local alcohol services data and National Good Practice NICE Guidance)

6.2.2 Vulnerable and hard-to-reach populations

The Probation Service is currently offering counselling to clients aged 18 years and above in B&NES on Probation assessed by DHI and offered 4-8 sessions to explore motivation, build commitment or maintain gains. In 2009-10 a much higher percentage of B&NES clients misuse alcohol (50%) than in the South West (36%) or England and Wales (32%). This service is working well but is limited to those with problems arising from their alcohol misuse and does not cover people with alcohol dependency. Nevertheless the screening tool used has identified large numbers with dependency for whom no service can be offered.

Gap 16: People with alcohol dependency with Probation Services cannot access specialised health services currently. (Evidence: Local data & Refresh consultation)

6.2.3 Care pathway for people misusing alcohol

There are parts of a care pathway that are used by individual specialised health care providers. But there is no comprehensive local care pathway that covers all the settings where people present with alcohol misuse and indicates options available at key points.

Gap: 17 A comprehensive care pathway for people with alcohol misuse in B&NES that is clear to users, citizens, commissioners, and providers needs elaborating (Evidence: Previous strategy, Stakeholders events, and Refresh consultation)

There are also Gaps 2 and 3 identified above that cover treatment capacity and evidence.

6.3 Enforcement

6.3.1 Licensing (Appendix 1)

6.3.1.1 The licensed trade in B&NES is being encouraged to be more socially responsible through the LEG (Licensing Enforcement Group) and in the future through the Bath Night Watch scheme. It is also intended that supermarkets and off-licences become part of Bath Night Watch initiative as the cheap availability of alcohol which is purchased in bulk has led to 'pre-loading' before going out into the city (as well as hidden harm in those drinking in the home) and is a contributing factor to alcohol-related anti-social behaviour.

6.3.1.2 It has become increasingly realised that cheap alcohol through off-licence premises is available and young people drink at home first and then go out. There is a need to involve off-licence sales as well as on-licence sales to assist with reducing harm. Nationally certain chains such as Tesco are now starting to acknowledge a certain responsibility - but locally there needs to be greater communication with Sainsburys, Morrisons and others. The Police could ask offenders who have been intoxicated with alcohol about where they secured their alcohol when they were drunk.

Gap 18: How best to engage the off-licence retailers to promote responsible sales

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and take up of alcohol-harm reduction training? (Evidence: Refresh consultation)

6.3.2 Test purchasing

There is a history of targeted test purchasing to gauge the level of sales to underage purchasers within B&NES. This has been led by Trading Standards Officers from B&NES council with Police support. The level of compliance of on-licensed premises has generally been high. However, during the most recent round of test purchasing the key issues were with off-licences and supermarkets. Intelligence-lead test-purchasing is a vital component in regulating/restricting the supply of alcohol to young persons. Such enforcement activities have an important part in reinforcing wider messages about responsible retailing and in attempting to regulate the supply of alcohol to children.

6.3.3 Cumulative Impact Policy Area

6.3.3.1 The Bath and North East Somerset Community Safety and Drugs Partnership produced a report demonstrating that, in Bath City Centre, certain areas (such as Bath City Centre) experience a significant amount of alcohol-related crime. Having consulted with those individuals and organisations listed in the Licensing Act 2003, the Council resolved, on 13th September 2007, that the evidence contained within the report was sufficient to justify the preparation of a policy on the cumulative impact of a significant number of licensed premises concentrated in one area for inclusion in the Council's Statement of Licensing Policy.

6.3.3.2 The effect of adopting a cumulative impact policy is to create a rebuttable presumption that applications for new premises licences, club premises certificates or variations will be refused if relevant representations are received. If the application is not to be refused then the applicant will have to demonstrate that the operation of the premises will not add to the cumulative impact already being experienced.

Gap 19: Agencies need to develop a coordinated approach to evidence gathering if the review process of the new Licensing Act is to be used (Evidence: Stakeholders events and Refresh consultation)

6.3.3.3 The Bath Night Watch scheme is a culmination of Bath and North East Somerset Council, Bath Pub Watch and the Police working together to promote the four licensing objectives as one co-ordinated stakeholder group. We are grateful to those licensees who have joined as 'working hard to make Bath city centre a better place'.

6.3.3.4 The Licensing Authority will expect all licensed premises within the Cumulative Impact Area to take a socially responsible approach by participating in schemes like 'Bath Night Watch', or similar, which improve issues of alcohol-associated anti-social behaviour in and around city centre licensed premises at night.

Gap 20: We need to consider alcohol harm and cumulative impact policy areas outside of Bath city centre (Evidence: Stakeholders events & Refresh consultation)

6.3.3.5 The Licensing Authority also encourages all premises, outside the cumulative impact area, to take a similar approach, which would improve the issue of alcohol-associated anti-social behaviour outside the city centre at night.

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Gap 21: We need to encourage full participation by all licensees in initiatives that promote public confidence in Bath as a safe and enjoyable place to visit? (Evidence: Refresh consultation)

6.3.3.6 Not all pub and club licensees participate in initiatives that promote public confidence in Bath as a safe and enjoyable night out. For example there are irresponsible alcohol promotions. The partnership initiatives cost money to maintain them. The new mandatory code of practice for licensees and the new Police Reform and Social Responsibility Bill will probably help in securing extra funding to tackle these problems.

Gap 22: We need to share equitably the costs of developing and maintaining such schemes with those who may benefit from them.

6.3.4 Night Time Economy

Since the original strategy was produced there is now a Night Time Economy Steering Group in B&NES who are tackling the alcohol-fuelled harm arising then. Successes from the Group's work cover policing and the night time economy, boosting public confidence, and reducing disorder and include

- The existence of the "cumulative impact policy area" in Bath City Centre
- The development of the Partners and Communities Together (PACT) meetings and process where alcohol issues can be discussed
- Discussions on work to improve transport links
- The work undertaken with students through the Student Community Partnership on developing a policy on the promotion of alcohol to students and the campaigns run
- The provision of street and taxi marshals and portable toilets
- Purple Flag Award. The award was based on past, present and proposed initiatives and is the new national "gold standard" recognising the safest and most appealing cities at night. The award also acknowledges the diversity of entertainment and hospitality that Bath has to offer.

Gap 23: There is a need to better communicate to the general public and all stakeholder agencies the good local work that is tackling alcohol-related disorder in B&NES (Evidence: Refresh consultation)

6.3.5 Public Order and Crime

6.3.5.1 Drink driving

Drinking alcohol impairs an individual's ability to perform complex motor tasks such as driving. Drink driving places other road users at risk, a risk they have a right to expect to be protected from. Nearly 1 in 5 of those killed on the roads in 2008 (580 deaths) in Great Britain were over the legal blood alcohol limit.¹⁷ Men are over 2 times more likely than

¹⁷ Reported Road Casualties Great Britain: 2008 - Annual Report.
<http://www.dft.gov.uk/pgr/statistics/datatablespublications/accidents/casualtiesgbar/rrcgb2008>

6. Gap analyses

women to have a positive breath test for alcohol after being involved in a motor accident leading to injury.¹⁷ Those aged 17-24 are more than 1½ times more likely to have a positive breath test after an accident than older drivers.¹⁷ Although many drivers are convinced that they can tell when they have ‘had enough’ before driving there is evidence to suggest that ability to drive is impaired at levels well below the present legal limit for driving. There is a consensus among safety and motoring organisations that the only safe approach is not to drink any alcohol before driving. There appears to be a growing resistance to the “don’t drink and drive” message. Avon and Somerset’s Road Policing Unit launched its annual summer drink-drive campaign in June 2010. The stopped 27,689 vehicles; breathalysed 1,819 people; and arrested 139 people (7.6% of those breathalysed). This compared with rates of arrests for drink-driving for England and Wales that were around 8-9% of those breathalysed. The Police are considering providing systematic yearly information to stakeholder agencies on those breathalysed and those subsequently arrested for drink driving so that the progress against drink driving can be monitored.

