

Wednesday, 10th October, 2012

**Present:**

Councillor Paul Crossley	Leader of the Council
Councillor David Dixon	Deputy Leader and Cabinet Member for Neighbourhoods
Councillor Simon Allen	Cabinet Member for Wellbeing
Councillor Cherry Beath	Cabinet Member for Sustainable Development
Councillor David Bellotti	Cabinet Member for Community Resources
Councillor Dine Romero	Cabinet Member for Early Years, Children and Youth

**71 WELCOME AND INTRODUCTIONS**

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

**72 EMERGENCY EVACUATION PROCEDURE**

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

**73 APOLOGIES FOR ABSENCE**

Apologies had been received from Councillors Tim Ball and Roger Symonds

**74 DECLARATIONS OF INTEREST**

There were none.

**75 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

There was none.

**76 QUESTIONS FROM PUBLIC AND COUNCILLORS**

There were 20 questions from the following people: Councillors Geoff Ward, Tim Warren (3), Anthony Clarke (3), Eleanor Jackson (2), Vic Pritchard (2), Charles Gerrish (2), Brian Webber (6), Patrick Anketell-Jones.

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

**77 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR**

## COUNCILLORS

Gillian Risbridger made a statement [*a copy of which is attached to these Minutes as Appendix 2 and on the Council's website*] asking Cabinet to support proposals for a 20mph Speed Limit on Wells Road, Bath, and presented a petition to Cabinet of 87 signatures: "We the undersigned wish to show our support for a 20mph speed limit on Wells Road".

The Chair said that he would refer the petition to Councillor Roger Symonds for his consideration and response in due course.

Amanda Leon read a statement on behalf of George Bailey (Radstock Action Group) [*a copy of which is attached to these Minutes as Appendix 3 and on the Council's website*] making a number of points as the group's response to the study

### **78 MINUTES OF PREVIOUS CABINET MEETING**

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

**RESOLVED** that the minutes of the meeting held on Wednesday 12<sup>th</sup> September 2012 be confirmed as a correct record and signed by the Chair.

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

There were none.

### **80 CONSIDERATION OF MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES**

There were none.

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

There were none.

### **82 GRAND PARADE AND UNDERCROFT**

Councillor Brian Webber said that he wished the project well and was delighted that plans were being made to bring the Undercroft back into public use.

Councillor Peter Anketell-Jones agreed, but felt that there was a flaw in the plan because it would not mitigate the coasts of the Guildhall, as was apparently anticipated. The project lacked a clear objective, and not enough detail had been given to enable Cabinet to make an informed decision.

Councillor David Bellotti in proposing the item, said that a successful meeting had been held with the market traders, who were excited about the new opportunities it would provide. He explained that the plans included a mix of retail, leisure and food outlets which would be a valuable use of an area which was currently wasted space. The project would not be about the Council spending large sums of money because the Council was seeking partners to achieve the project. He felt that the timetable

was ambitious but achievable. He explained that he would be moving slightly different proposals from those recommended in the officer report because a further report would only be brought to Cabinet if a further decision was required.

Councillor Cherry Beath seconded the proposal and said that the Cabinet was keen to develop the underused areas of Bath. She was confident that good progress would be made towards bringing the colonnades back into public use.

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

**RESOLVED** (unanimously)

(1) To AGREE that a detailed consultation exercise should be undertaken with key stakeholders and the general public;

(2) To AGREE that a development brief should be produced, taking into account the feedback from the consultation exercise, to enable a development partner to be procured;

(3) To ASK the Chief Property Officer to produce a full viability appraisal and options report on the opportunities under consideration; and

(4) To AGREE that on completion of the above recommendations, if required, a further report will be submitted to Cabinet for approval.

**83 SCHOOL FUNDING REFORM - CONSULTATION RESPONSES FROM SCHOOLS**

Councillor Eleanor Jackson in an *ad hoc* statement expressed surprise that St Mary's Writhlington was apparently not considered to have any pockets of deprivation. She asked for clarification of the definition used for deprivation.

Councillor Dine Romero in proposing the item, said that deprivation was not an exact science; the DfE were proposing to use fewer factors in the definition, including measures of special educational need, free school meals, and others. She thanked the officers for the hard work they had done in preparing the consultation and assessing the responses.