6.3.5.2 Public order

6.3.5.2.1 The Police would like a consensus to emerge from the public and other statutory agencies about what is acceptable behaviour in B&NES. They would like to see clear and consistent messages around alcohol and the behaviour expected of B&NES citizens and visitors that will help to set the tone locally. They would like to see agencies and the licensed trades support the Police in mounting educational activities detailing the risk of alcohol-related harm and promoting strategies and behaviours for reducing that risk. In the last 5 years through the yearly Voicebox surveys about 30% of local citizens have said that drunk and rowdy behaviour is a fairly big or very big problem in their local area.

6.3.5.2.2 Great Western Ambulance Service estimates that 70% of their ambulance attendances on Friday and Saturday evenings and nights are related to alcohol misuse. They also estimate that a member of staff is assaulted weekly during these attendances. Their staff on these occasions also faces verbal abuse, threats of violence, and general disorderly behaviour as well.

Gap 24: We need a code spelling out the clear and consistent messages around alcohol and the behaviour expected of B&NES citizens and visitors that the local statutory agencies expect. (Evidence: Stakeholders events & Refresh consultation)

7 Governance and monitoring system

- 7.1** The overall governance of this Alcohol Related Harm Reduction Strategy will be through the Bath and North East Somerset Health and Wellbeing Partnership (or its successor body). The community safety aspects of the Strategy will be reported to the Responsible Authorities Group.
- 7.2** We can monitor the problems related to the harm arising from alcohol misuse in B&NES through the Local Alcohol Profiles produced by the North West Public Health Observatory yearly. We are also planning to identify the key local indicators and information sources for alcohol misuse priorities as part of our Joint Strategic Needs Assessment and report the position on these indicators yearly to the Health and Well Being Partnership (or its successor body), the Responsible Authorities Group, and the Children's Trust.
- 7.3** As part of this Strategy development we will produce the initial action areas that we should prioritise. If we create a B&NES Alcohol Harm Reduction Implementation Steering Group they can be responsible for working up a more complete action plan with initial (within 3 months), medium term (within a year), and longer term (over a year) detailed actions, timescales, lead postholder and agency. Progress on this action plan will be reported to the Health and Well Being Partnership (or its successor body), Responsible Authorities Group, and the Children's Trust quarterly.

8 Development priorities and recommendation

8.1 Development priorities

Stakeholders have identified 24 service and organisational priorities for reducing the harm caused by alcohol misuse in B&NES. The service priorities will need their costs and funding sources identifying in a business case justifying a spend-to-save approach with BANES data and include actions and then decisions taken on their relative priority by the decision-making boards. The organisational priorities will need the time of staff to bring about the organisational development. The top developmental service and organisational priorities identified by stakeholders responsible for developing this draft strategy are (the numbers reflect stakeholder views of priority):

Service developments

1. There is a need to increase treatment capacity for local people who misuse alcohol.
2. The identification of people in B&NES who misuse alcohol and are offered brief interventions needs consolidating in primary care and rolling out to other settings.
4. We need to find out if we are doing enough to identify, risk reduce, and support children of problem drinkers.

Organisational developments

3. There is a need for a B&NES Alcohol Harm Reduction Implementation Group reporting to Health and Wellbeing Partnership Board and the Responsible Authorities Group.
- 5 We need a code spelling out the clear and consistent messages around alcohol and the behaviour expected of B&NES citizens and visitors that local statutory agencies expect.
6. We need to identify the key local indicators and information sources for alcohol misuse priorities as part of our Joint Strategic Needs Assessment and report the position yearly.
7. We need a comprehensive care pathway for people with alcohol misuse in B&NES that is clear to users, citizens, commissioners, and providers.
8. We need to contribute to the Big Society initiative and engage local communities and citizens on reducing alcohol related harm.

8.2 Recommendation

That this Draft Refreshed Alcohol Harm Reduction Strategy for B&NES is adopted and the key priorities are agreed.

Glossary

One unit of alcohol is 10 ml by volume of pure alcohol, for example half a pint of ordinary strength beer, lager or cider (3-4% alcohol by volume) but there are one and a half units of alcohol in a small glass (125 ml) of ordinary strength wine (12% alcohol by volume).

Those who drink hazardously are individuals who are placing themselves at risk of harm through their drinking behaviour (more than 5 units per day for men and 3 units per day for women).

Those who drink harmfully are those individuals who are already experiencing physical or mental harm as a direct result of their drinking.

Those who drink in a dependent manner are those individuals who demonstrate behaviour that prioritises drinking alcohol over other, previously more important, behaviours.

A working definition of binge drinking is those men who drink more than 8 units and those women who drink more than 6 units in a single drinking session.

AUDIT, the Alcohol Use Disorders Identification Test, is used to identify persons with hazardous and harmful patterns of alcohol consumption. The AUDIT tool was developed by the World Health Organization as a simple method of screening for excessive drinking and to assist in brief assessment. It consists of 10 questions. There are various derivatives of this tool such as AUDIT-C designed for use in specific circumstances.

The FAST questionnaire has a similar purpose to the AUDIT one but was designed by University of Wales College of Medicine, Middlesex University, and the Health Development Agency to be used more quickly, for example in emergency departments. It consists of 10 questions.

The TWEAK alcohol screening test is a short, five-question test which was originally designed to screen pregnant women for harmful drinking habits. It was developed by the Research Institute on Addictions at Buffalo, New York, Department of Obstetrics/Gynaecology and Wayne State University.

T-ACE is a modification of the CAGE screening tool, an early quickly applied tool.

T-ACE has been validated for use to detect a range of alcohol use, including risk drinking in pregnancy. It is recommended for use within antenatal settings within SIGN Guideline 74.

Appendix 1: Current services for alcohol-related harm

Health services

Primary care

There were 3,052 newly-registered patients in 2009-10 in general practice who had the FAST or AUDIT-C questionnaire. Of these 198 underwent a fuller assessment using a validation tool. There were 146 hazardous drinkers who received a brief intervention from their general practices and 23 who were referred.

Specialised alcohol misuse services providers

Clients are put in touch with the specialised alcohol misuse services providers through a variety of mechanisms. New Highway acts as the usual initial point of assessment and clients usually self refer, with GP referral being the second most common route. New Highway offers an alcohol management service where a client's motivation to address their problem drinking can be assessed and goals for change agreed. Where more intensive interventions are required then New Highway usually refers on to one of the other providers. DHI tends to see clients that have been referred from other agencies and provides a counselling service as well as providing services to those who have been through a programme of detoxification and are abstaining from alcohol. For these services, after care and relapse prevention are key parts of the overall package. SDAS sees the smallest number of clients but those with the most complex needs and receives referrals from a wide range of agencies. Their services at present include those with a forensic element (where treatment has been mandated by the Courts); those where clients have severe mental health problems and those where others are deemed to be at risk from the behaviour of the client. As an example of the numbers accessing self-help groups, Alcoholics Anonymous in B&NES has 17 meetings each week.

Criminal justice services

Police

The Police achieved their aim the following strategy:

- 1 Working collaboratively with Licensees to address issues arising from the night-time economy including ensuring that the licensed premises are making good use of CCTV, using licensed doorstaff, being part of the Pubwatch scheme if appropriate, co-operating with regular checks by the Police Officers, Police staff and other agencies.
- 2 Using the monthly multi agency Licensing Enforcement Group meetings to organise and carry out regular multi agency visits to licensed premises to check and test licence conditions.
- 3 Using intelligence and analysis to identify crime hotspots and problem premises and respond to these through additional proactive patrols at high risk periods, ensuring that Officers have sufficient knowledge of the legislation and their powers in relation to alcohol related crime and nuisance. Run operations when appropriate and

Appendix 1: Current services for alcohol-related harm

necessary, such as Operation Tonic (breath tests – drink/drive) throughout the festive period, and Operation Relentless.

- 4 Increasing the level of young people's education and awareness in relation to responsible levels of drinking and the effects of alcohol through lessons delivered by the Youth Strategy Officer and PCSOs in schools and colleges. Working jointly with Project 28, Off The Record, Youth Offending Team and the B&NES School Alcohol contact Jodie Smith to re-enforce those messages.

Youth Offending Team (YOT)

For a number of young people who offend, alcohol plays a significant part in their offending; they may have offended under the influence of alcohol or offended in order to acquire alcohol. The YOT may also learn in its work with young people that their parents have had issues with alcohol misuse and this has influenced the full family functioning. The YOT assesses every young person using the assessment tool Asset and ensures that a screening is done about substance misuse amongst other health needs. If the young person needs a specialist intervention from health staff they are referred directly by the seconded staff member. Members of the YOT are also able to provide low-level educational interventions once they have been appropriately trained.

The aim of the YOT is that, by intervening early in the cycle of offending and alcohol misuse they can help prevent the development of further, entrenched offending and enable the young person to build their sense of self-esteem and focus on positive activities.

Public protection

The Public Protection Service has a key role within the local authority both as a regulatory service and as an educator. The service takes a lead role in B&NES in terms of air and water quality, licensing, food safety and standards, trading standards, health and safety at work, health improvement and animal health and welfare. The strong links Public Protection have forged with local business through their ongoing advisory role have been linked with the alcohol harm reduction agenda through the health development officer role working together, particularly with the licensing and trading standards (under age sales) officers. Through this role the service led on gaining the purple flag for B&NES - the new "gold standard" that recognises great entertainment and safe and welcoming hospitality areas at night.

Trading Standards (B&NES Council)

The Trading Standards Team conduct a programme of test purchasing using underage volunteers to check whether on or off licences will sell alcohol to the volunteers. A failed test can result in the seller receiving a fine, a review of the licence to sell alcohol or for criminal proceedings to be instituted against the licence holder or company. Follow up visits by officers are conducted to examine refusal systems used and practical advice is offered on any necessary improvements.

Licensing Services

Appendix 1: Current services for alcohol-related harm

Bath & North East Somerset Council is the local Licensing Authority following the introduction of the Licensing Act 2003. The Council aims to promote a range of cultural activities within Bath & North East Somerset and uses licensing as one means of achieving this. A formal Statement of Licensing Policy is published by the Council detailing its approach to licensing and is available at:

<http://www.bathnes.gov.uk/NR/rdonlyres/3745A5C2-25A1-46C8-AE32-B72D4017E34A/0/StatementofLicensingPolicy2008.pdf>

In discharging its duties the Council seeks to promote the four licensing objectives:

1. The prevention of crime and disorder
2. Public safety
3. The prevention of public nuisance
4. The protection of children from harm

Licensed premises must also submit an operational schedule at the time of applying for a licence detailing how they will address each of the four objectives in the day-to-day running of their premises. As from April 2010 owners of bars and pubs were banned from offering 'all you can drink' alcohol promotions, drinking games and free drinks for women, or face six months in jail.

The Licensing Team administers the licensing process including dealing with applications for licences, and arranging hearings for contested ones. Once a premises licence has been granted the team accepts valid representations that call for a review of the licence which enables problems to be aired and the licence to be amended if necessary. Certain premises have conditions attached to them, many of which assist to reduce harm to the public. The team works in conjunction with its other enforcement partners e.g. police & fire to ensure that these conditions are complied with, and inspecting premises where there is a history of alcohol-related problems.

The Licensing Committee considered a report on the review of the cumulative impact policy and resolved to continue with the policy. The Council's Statement of Licensing Policy is due to be reviewed again in 2010 where the need to continue with the cumulative impact policy will be considered. A copy of the reports, together with the Minutes of the meetings, can be seen at any of the Council's libraries or on the Council's web site at the following address -

<http://www.bathnes.gov.uk/business/LicencesStreetTrading/Pages/default.aspx> .

The licensing authority expects the applicant to address the issues surrounding cumulative impact in their operating schedule in order to rebut such a presumption. The Council's Statement of Licensing Policy also contains a range of measures that the Council, as licensing authority, would wish to be included on a premises licence application within the cumulative impact area would depend on the nature and type of premises within the application and would need to be individual to that premises, examples are:-

- CCTV at the premises to be properly maintained
- Security Industry Authority (SIA) door staff

Appendix 1: Current services for alcohol-related harm

- Toughened or plastic glass, no bottles
- Free calls to taxi firms for departing customers at the end of the night
- Outside areas to be cleared at a reasonable time (time to be stated)
- Signs to be displayed at each exit to encourage patrons to minimise noise and not to congregate in the street at close
- To contribute to the street marshal scheme
- To be a member of the local Pub Watch
- No open containers of alcohol to leave the premises
- To supervise entry and exit of the customers from the premises at busy times
- Facilities for people to dispose of cigarette ends and provisions for reducing noise from people smoking outside the premises
- A limit on the number of customers permitted on the premises at one time
- A requirement that the public spaces in the premises should be predominately seated

This list is not exhaustive, and is only intended to provide a brief description and guide to applicants.

Workplace

Health@Work

Health@Work works with businesses to minimise the harm arising to their employees through alcohol misuse related to the work setting. It:

- provides employees with information on the effects of alcohol and local sources of support
- ensures that the workplace policy makes it clear that employees are not allowed to consume alcohol at work or during working hours before attending work
- ensures that the workplace policy includes information about the level of support, including counselling or professional help, that an employee will receive if alcohol misuse is recognised
- reviews access to alcohol within the organisation, for example, at social functions or in social facilities

Family and community services

Youth Service

Through its programmes the B&NES Youth Service try to ensure that all young people receive appropriate, information and advice about alcohol and its harms and ways of reducing these. We also provide a wide variety of positive activities that act as an alternative to divert them from activities related to substance misuse including alcohol that put young people at risk.

Appendix 2: Products of Alcohol Harm Reduction Strategy Workshop 6 October 2010

Supply chain for domestic violence	Gaps	Actions
GP, A&E, employer, police, Southside, family worker can help	A&E last resort / cry for help	Work with GP commissioning of alcohol services
Related: shame, pride, partner, booze, school, neighbours, friends, licensee, employer	GP failing?	Check if children presenting 'symptoms' of parents' alcohol problems and domestic violence I being picked up in schools? Ensure staff in Walk in centres have domestic violence training and knowledge to link to the alcohol being a contributory cause
Employer – reputation risks, occupational health, alcohol policies	Getting from Domestic Violence victim to booze cause	Domestic violence flags work well if that's identified. Who makes the links to the cause, booze?
	Early intervention missed	Maximise GP risk assessments
	'Triggers' not assessed	Help schools set up screening and early intervention of kids drinking
	Cultural bias to ignoring domestic violence	Awareness training for GPs and risk assessment training to get full picture
	Cultural shift	Education at schools to try and break the cycle by starting with cultural shift in children
Prevention	Community Alcohol Partnerships run by local people for their specific area/problem	Work with stronger communities department to gain links to local groups, parishes
GP – Husband / Wife	Strategy to work with licensees on being socially responsible	Locally based tasking across all agencies
Police – anti-social behaviour (ASB) – domestic report	Strategy framework to provide "bucket" of tools to help local task & finish groups	Build on case studies to identify process changes across all agencies
Education (children acting out)	Clear strategic statement to set future approach, led by Health and Wellbeing Partnership	Follow the money to address/prove outcomes/needs/savings
Registered Social Landlord		Better recording of data so all agencies can get the big picture
		Set up community alcohol partnerships – local solution for local problems

Appendix 2: Products of Alcohol harm reduction strategy workshop 6 October 2010

Supply chain for health

Thinking about your drinking campaign
 Teachers, counsellors, neighbours; family friends; primary care nurse picks up at screening
 Refer to secondary care, statutory services → care support, national help lines, AA
 School aged children can get help from school counsellor/nurse
 Childline, teachers → Signposting
 Voluntary sector (New Highway –single point of contact) DHI (e.g. for abstinence)

Can use community level communication (posters in libraries etc)
 Can use digital communication

Prevention

Developing a culture of moderate drinking through education
 Brief intervention training for frontline staff

Add targets on alcohol in Primary Care so it gets flagged at consultation; 'pop up' reminder
 Important that interventions are holistic i.e. capturing precursors such as loss etc
 Signposting

Do all key agencies and professionals have the correct and up to date information they need?