Councillor Romero explained that there would be a cap on losses and gains until 2014/15, to mitigate the effects of the new formula. She moved that option (2) of the 3 options should be the one adopted by Cabinet, because it retained funding at 7% rather than reducing it to 6%, and it balanced the weighting equally between the IDACI index and the free school meals figures. She felt that this addressed concerns that the IDACI index did not adequately reflect rural deprivation.

Councillor Paul Crossley seconded the proposal. He emphasised that changing any funding formula was always difficult which was why the Cabinet had wanted to consult with schools before making the changes. The proposals would meet the government's requirement that the funding formula must recognise social deprivation.

On a motion from Councillor Dine Romero, seconded by Councillor Paul Crossley, it was

**RESOLVED** (unanimously)

(1) To AGREE that option 2 is submitted as the methodology to be adopted by Bath and North East Somerset Council from April 2013. This reflects an amendment to the

proposal for the funding of Deprivation changing the split of resources between the Income Deprivation Affecting Children Index and free schools meals to 50:50 split. (Compared with the 75:25 split in the consultation proposal)

#### **84 DCLG WEEKLY COLLECTION SUPPORT FUND**

Councillor Michael Evans in an *ad hoc* statement said that he hoped the Council would support weekly collections, even if the funding application was not successful.

Councillor Eleanor Jackson agreed with Councillor Evans that weekly collections were important to local communities.

Councillor Geoff Ward in an *ad hoc* statement emphasised that there was good evidence that moving to fortnightly collections increased the pest problems associated with waste.

Councillor David Dixon in proposing the item, said that weekly collections were a luxury rather than a statutory service; but the Cabinet had high hopes of retaining weekly collections at least until 2016/17 if the application for £1.6M from DCLG was successful. He observed that the food waste collection was weekly and gave credit to Councillor Charles Gerrish, who had introduced that scheme. He said that Cabinet still aimed to increase the recycling rates in the authority.

Councillor Paul Crossley seconded the proposal. He said he was passionate about recycling and hoped the government would keep its pledge. He pointed out that if the funding was not awarded, then the issue of weekly residual waste collection would have to be considered by the Council.

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

**RESOLVED** (unanimously)

(1) To AGREE that if a funding award is made by DCLG from the weekly collections support fund:

(a) The Council commits to keeping a weekly refuse collection service until 2016/17 and, assuming that the award is for the full amount of the bid, allocates £1.6 million to do this;

(b) The Council allocates the remainder of the funding awarded to projects which are designed to minimise and recycle more waste.

(2) To DELEGATE authority to the Divisional Director of Environmental Services in consultation with the Cabinet Member for Neighbourhoods to agree the detail of the award and the delivery of associated projects with DCLG; and

(3) To NOTE that Council as part of its budget setting process will consider the allocation of resources towards achieving its waste and recycling objectives in the light of the money available from DCLG and the conditions attached thereto.

#### **85 HOUSES IN MULTIPLE OCCUPATION IN BATH - SUPPLEMENTARY PLANNING DOCUMENT**

Councillor Will Sandry in an *ad hoc* statement thanked the Cabinet for addressing the issue. He felt that the report contained a robust study of the issues and the consultation. He recognised that some students would have concerns but he hoped that when they saw the full details they would be persuaded that the proposals were fair.

Councillor Geoff Ward said he appreciated that Councillor Tim Ball had involved him at an early stage of thinking. He remained concerned however that the Article 4 approach would generate a high volume of applications and appeals which would prove very challenging to the Planning Department. He was not convinced that special licensing would solve the HMO problem and felt that the money would have been better spent on enforcement.

Councillor Paul Crossley in proposing the item, said that he and the Chief Executive had met recently with students and the Vice Chancellors of both universities. They had called on homes in Lawn Road and Shaftesbury Road to get a measure of the balance between HMO and family houses. He explained that the enforcement route would have the effect of reducing student accommodation and would damage some communities.

Councillor Crossley emphasised that the proposals would not reduce the number of HMOs, but would make communities more mixed. He emphasised that Cabinet was being asked to agree to consultation, not to make a final decision. He asked Councillor Ward to submit his comments on enforcement during the consultation period.

Councillor Simon Allen seconded the proposal.

Councillor David Dixon said that the issue was not only the impact of HMOs but was about bringing homes back into use for families. He related that people selling their homes are often inundated with offers from landlords wanting to convert the home to an HMO and felt that this created a false market which he hoped would soon level out.