Important for support and information to be easily accessible for family, friends, community members as they are likely to be pivotal in helping to identify and support problem drinkers and possibly at risk themselves

Gaps

Brief intervention training for all frontline staff
 Work on alcohol in with Primary Care to do more
 Engaging primary care at a strategic level

Ensure good signposting information available
 Are all agencies and professionals up-to-date?
 Use education in schools for sensible drinking

For people to feel comfortable about having meaningful conversations about change (non-specialist staff)

Change the culture of our society in relation to drinking
 For those in helping roles to be able to access quality brief intervention training

Dry-house will only serve the tip of the iceberg
 Need a better co-ordination of services – one overarching group to maximise resources

Improve links between hospital, mental health and alcohol services

Better intelligence on alcohol and standardised outcome forms

We do not maximise opportunities for community volunteers

Train volunteers in key issues – signposting, harm minimisation, brief intervention.

Boost profile of volunteer bureau at Green Park
 Expand DHI counselling service started by volunteers
 Volunteering notice boards at universities / FE colleges.
 Recruit young people for evening outreach.

Promoting the benefits of volunteering
 Develop over-arching policy/strategy for working with volunteers across alcohol agencies in B&NES
 Ensure local agencies/organisations who have contact with key groups e.g over 50s have sufficient support, information and training. This will need co-ordination – pilot and evaluate this mode

Actions

Brief intervention training for frontline staff

Work on alcohol in with Primary Care to do more

Ensure good signposting information available

Ensure up-to-date information on services & signposting is available & agencies know about it

Evaluate dry house provision

Ensure better coordination of services

Ensure alcohol service providers use standardised forms and give commissioners outcomes information

Ensure that there are good links

between hospital and alcohol services
 Maximise opportunities for community volunteers for alcohol

Train volunteers

Develop policy for volunteers

Ensure local agencies are up-to-date on alcohol services information

Engage primary care at strategic level

Appendix 2: Products of Alcohol harm reduction strategy workshop 6 October 2010

Supply chain for disorder Supply chain for residents	Gaps	Actions
Area for drunk & incapable person	Police ↔ University communications (confidentiality) Banning orders	Explore data sharing protocol for Police-University communications
Police	Residents still concerned about noise, abuse, violence, urination, vomit	Explore how schools can introduce education on alcohol early
Ambulance	Licensing process	Explore more support funding for added response services
A & E department	Too many young people drunk	Check what happens in Custodial Care at the end
Social services	More education needed – Early Intervention – Schools Alcohol Priority	Check what happens in A&E Dept on future services
Custody services	More support (funding) for added response services (to support fast ambulance etc)	Explore test purchasing for drunken people in pubs
Mental health services	Custodial care In police cell – end stage – referral? A&E → care beyond – referral – follow up?	Explore referral to New Highway/AA from court attendance
Prevention	Test purchasing for drunken people (in pubs) Court – attendance referral to AA / New Highway etc	Explore support for Alcohol Steering Group
Elected member	If relevant more focus on alcohol as well as drugs – mental health services	Explore if community activators can be expanded
ASB order for persistence	Balancing – merging agendas: enforcement with health and care aspects	Improve signposting and support pathways to access help and initiatives
Environmental services for noise	Targeted actions needed (Holistic approach, greater priority is need for alcohol, priority of resources)	
Police PACT meetings	Need Alcohol Steering group	
Supermarkets off licence sales	More Community Activators	
Licensing Enforcement Group	Signposting and support Pathways to access help and initiatives	
Supply chain for drunk person	Knowing your community better	
Street pastors	Identifying – Local Community Activists (positive influence on community) e.g. S families, strengthening communities (parenting skills)	
A&E if serious health consequences	Community empowerment in the first place to enable it to happen	
A&E advice	More initiatives: Tenants forum – old post office / pilot Keynsham (health and Wellbeing)	
University support for student if serious	Access Communities	
Prevention		
Education (early) – shift cultural norms		
Support parents (health influence on children's drinking)		
Student support at University		
Acceptability of getting drunk to excess – Challenge social norms		
Street Marshals		
FAST ambulance		

Appendix 2: Products of Alcohol harm reduction strategy workshop 6 October 2010

Supply chain for workplace alcohol	Supply chain for employee misusing alcohol	Gaps	Actions
Noticing employee → Line Manager Policy / Code of Conduct	Lack of information for staff and employers	Lack of support especially in small businesses	Chamber of commerce could provide information, support
Human Resources department	Lack of policies / codes	Acceptability of bingeing (work do)	Scoping what's happening in large employers (policies, HR) Develop template policies and business case
Occupational Health department	Template policies	Cost implications and business case for Occupational health Health at work projects	Find ways of supporting SMEs (small and medium size employers) Use Bath Chamber of Commerce, Residents Associations, PACT, Parish Councils and Councillors, Regenerate, & Media (Chronicle, Radio etc) to improve engagement
Training all staff		Need for an alcohol forum that is the umbrella for all the different projects and schemes and provides leadership Bringing all licensees and off licensees together Need more community engagement	
Peer conversation Risk assessment		Fostering Community Vision for acceptable alcohol code of behaviour	
Prevention Policy/Code of Conduct/Acceptable Behaviour Health at work projects			

Appendix 2: Products of Alcohol harm reduction strategy workshop 6 October 2010

Supply chain for children & young people	Gaps	Actions
Prevention/treatment	Better links to A&E so that young people can get harm reduction information and advice More brief interventions (using drink/think) Consistent message	Assist services to measure extent of problem and impact Promote pathways and services Use Schools Health Education Unit survey in local schools
School Nurse Team PSHE and Drug Consultant		
Diversionary Activities: Sports and Active leisure team Project 28 & Outreach Team Off The Record (OTR) Fairbridge	Perception of what constitutes a 'problem' – how do we educate people / change attitudes towards drinking? Alcohol can be very cheap and affordable Parental attitude to drink – 'All children do it' Media promotes alcohol as socially acceptable	For community engagement use good examples - M+, OTR Use intergenerational mentoring Roll out drink/think tool Support new projects - Drama project, PCSO training, new drug education resource
Prince's Trust Family therapy	Insufficient weight of law to prosecute under age sales Develop a clear message which aims to achieve attitudinal change	
Mentoring Plus (M+)	A message which encourages sensible drinking and gets Young people to look after their friends.	
Children Missing Education Officer	Clearer information sharing protocols	

Health and Treatment						
Key Objective/Activity	Outputs	Outcomes to be achieved	Lead agency	Lead postholder	Deliverable Date	Progress
To increase treatment capacity for those who misuse alcohol.	Business case supporting reinvestment of unallocated funding.	Increased access to alcohol treatment services.	PCT/Council	Joint Commissioning Manager	Mar-12	JCG and CCC agreed that unallocated funds should be prioritised for re-investment in alcohol treatment services.
To consolidate in primary care identification of local people who misuse alcohol and offer them brief interventions.	To ensure all GP practices are fully participating in the Direct Enhanced Service and all key practice staff are contributing.	Early identification of people who are misusing alcohol and access to appropriate level of support.	PCT	Assistant Director Primary Care/Public Health	On going	23 GP surgeries participating in DES for newly registered patients, 5 not participating at present. More support to be offered to encourage engagement.
To roll out identification of local people who misuse alcohol and to offer them brief interventions to other settings.	To offer brief intervention training to all frontline staff.	Frontline staff in a range of settings are confident to discuss alcohol and offer brief advice or intervention as appropriate.	PCT	Public Health Specialist	On going	Over 100 people from health, social care, mental health and voluntary sector trained. 18 trained as trainers. Evaluation currently underway. Trainer Network to be developed during 12/13.
To support the implementation of workplace alcohol policies through the Workplace Wellbeing Programme.	<ul style="list-style-type: none"> Alcohol policies developed with identified workplaces. Delivery of alcohol awareness training session. 	<ul style="list-style-type: none"> Increased number of alcohol policies in local workplaces. Improved awareness of how to address alcohol issues in the workplace. 	Council/PCT	Project Officer Alcohol Harm Reduction	Mar-13	Work in progress. Alcohol Awareness Sessions delivered to May Gurney Staff.
Evaluate how effective alcohol harm reducing local services are and set up systems that routinely report their effectiveness.	Identify performance indicators and set up reporting mechanism.	Effective, evidence based and value for money treatment services.	PCT/Council	Commissioning Manager	Mar-12	Work in progress
To produce a comprehensive care pathway for people with alcohol misuse in B&NES that is clear to users, citizens, commissioners, and providers.	Review of pathways to be completed by sub group.	Clear route through pathway agreed across settings and with service users.	PCT	Police Inspector	Mar-13	To align with re-commissioning of adult and young people's substance misuse services in 2012/13.

Community Safety, Crime and Disorder						
Key Objective/Activity	Outputs	Outcomes to be achieved	Lead agency	Lead postholder	Deliverable Date	Progress
Increase awareness of processes for involvement in review of individual business licences.	Production of clear guidance and information regarding process and protocol for involvement.	Increased involvement of stakeholders in review process.	Council/Police	B&NES Licensing team	Mar-13	
Engage local communities and citizens on reducing alcohol related harm.	<ul style="list-style-type: none"> • Launch of community alcohol partnership in Midsomer Norton. • Community perception of alcohol related harm identified. 	Active involvement of community in addressing local alcohol related harm.	Council	Community Safety Lead/Project Officer Alcohol Harm Reduction	Mar-13	Partnership meetings taking place.
Gather local evidence on inappropriate promotion of alcohol to inform debate on irresponsible promotions	<ul style="list-style-type: none"> • Report on local activity and concerns. • Engagement with off licence retailers where identified problems. • Review local information on where young people are accessing alcohol from. 	<ul style="list-style-type: none"> • Reduction in irresponsible promotions of alcohol. • Reduction in access to alcohol via family & friends. 	Council	Project Officer Alcohol Harm Reduction	Mar-13	
To widen access for people with alcohol dependency with Probation Services who cannot access specialised health services currently.	Business case supporting reinvestment of unallocated funding.	<ul style="list-style-type: none"> • Increased access to Alcohol Treatment Referrals. • Reduction in re-offending. 	PCT/Council	Commissioning Manager	Mar-12	10 further ATR's funded via JCG Substance misuse until Mar 12. Further recurrent funding now agreed through JCG for Substance Misuse to continue this service.
To produce a code spelling out the clear and consistent messages around alcohol and the behaviour expected of B&NES citizens and visitors that local statutory agencies and citizens expect.	Produce code and consult to achieve a final version.	Clear messages communicated to the public.	Police/ Night Time Economy Group	Alcohol Harm Reduction Officer	Dec-12	Action adopted by the NTE group. Will report back on progress

Partnership Working						
Key Objective/Activity	Outputs	Outcomes to be achieved	Lead agency	Lead postholder	Deliverable Date	Progress
Identify the key local data & information sources for alcohol misuse priorities as part of JSNA.	<ul style="list-style-type: none"> Information provided to JSNA development group to inform local priorities. Local data gaps identified and action plan developed to address needs. 	<ul style="list-style-type: none"> Alcohol harm reduction agenda incorporated in JSNA. Improved data sharing and understanding of local needs across agencies. 	PCT/Council	Public Health Specialist	Mar-12	Alcohol Steering Group consulted on data gaps and information needs.
To better communicate to the general public and all stakeholder agencies the good local work that is tackling alcohol-related disorder in B&NES.	AHRSG Communications Plan for 2012.	<ul style="list-style-type: none"> Increased positive reporting of local work to support alcohol harm reduction. Improved co-ordination of campaign messages/targetting. 	Council/PCT/Police	AHRSG members	Mar-12	Work in progress.

Children and Young People						
Key Objective/Activity	Outputs	Outcomes to be achieved	Lead agency	Lead postholder	Deliverable Date	Progress
Timely access to effective specialist treatment provided to young people with alcohol problems.	Continue to commission In-volve to deliver specialist treatment to young people and monitor effectiveness through NTMDS reports and local quarterly reporting structures.	Timely access to effective specialist treatment provided to young people with alcohol problems.	Council	Rosie Dill, Strategic Planning Officer and Liz Ball, Manager of Project 28	On going	The management of the local young people's substance misuse service, including the Comic Relief funded YP Alcohol Project has now transferred to DHI following the liquidation of Involve.
Increase skills of the local children's workforce to identify alcohol problems and deliver brief interventions and / or refer on appropriately.	<ul style="list-style-type: none"> Secure funding to extend scope of ASH project. Train up to 100 staff from children's workforce to deliver Think/Drink Brief Intervention. Deliver motivational interviewing training. 	Children's workforce confident and skilled to address alcohol misuse with young people and undertake brief interventions as appropriate.	ASH (Alcohol and Sexual Health Steering Group)		On going from Feb 12	Comic Relief Funding secured. ASH Steering Group to write implementation plan.
Reduce alcohol misuse in targetted groups.	<ul style="list-style-type: none"> Monitor numbers of young people receiving brief interventions. Run 1 Happiness Zone Course. Project 28 Outreach service to work with CSP to identify and target hotspots. 	Equitable access to services amongst vulnerable groups of young people.	Project 28	Liz Ball, Manager Project 28	Mar-12	Funding was identified and Happiness Zone Course run. Work on hotspots suspended due to Involve liquidation. Will start again when new service provider established.
Increase understanding amongst young people of alcohol related harm and where to seek help.	<ul style="list-style-type: none"> Review The Big Act drama project which ran in 9 Secondary Schools and seek sustainable model for future delivery. Under the influence programme to be rolled out to secondary schools. Develop and roll out new PSHE resources to include alcohol resources. Work with Alcohol Education Unit to provide free resources to all B&NES Secondary Schools. Deliver programme of awareness sessions in Colleges and Universities. 	Young people well informed of harm related to alcohol consumption.	Council/Police	Alcohol Project Worker/Police Youth Strategy Officer/PSHE & Drug Consultant	Mar-12	<ul style="list-style-type: none"> Survey of participants currently being analysed. Under the Influence on track and Drug and alcohol sessions being delivered in 13 Secondary schools and 2 special schools (YR 8, 9 and 10). 850 Students received harm reduction messages in Freshers week and advice and information has been provided to Bath College and Norton Radstock College Students (6 sessions to date).

Children and Young People						
Parents better informed about alcohol related harm and supported to encourage children to adopt a sensible approach to alcohol	<ul style="list-style-type: none"> Plan and deliver a programme of alcohol awareness raising sessions for parents. Produce leaflets for parents about young people and alcohol. 	Informed parents.	Council	Alcohol Project Worker/PSHE & Drug Consultant	Mar-12	Work in progress. Parents session trialled in June 2011.
Regulate and restrict supply of alcohol to young people	Intelligence lead test purchasing to continue.	Access to alcohol appropriately regulated and restricted.	Council	Trading Standards with support from Alcohol Project Worker	Ongoing	<ul style="list-style-type: none"> Test purchasing continues and targets areas where local intelligence suggests underage sales may be taking place. Proxy sale posters have been issued to off licences explaining law re; buying alcohol for young people.
Greater clarity on the extent of problematic alcohol use and better systems developed to monitor impact of work to address alcohol related harm	<ul style="list-style-type: none"> Work with health to obtain data on numbers of under 18's alcohol presentations and admissions to RUH. Pilot SHEU survey in Secondary Schools. 	Improved intelligence to inform local activity.	PCT/Council	Alcohol Project Worker/Public Health/PSHE Consultant	Mar-12	<ul style="list-style-type: none"> Data collection project being scoped with RUH. SHUE survey completed with 3438 pupils in year 8 and 10.