On a motion from Councillor Tim Ball, seconded by Councillor Simon Allen, it was

**RESOLVED** (unanimously)

(1) To AGREE the Houses in Multiple Occupation in Bath: Supplementary Planning Document (Consultation Draft) for public consultation;

(2) To DELEGATE authority to the Divisional Director of Planning & Transport, in conjunction with the Cabinet Member for Planning and Housing, to make final graphic and minor textual amendments prior to publication of the Draft Houses in Multiple Occupation in Bath Supplementary Planning Document;

(3) To NOTE the responses from the Article 4 Direction public consultation in response to the "intention to implement" notice (Appendix B) and the findings presented in the Stakeholder workshop report; and

(4) To NOTE the Equalities Impact Assessment of the draft SPD and the draft Sustainability Appraisal Scoping Report.

## **86 PERSONAL BUDGETS: REVIEW OF POLICY FRAMEWORK & RESOURCE ALLOCATION (PROGRESS REPORT)**

Councillor Charles Gerrish in an *ad hoc* statement declared that he had a non-prejudicial interest in the issue. He said that he understood the aims of the proposals but was concerned that it was intended to achieve those aims within a 12-month period. He felt that this would lead to difficulties and that this would then increase the costs of residential care. He asked Cabinet to consider increasing the transitional arrangements to a longer period.

Councillor Simon Allen in proposing the item, said that the report was a progress report only. The Council had been a pilot council for the introduction of personal budgets, the aim of which was to give more choice and control to the individual. During the pilot scheme, the Council had developed its own policies which it now found were not totally in line with the national policies. The Council needed therefore to agree ways to come into line with national policies.

He thanks Councillor Gerrish for his comments, which would be fed into the consultation, and promised that the item would come back to Cabinet at a later date for adoption to ensure a fair and equitable process.

Councillor Paul Crossley, in seconding the proposal, said he felt that personal budgets were an important way to empower clients and he was pleased that after being involved in the pilot scheme the Council was now taking steps to catch up with best practice.

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

**RESOLVED** (unanimously)

(1) To AGREE that, based on the modelling contained in the main report, the percentile model for calibrating the national RAS locally is further explored and tested;

(2) To AGREE that, based on the above recommendation, further engagement and consultation with service users, carers and social care staff takes place;

(3) To AGREE that, based on the modelling contained in the main report, scenario 4 of the five transitional scenarios is adopted when roll out of the national RAS begins; and

(4) To AGREE that implementation of the national RAS should take place in early 2013 following a period of statutory consultation.

## **87 LOCALISM ACT 2011- ASSETS OF COMMUNITY VALUE**

Councillor Paul Crossley in proposing the item, reported that an issue raised with him during consultation related to criterion C2 of Appendix 1, with a request which would have the effect of broadening the evidence base for satisfying the criterion. He explained that he intended to pass on the request to the Divisional Director, Policy and Partnerships, if Cabinet agreed to delegate to him the power to amend the document.

Councillor Simon Allen seconded the proposal. He felt that the proposals were evidence of one of the most positive aspects of the Localism Act and would be very beneficial to communities in the area.

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

**RESOLVED** (unanimously)

(1) To DELEGATE authority to the Divisional Director, Policy and Partnerships for decision-making in response to nominations for entry into the List of Assets of Community Value under the Localism Act 2011, drawing on the decision-making guidance as set out in the report (or, in the event of this Divisional Director having a conflict of interest, to a Divisional Director nominated by the Strategic Director-Resources);

(2) To DELEGATE authority to the Divisional Director Policy and Partnerships for decision-making with regard to updating this guidance, in consultation with the Council Leader, in response to experience of implementing the provisions, new regulations and emerging case law;

(3) To AGREE that the internal review process in relation to listing be undertaken by a Divisional Director not involved in the initial decision;

(4) To DELEGATE authority to the Divisional Director Property Services to make arrangements relating to the procedures following listing, including moratorium and compensation provisions, as set out in the report; and

(5) To AGREE that an Annual Review of listing decisions be prepared.

## **88 BETTER BUS AREA GRANT**

David Redgewell in an *ad hoc* statement asked the Cabinet for assurances about accessible buses. He reminded Cabinet of a number of authorities which had achieved 100% accessible buses and asked how long the Council would hang on to its old buses. Since the Council had pioneered quality partnerships, why had it not worked with First to ensure DDA compliance? He stressed that in all of its contracts the Council should insist on the use of low floor buses.