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Bath & North East Somerset Council		
MEETING:	Cabinet	
MEETING DATE:	11th April 2012	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2386
TITLE:	Highway Structural Maintenance Capital Programme for 2012/2013	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix 1: Recommended Highway Structural Maintenance Programme 2012/13		
Appendix 2: Feedback from Ward Member and Parish/Town Council Consultation		

1 THE ISSUE

1.1 This report sets out the details of the proposed Highway Structural Maintenance Programme 2012/13 for approval. The programme follows the policies of both the Joint Local Transport and Joint Local Asset Management Plans for Bath & North East Somerset in accordance with Government guidelines.

2 RECOMMENDATION

The Cabinet agrees:

2.1 The Highway Structural Maintenance Programme for 2012/13 as set out in Appendix 1.

2.2 The Divisional Director, Environmental Services and the Service Manager, Highways be delegated authority to alter the programme, in consultation with the Cabinet Member for Transport, as may prove necessary during 2012/13 within the overall budget allocation.

3 FINANCIAL IMPLICATIONS

- 3.1 The Structural Maintenance Block Final Capital Grant Settlement confirmed by the Department of Transport in December 2010 based on a National formula was set at £3.821million.
- 3.2 In order to manage the budget effectively regular monthly monitoring will be carried out and exceptions reported to the Cabinet Member, with reporting to Transport Board on a quarterly basis. Spending will be managed throughout the year to ensure that the overall budget is spent in a timely manner and programme changes approved through delegated decision making.

4 CORPORATE OBJECTIVES

(1) Promoting independence and positive lives for everyone

The proposed programme will help ensure the transport network of roads and footways are maintained to suitable levels.

In line with good asset management practices, for example the proposed programme will ensure that the highway network across the whole of Bath & North East Somerset is maintained to a serviceable level in accordance with statutory requirements.

(2) Creating neighbourhoods where people are proud to live

Improved street lighting leads to people in communities feeling more safe and secure.

By improving the overall condition of the highway network it serves to minimise road works with associated traffic disruption and addresses poor and visually unattractive surfaces and end of life assets.

(3) Building a stronger economy

The highway forms an important part of the infrastructure and local environment to ensure sustainable growth across the Authority's area and is crucial in maintaining the local economy.

5 THE REPORT

- 5.1 The proposed programme of priority works across all highway asset groups namely carriageways, footways, structures (bridges, retaining walls, embankments & culverts), drainage and electrical infrastructure has been identified through routine inspection, monitoring and evaluation.
- 5.2 On-going capital investment in highway assets is an important factor in mitigating depreciation through general wear and the ageing process. Conditions of assets are monitored through the use of National Indicators, for carriageways in particular NI168 (Principal roads where maintenance should be considered) and NI169 (Non-principal classified roads where maintenance should be considered).
- 5.3 Appendix 1 shows indicative spending on schemes for 2012/13 only. Following the government's Comprehensive Spending Review, Capital Grant Settlement indicative figures have been provided for 2013/15.

6 RISK MANAGEMENT

- 6.1 The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

6.2 In the event of scheme cost variations, the programme will be re-prioritised to ensure that allocations are fully spent but not exceeded.

7 EQUALITIES

The proposed programme of works is compiled on a priority maintenance need and helps maintain and improve accessibility.

An Equality Impact Assessment has been completed. No adverse or other significant issues were found.

8 RATIONALE

8.1 The proposed programme of work has been developed in accordance with priorities set out in the Local Transport Plan and sound asset management principles.

9 OTHER OPTIONS CONSIDERED

9.1 None.

10 CONSULTATION

10.1 Ward Councillor; Cabinet members; Parish Councils; Town Councils; Section 151 Finance Officer; Monitoring Officer

10.2 A consultation has been carried out on the 2012/13 programme with the Cabinet Member for Transport and engagement with Ward Members and Parish Councils undertaken in March 2012 by e-mail. All proposed carriageway surfacing and surface treatment schemes were published on the Council's Internet Mapping System as part of this exercise. Appendix 2 of the report sets out the feedback received as a result of this consultation.

11 ISSUES TO CONSIDER IN REACHING THE DECISION

11.1 Social Inclusion; Customer Focus; Sustainability; Young People; Human Rights; Corporate; Health & Safety.

12 ADVICE SOUGHT

12.1 The Council's Monitoring Officer, Divisional Director and Section 151 Officer have had the opportunity to input to this report and have cleared it for publication.

Contact person	Craig Jackson – Team Leader for Highway Maintenance and Public Rights of Way. Tel. 01225 394269 email: craig_jackson@bathnes.gov.uk
Sponsoring Cabinet Member	Councillor Roger Symonds – Cabinet Member for Transport
Background papers	
Please contact the report author if you need to access this report in an alternative format	

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Description	Measurement	Funding
<u>Street Lighting Programme</u>		
Station Road & Bath Hill West, Keynsham		£25,000
A4 Broadmead Roundabout, Keynsham		£26,000
Camden Crescent, Bath		£12,000
Lansdown Lane, Weston		£41,000
Alfred Street, Bath		£8,000
Orange Grove, Bath		£8,000
Radstock - Peasedown St John		£40,000
A4 Saltford		£28,000
A4 Corston		£63,000
A37 Various: Clutton & Temple Cloud		£12,000
Entry Hill, Bath		£60,000
Street Lighting 12/13 Sub Total		£323,000
<u>Highway Structures Programme</u>		
Vineyards/Lansdown Road		£150,000
Camden Crescent Viaduct		£250,000
Cleveland Bridge Improvements, Walcot		£120,000
Widcombe Footbridge Refurbishment		£90,000
Broadlands Footbridge		£25,000
Cradle Footbridge, Stowey Sutton		£60,000
A39 New Road, High Littleton Carriageway Stabilisation		£85,000
Highway Structures 12/13 Sub Total		£780,000
<u>Drainage Programme</u>		
A367 Bath New Road, Radstock		£46,000
Timsbury Cross Roads, Timsbury		£25,000
Perrymead, Bath		£7,000
Entry Hill, Combe Down		£13,000
Weston Village Flood Alleviation (FDGA Grant)		£0
Somervale Road, Radstock		£9,000
Drainage 12/13 Sub Total		£100,000
<u>Major Carriageway Re-Construction</u>		
	SQM	
A363 Bradford Road, Bathford	13550	£350,000
Major Carriageway Re-Construction 12/13 Sub Total	13550	£350,000
<u>Carriageway Resurfacing</u>		
	SQM	
Radstock Regeneration Resurfacing Contribution		£60,000
Ashmead Road, Keynsham	2689	£60,000
B3116 Bath Road, Keynsham	5107	£128,000
Charlton Lane/Second Avenue, Westfield	5392	£115,000
A367 County Bridge/Bath New Road, Radstock	4500	£112,000
A362 Frome Road, Radstock	9431	£215,000
A367 Wells Road, Radstock	4222	£123,000
Barn Lane, Chelwood	6534	£100,000
Northend Lane, Clutton	1193	£20,000
A368 Wick Road - The Street, Stowey-Sutton	7616	£164,000
Marlborough Lane, Kingsmead	1667	£63,000
Marlborough Buildings, Kingsmead	2114	£91,000
Carriageway Resurfacing 12/13 Sub Total	50465	£1,251,000
<u>Carriageway Surface Dressing</u>		
	SQM	
Bromley Road, Stanton Drew	11838	£42,617
Upper Stanton Lane, Stanton Drew	3079	£11,084
Stanton Wick Lane, Stanton Drew	6479	£23,324
Blackrock Lane, Publow	6868	£24,725
Maesknoll Lane, Norton Malreward	5316	£19,138
Church Road, Norton Malreward	8171	£29,416
Chew Lane, Chew Stoke / Chew Magna	7465	£26,874
Dark Lane, Chew Magna	829	£2,984
Fair Ash, West Harptree	4776	£17,194
Church Hill, Writhlington	2516	£9,058
Carpenters Hill, Peasedown St John	284	£1,022
Faulkland Lane, Shoscombe	3964	£14,270
Haydon Hill, Radstock	880	£3,168
Norton Lane, Wellow	4667	£16,801
Iford Lane, Freshford	4224	£15,206
Iford Lane, Hinton Charterhouse	4103	£14,771
Midford Hill, Hinton Charterhouse	8215	£29,574
Tytherleigh Lane, Hinton Charterhouse	561	£2,020
Tytherleigh Farm Lane, Hinton Charterhouse	445	£1,602
Langdridge Lane, Charlcombe	10540	£37,944
Midford Road, South Stoke	12280	£44,208
Carriageway Surface Dressing 12/13 Sub Total	107500	£387,000