Councillor Charles Gerrish in an *ad hoc* statement expressed concern that First Bus had recently cut services further. The Council should be working to increase the number of people served by buses, but the proposals were only enhancing existing routes instead of expanding services.

Councillor Paul Crossley in proposing the item, agreed that there must be a clear aim to work towards having all low floor buses. He said however that if the alternative was to have no bus at all, that was not a desirable option. He stressed that the Council would not allow itself to become dependent on one large service provider and would continue to work with the smaller providers. The approach would be to secure the grant funding and then continue to improve.

Councillor David Dixon in seconding the proposal said that he agreed that it was important to move towards accessible buses.

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

**RESOLVED** (unanimously)

(1) To ACCEPT the Better Bus Area Grant funding to:

(a) Upgrade bus stops on A431 Kelston Road;

(b) Expand Real Time Information; and

(c) Promote multi-operator ticketing scheme.

## **89 DEVELOPMENT, REGENERATION, SKILLS AND EMPLOYMENT AGENDA**

David Redgewell in an *ad hoc* statement emphasised the importance of upgrading the rail corridor and felt that there was not enough in the report about this.

Councillor Eleanor Jackson in an *ad hoc* statement said that she was pleased to see that the report in paragraph 4 acknowledged the importance of developing local action plans for Radstock, Westfield and Midsomer Norton. But she felt that the

Radstock Economic Forum had done little and asked for real action in future. She welcomed the plans for a creative hub for Bath, but said that the Somer valley must also be given similar opportunities. She referred to paragraph 5.23c where Radstock and Midsomer Norton regeneration were listed as priorities, but asked Cabinet to explain how and when the £500K promised for the area in the budget would be spent.

Councillor Cherry Beath in proposing the item, said that she was delighted to bring the proposals to Cabinet. The report had a very wide ranging scope and showed that the Council's new priorities had people at the heart. She agreed with David Redgewell that transportation improvements would be crucial to economic growth. Cabinet were trying to link up the rail networks, in addition to creating employment opportunities.

Councillor Beath responded to Council Jackson by saying that there were plans for the promised £500K which would become clear soon. She reminded the previous speakers however that this report had not been intended to be a detailed report about the sources of funding, but rather was an indicator of how the Council was working with possible partners to achieve its aims.

Councillor David Bellotti said that he was delighted to second the proposal. He observed that economic growth would be derived from investment by the private sector. He referred to paragraph 3.1 of the report, which made it clear that all the proposals were subject to funding agreement in the Council Budget. He was delighted to see the intention to introduce apprentices in the key development sites.

Councillor David Dixon referred to appendix 1 paragraph 1.14, which showed that the Radstock Road scheme was a key objective for the next 12 months

Councillor Simon Allen welcomed the socially responsible attitude to regeneration, particularly the commitment to creating more adaptable "homes for life" so that older people could live independently; and the commitment to ensure that new developments would meet the requirements of the Public Health Framework. He responded to Councillor Jackson's comment about the Radstock Economic Forum by observing that the forum had met recently; a wide range of local businesses were involved; and the members were determined to work together for the benefit of the town.

Councillor Paul Crossley responded to David Redgewell by saying that although the report did not give enough detail about the rail corridor upgrade, it had not been intended to be that detailed. However, he reminded the meeting that great progress was being made on the Saltford Station business case and on the Bathampton Park and Ride idea. This was evidence that the Cabinet was taking steps to link communities. He responded to Councillor Jackson's enquiry about the plans for the £500K by saying that he would soon be putting out ideas for discussion because he believed that the Council had an opportunity to meet the needs of Radstock along with the whole of the area.

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

**RESOLVED** (unanimously)

(1) To AGREE the underlying principles and outcomes the Cabinet seeks to achieve by pursuing their Development, Regeneration, Skills and Employment agenda in accordance of the Council's refreshed Corporate Plan, Vision and Priorities;



- (2) To NOTE the change in focus and priority of the Development, Regeneration, Skills and Employment agenda;
- (3) To ENDORSE the programme and priorities for action;
- (4) To AGREE that engagement with the business community, developers, investors, universities, colleges, heritage and conservation bodies and cultural organisations should be carried out to ensure effective delivery of the agenda and integration with the City Identity project;
- (5) To AGREE that specific and focussed capacity is directed to driving forward the agenda through the Service Action Plan process; and
- (6) To AGREE that financial papers be developed to support specific proposals at the appropriate stage.

The meeting ended at 8.15 pm

Chair \_\_\_\_\_

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

**Prepared by Democratic Services**

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## CABINET MEETING 10<sup>th</sup> October 2012

### REGISTERED SPEAKERS

Where the intention is to speak about an item on the Agenda, the speaker will be offered the option to speak near the beginning of the meeting or just before the Agenda item.

#### Statements about issues NOT on the Agenda

- Gillian Risbridger (Resident)  
Re: Petition, 20mph Speed Limit, Wells Road, Bath
- George Bailey (Radstock Action Group)  
Re: Radstock-Frome Railway Feasibility Study

#### Re: Agenda Item 12 (Grand Parade and Undercroft)

- Cllr Brian Webber

### QUESTIONS AND ANSWERS - COUNCILLORS

<b>M 01</b>	<b>Question from:</b>	Councillor Geoff Ward
<p>Whilst it is recognised that this year's weather has not helped the situation with overgrown verges on highways and footpaths, the increased levels of complaints from members of the public have been unacceptable. Given the untended state of many verges throughout the authority, and the increased level of complaints this year, does the Cabinet Member agree that the cuts to this service were short sighted and should now be restored?</p>		
<b>Answer from:</b>		Councillor Roger Symonds
<p><i>The likely impacts of this budget reduction were made clear when the budget was agreed and the weather this summer has of course created considerable demand for verge grass cutting. On balance, I would prefer that we reinstate a cutting frequency similar to that before the budget reduction made for this year and I have therefore asked officers to review the budget with a view to recommending alternative ways in which we can balance the budget and reinstate the budget.</i></p> <p><i>The financial impact of reinstating the budget, along with any compensating reductions to balance the overall budget, will be considered as part of the Medium Term Service &amp; Resource Plan and budget setting processes for 2013/14.</i></p>		

**Supplementary Question:**

What was the saving generated by the new approach? My parish council approached a local farmer to quote for cutting all the verges in Chalcombe, and was quoted £350. Will the Cabinet member agree that the saving is not therefore very large/

**Answer from:**

Councillor Roger Symonds

**The following answer was provided within 5 working days of the meeting:**

The net reduction to the revenue planned verge maintenance budget for 2012/13 was £22,244. Utilising the funding allocated and working with our contractor we re-prioritised the service to achieve the best possible outputs with the funding available as shown in the following schedule:

Details	Timing
<b>1<sup>st</sup> CUT</b> 1 metre swathe cut and full cut to visibility splays to all rural A and B Classified Road Verges. To include selective High Risk visibility splays in other locations.	May/June
<b>1<sup>st</sup> CUT</b> 1 metre swathe cut to verges along cycleways.	May/June
<b>2<sup>nd</sup> CUT</b> 1metre swathe cut and full cut to visibility splays to all rural A, B, C Classified and Unclassified Road Verges.	Aug/Sept
<b>One CUT</b> 1 metre swathe cut to lane 1 verges and roundabouts and full cut to central reservation and visibilities to A4 Dual Carriageway Keynsham Bypass, A4 Dual Carriageway Twerton and A39 Dual Carriageway Marksbury.	Sept
<b>2<sup>nd</sup> CUT</b> 1 metre swathe cut to verges along cycleways.	Aug/Sept

We do not have the final in year costs as we are finalising the Aug/September programme which has run into October due to the growth conditions in what has been a very wet year. The final out turn will be known once the final claims have been agreed with our contractor.

This cost reduction and associated impacts were considered via the Council's Scrutiny process and was included in the budget as no alternatives were proposed.

**M 02****Question from:**

Councillor Tim Warren

Can the Cabinet Member please provide evidence to support the belief that 20mph limits improve road safety and reduce road accident and injury rates?

**Answer from:**

Councillor Roger Symonds

*The current 20mph proposals are not being promoted solely on accident reduction*

grounds, as evidence available so far from other authorities which have introduced blanket 20mph limits suggests the incidence of injury accidents is not significantly reduced. However, Road Safety Web Publication No.16, produced by Department for Transport in 2010, investigates the link between vehicles speeds and risk of injury to pedestrians, and concludes that this risk is significantly reduced as vehicle speed drops. The perception that safety is improved is difficult to measure, however the results from Bristol City Council's 20mph Pilot Area Monitoring Report suggest that the public perception is that safety has been improved. The report identifies an increase in walking of between 10-36%, and in cycling of between 4-37%, in the 20mph pilot areas. It also identifies around 82% support for the 20 limits amongst residents. The introduction of 20mph areas are therefore considered to have social and environmental benefits beyond road safety.