Carriageway Micro Asphalt Surfacing	SQM	
Ambleside Road, Southdown	3696	£22,176
Canons Close, Southdown	1135	£6,810
Georgian View, Southdown	1145	£6,870
Marsden Road, Southdown	3805	£22,830
Burleigh Gardens, Lower Weston	1035	£6,210
East Lea Road, Lower Weston	1145	£6,870
Manor Park, Lower Weston	1985	£11,910
Partis Way, Lower Weston	2285	£13,710
Penn Lea Road, Lower Weston	6350	£38,100
South Lea Road, Lower Weston	1380	£8,280
West Lea Road, Lower Weston	1405	£8,430
Gladstone Road, Combe Down	1800	£10,800
Greendown Place, Combe Down	230	£1,380
Macaulay Buildings, Widcombe	935	£5,610
Westfield Close, Bloomfield	1700	£10,200
Sydenham Buildings, Westmoreland	965	£5,790
Westmoreland Drive, Westmoreland	920	£5,520
Westmoreland Street, Westmoreland	795	£4,770
Henrietta Gardens, Bath	1225	£7,350
Bannerdown Close, Batheaston	1075	£6,450
Manor Drive, Bathford	555	£3,330
Birch Road, Westfield	860	£5,160
Waterford Park, Westfield	1180	£7,080
Greenvale Close, Timsbury	520	£3,120
St John's Road, Timsbury	2440	£14,640
Hobbs Wall, Farmborough	1150	£6,900
New Buildings, Peasedown St. John	1760	£10,560
Vicarage Gardens, Peasedown St. John	480	£2,880
Holmoak Road, Keynsham	3900	£23,400
Oak Tree Walk, Keynsham	390	£2,340
Lytes Cary Road, Keynsham	2998	£17,988
Hillcrest, Pensford	3000	£18,016
Lower Batch, Chew Magna	490	£2,940
Venus Lane, Clutton	2800	£16,800
Woodcroft, Bishop Sutton	1630	£9,780
Carriageway Micro Asphalt Surfacing 12/13 Sub Total	59164	£355,000
Footway Programme		
Paving Programme		£100,000
Asphalt Concrete Programme		£75,000
Slurry Sealing Programme		£100,000
Footway Programme Sub Total		£275,000
PROGRAMME 12/13 OVERALL TOTAL		£3,821,000

**Appendix 2 - Feedback from Ward Member and Parish/Town Council
Consultation**

Responses received to consultation on proposed programme. Closing date for feedback was 23rd March 2012.

From: Duncan Hounsell [mailto:dhounsellsaltford@hotmail.com]
Sent: 21 March 2012 14:42
To: Highways; Saltford Parish Council; Reginald Williams
Subject: Draft Highway Structural Maintenance Programme 2012/2013

Please consider for surface dressing, or as appropriate:

Saltford-

Manor Road (Lane) -the section from the bottom of Longwood Lane to where it rejoins Montague Road. This short stretch of road is used by local traffic, cyclists and walkers. The road surface is worn and cratered throughout this short section of road.

Beech Road - this road surface has become worn. This has been exacerbated by the parking and movement of contractors' vehicles and heavy lorries to the new Nursing Home being built in Chestnut walk and also the articulated lorries and others serving Saltford Motors Ltd.

Cllr. Duncan Hounsell,
Saltford Parish Council
9, Montague rd.,
Saltford
BS31 3LA

From: Highways
Sent: 23 March 2012 17:25
To: Eleanor Jackson (Cllr); Highways
Cc: Terry Reakes (tersyl.walter48@gmail.com)
Subject: RE: Draft Highway Structural Maintenance Programme 2012/13

Councillor Jackson

Thank you for your response and apologies for the delay in getting back to you. I can confirm there will be a second phase to the drainage works undertaken last year in Bath New Road, which will hopefully address the points you have raised on the matter. This will be done prior to any surfacing works to this road.

In respect to Frome Road I can confirm that the current extents for the proposed resurfacing run from the cross roads at Manor Road/Knobsbury Lane in Writhlington all the way down to the sharp bend adjacent to the Charlton Timbers Building. I would add that the exact extents will be determined during the full scheme design.

Hope this helps.

Regards

Craig

Craig Jackson - Team Leader

Highway Maintenance & Public Rights of Way
Bath & North East Somerset Council

Telephone: 01225 394269

Facsimile: 01225 394343

Email: craig_jackson@bathnes.gov.uk

www.bathnes.gov.uk

Making Bath & North East Somerset an **even** better place to live, work and visit.

Please consider the environment before printing this email.

From: Eleanor Jackson (Cllr)

Sent: 12 March 2012 09:08

To: Highways

Cc: Terry Reakes (tersyl.walter48@gmail.com)

Subject: RE: Draft Highway Structural Maintenance Programme 2012/13

Dear Colleagues

Thanks for sending me this. It is good to see that there is substantial work being done in Radstock, especially with drainage. I was going to contact you about water pouring down Bath old Road to the Bath New Road from a drain(blocked) and springs at the junction of Bath Old Road and Bristol Road, oozing out of the bank opposite no 26

I wonder if you could include that as you will only be a couple of hundred yards away, and there is not much point in doing the New Road if water is still coming down from the Old Road.

Could you clarify the extent of works on the Frome Road, please? There are grave problems up by nos 40-60 which I had hoped would be addressed.

Best wishes

Eleanor Jackson (Cllr)

-----Original Message-----

From: Nathan Hartley (Cllr)

Sent: 15 March 2012 22:23

To: Highways

Subject: RE: Draft Highway Structural Maintenance Programme 2012/13

Thanks Craig

Nathan

Cllr Nathan Hartley

Deputy Leader & Cabinet Member for Early Years, Children and Youth with responsibility for Skills and Employment Bath and North East Somerset Council www.bathneslibdems.org.uk

Liberal Democrat, Peasedown St John

www.peasedownlibdems.org.uk

-----Original Message-----

Councillor Hartley

Micro Asphalt is an overlay treatment technique that does not require any invasive removal of existing material, basically seals over the existing surface and prolongs the life of the asset. As an example the access into Frederick/Albert Avenue off of Wellow Lane was done in Micro Asphalt as

part of the current financial years programme.

For more detail on the different techniques used please see:

<http://www.bathnes.gov.uk/transportandstreets/roadshighwaysandpavements/Pages/HighwayStructuralMaintenanceProgramme.aspx>

Let me know if you need any further detail.

Regards

Craig

Craig Jackson - Team Leader

Highway Maintenance & Public Rights of Way Bath & North East Somerset Council

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-----Original Message-----

From: Nathan Hartley (Cllr)

Sent: 11 March 2012 10:21

To: Highways

Cc: Sarah Bevan (Cllr); Peasedown St John Parish Council

Subject: RE: Draft Highway Structural Maintenance Programme 2012/13

Hello,

I'm very pleased to see Vicarage Gardens, Carpenters Hill and New Buildings in the programme for 2012/13.

Can you tell me what the difference is between: Carriageway Surface Dressing and Carriageway Micro Asphalt Surfacing?

Best wishes,

Nathan

Cllr Nathan Hartley

Deputy Leader & Cabinet Member for Early Years, Children and Youth with responsibility for Skills and Employment Bath and North East Somerset Council www.bathneslibdems.org.uk

Liberal Democrat, Peasedown St John

www.peasedownlibdems.org.uk

From: Highways

Sent: 09 March 2012 16:13

To: Barry Macrae (Cllr)

Subject: RE: Draft Highway Structural Maintenance Programme 2012/13

Councillor Macrae

In respect to your enquiry below I am sure you are aware that we will be resurfacing Radstock Road from Stone Cross towards Radstock in the next couple of weeks from this current year's programme. Midsomer Norton has also done well in recent years, High Street through to Church Lane Roundabout and then up through Redfield Road come to mind.

Chilcompton Road was close to the cut line on this year's programme and should any additional funding become available or we have favourable pricing of works then there is a good chance this will come in from the reserve list.

If there are any particular sites of concern I would be interested to know, our programme is driven by condition survey and inspection history data (where we have carried out significant reactive repairs) and we are always challenged with making sure we address the worst sites first within the funding that is available, an approach which unfortunately does not always meet everyone's expectations.

Regards

Craig

Craig Jackson - Team Leader

Highway Maintenance & Public Rights of Way

Bath & North East Somerset Council

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From: Barry Macrae (Cllr)

Sent: 09 March 2012 15:10

To: Highways

Subject: Re: Draft Highway Structural Maintenance Programme 2012/13

Can you please tell me where any works are proposed for Midsomer Norton in the coming year.

I couldn't see ANY...! Surely some mistake?B

From Barry's iPad:

Bath & North East Somerset Council		
MEETING:	Cabinet	
MEETING DATE:	11th April 2012	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2301
TITLE:	Capital Project Approval & Updates to the Capital Programme	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
N/A		

1 THE ISSUE

- 1.1 This report presents for full approval Capital Projects which at the time of the budget report were included for Provisional Approval subject to outstanding actions being completed.

2 RECOMMENDATION

The Cabinet agrees that:

- 2.1 Capital Project – **Lansdown Tuition Centre Dilapidations**; is approved for inclusion in the 2012/13 Capital Programme.
- 2.2 Capital Project – **Culverhay School Co Educational Adaptations**; is approved for inclusion in the Capital Programme; currently included for provisional approval subject to full project plan which has now been presented to Project Initiation & Deliverability Group (PIDG) and Capital Strategy Group (CSG)
- 2.3 Capital Project – **Adult PSS (Personal Social Services) Capital Grant**; is approved for inclusion in the Capital Programme; currently included for provisional approval subject to full project plan and business case which has now been presented to Project Initiation & Deliverability Group (PIDG) and Capital Strategy Group (CSG)

3 FINANCIAL IMPLICATIONS

- 3.1 **Lansdown Tuition Centre Dilapidations** works will cost £58k in 2012/13 and will be funded using part of the £2.255m Schools Capital Maintenance Grant 2011/12, which has been carried forward to 2012/13 in the budget report for provisional approval. The property has been vacated and will therefore require no further expenditure.
- 3.2 **Culverhay School Co Educational Adaptations** works will cost the Council £300k and will be funded from revenue budget contingency as approved by Cabinet at its meeting on 14th July 2012.
- 3.3 **Adult PSS (Personal Social Services) Capital Grant** allocation was £379k in 2011/12 & £387k in 2012/13. This approval allocates £267k in 2011/12 and £275k in 2012/13 across the Council's community equipment budgets and affordable housing budgets to reduce the contribution required by the Council. The balance of £112k in both 11/12 & 12/13 is being considered for use against various IT projects to support changes to the care infrastructure.

4 CORPORATE OBJECTIVES

- Promoting independence and positive lives for everyone
- Creating neighbourhoods where people are proud to live
- Building a stronger economy

5 THE REPORT

- 5.1 **Lansdown Tuition Centre** was previously used as a Pupil Referral Unit by the Behavioural Support Service and was leased by the Council. The building is no longer required by the service and under the terms of the lease the Council must meet the costs of any necessary refurbishment.
- 5.2 **Culverhay adaptations** are to enable girls to attend the school from September 2012 as part of its change to a sponsored academy in partnership with the Cabot Learning Foundation (CLF).
- 5.3 **The Adult PSS Grant** will provide capital investment to support delivery of adult social care services and the development of community capacity. Feedback from the local government sector indicates that priorities for investment are:

Innovative alternatives to residential care - supported housing and living (for younger adults) and Extra Care Housing (for older people) which can help people live in the most appropriate accommodation via a range of housing options for differing levels of need and lifestyle.

Alternatives to residential care via community based services investment – specifically the provision of equipment and minor adaptations can help ensure timely discharge from hospital, and reduce the risk of emergency admissions from falls. A strategic shift towards supporting more people to live independently in their own homes has resulted in increased demand and additional resources are required to support this shift and to continue to provide a professional and responsive service. This underpins the aim to enable people to remain in their own

homes for as long as possible, efficiently and demonstrating choice and independence. Preventing people's needs from escalating will help to delay people's need for intensive care packages, and reduce the costs of social care for individuals at risk of increasing levels of dependency.

Care infrastructure - Assessment and Care management is 'lean' so that contact with users is maximised. Technologies are being investigated that will allow the way information is accessed, collected, analysed and used so that people are at the heart of health and adult social care services. There will be practical issues to address in regard to information sharing across services, which will impact on the content of the care record, and the structure of messaging. There will be a need to ensure interoperability of infrastructure across services and systems, particularly Mental Health Services. Information and efficient processes underpin the efficiency and personalisation agenda.

6 RISK MANAGEMENT

- 6.1 Each capital project will maintain its own risk register. These risks have been reviewed by Project Initiation and Deliverability Group and Capital Strategy Group.

7 EQUALITIES

Lansdown Tuition Centre Dilapidations - An EqIA has not been completed as this project is only concerned with the Council meeting its obligations regarding the condition of the property.

Culverhay adaptations has not had an EqIA completed for this report but a full assessment was carried and considered by Cabinet as part of the decision making process on the future of Culverhay School.

Adult PSS Capital Grant – A formal EqIA has not been completed however equalities considerations have been taken throughout the process of identifying necessary spend against this grant. Advice has also been taken from relevant officers within Adult Social Services & Housing and it is considered that all three proposals will have a significant positive impact on individuals and communities from several of the equality strands including older people and people with disabilities.

Overall there are no impacts on groups with protected characteristics.

8 RATIONALE

- 8.1 These projects require full approval as they are priorities for inclusion in the Capital Programme.

In the case of Culverhay this reflects the Cabinet's previous decision on the future of Culverhay School.

9 OTHER OPTIONS CONSIDERED

- 9.1 As part of the PIDG review each project highlights which options they have considered. These options have been scrutinised by PIDG and CSG.

10 CONSULTATION

10.1 Consultation on the specific projects has been carried out with the lead Cabinet Members, Strategic Directors, Section 151 Finance Officer, other B&NES services and external parties where appropriate.

10.2 Consultation on proposed co-ed adaptations has been carried out with CLF and Culverhay staff and governors.

11 ISSUES TO CONSIDER IN REACHING THE DECISION

11.1 This report is of a corporate nature however some Capital Project presented for approval may require consideration of other issues including but not limited to; Social Inclusion, Customer Focus, Sustainability, Human Resources, Property, Young People, Impact on Staff.

12 ADVICE SOUGHT

12.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	<i>Tim Richens - 01225 477468 ; Daniel Welch - 01225 477104</i> Tim_Richens@bathnes.gov.uk Daniel_Welch@bathnes.gov.uk
Sponsoring Cabinet Member	<i>Cllr David Bellotti</i>
Background papers	<i>Budget Report – Capital Programme</i> <i>Budget Management Scheme</i>
Please contact the report author if you need to access this report in an alternative format	