**Supplementary Question:**

The roll-out of the 20mph zones has a cost attached. Will the Cabinet member ensure that rural areas are not overlooked?

**Answer from:**

Councillor Roger Symonds

**The following answer was provided within 5 working days of the meeting:**

*Monitoring of the current programme will help determine the future plans for 20mph zones. Rural areas will not be overlooked and where appropriate will be considered, alongside other transport related initiatives for inclusion in future programmes of work.*

**M 03**

**Question from:**

Councillor Tim Warren

With the Council currently consulting on the roll-out of 20mph speed limits on roads throughout B&NES, I am sure that the Cabinet Member agrees that this Council must learn from the experiences of other authorities which have already implemented 20mph zones.

Can the Cabinet Member therefore please provide information on the following:

- The number and percentages of casualties within the trial 20mph zones in Bristol since their implementation, compared to the numbers prior to implementation.
- The number and percentages of KSI (Killed or Seriously Injured) within the trial 20mph zones in Bristol since their implementation, compared to the numbers prior to implementation.
- The number and percentages of casualties within the 20mph zone in Portsmouth since its implementation, compared to the numbers prior to implementation.
- The number and percentages of KSI within the 20mph zone in Portsmouth since its implementation, compared to the numbers prior to implementation.

**Answer from:**

Councillor Roger Symonds

*Officers will apply to the relevant Councils for the latest information. Any information received will be made available to Cllr Warren upon receipt.*

<b>M 04</b>	<b>Question from:</b>	Councillor Tim Warren
<p>How does the Cabinet Member intend to monitor and review the effectiveness of the 20mph speed limits and how often will the Cabinet report upon this monitoring? Will the Council monitor and report upon changes to accident and casualty numbers within the 20mph zones on a regular basis?</p>		
<b>Answer from:</b>		Councillor Roger Symonds
<p><i>A representative set of roads within each roll-out area of the 20mph scheme is subject to automatic vehicle speed counts before and after the implementation of each scheme. Customer satisfaction surveys are also proposed once the 20mph limits have been in place for a significant period. No Cabinet reporting regime has yet been agreed, however as the information is collected it will become available on request. Injury accident monitoring will be carried out at 1 year and 3 year post implementation, as is the norm for new traffic schemes.</i></p>		

<b>M 05</b>	<b>Question from:</b>	Councillor Anthony Clarke
<p>In your answer to a question regarding free parking by Cllr Michael Evans at the last Cabinet Meeting, you stated that: 'Unrestricted car parking does not on the whole generate a level of vehicle turnover necessary to support the economic viability of destinations as the parking spaces are usually taken up by commuters, workers and other long stay parking and this can reduce accessibility for those wanting to visit.' And that 'Implementing charges in some locations and not others of similar size or facilities is not consistent and might be considered an anomaly in strategy.'</p> <p>The arguments you have put forward are clearly not limited to one location and could therefore be taken as applying to any part of the authority. This naturally raises concerns that the Council could be looking to implement parking charges at many car parks throughout the authority which are currently free, including within Bath.</p> <p>Could the Cabinet Member please provide reassurance that the Council will not seek to implement charges at local car parks such as Larkhall Square and Church Road in Weston?</p>		
<b>Answer from:</b>		Councillor Roger Symonds
<p><i>Although the Council has not completed the formal budget setting process and without wishing to prejudice the outcome, I can confirm that whilst all income opportunities will be examined, there is currently no intention to introduce charges at these locations.</i></p>		

<b>M 06</b>	<b>Question from:</b>	Councillor Eleanor Jackson
<p>Why is there no consideration of the future of the Victoria Hall at this meeting, given the promises made at the July Cabinet Meeting?</p>		

<b>Answer from:</b>	Councillor David Bellotti
<i>The report has been deferred to the following Cabinet meeting to enable the finalisation of a full refurbishment plan to include electrical and heating installations, and to consult with other Council Services which may have an accommodation requirement within the building.</i>	

<b>M 07</b>	<b>Question from:</b>	Councillor Vic Pritchard
In your answer to the supplementary question which I asked at the last Open Cabinet meeting, you stated 'Where long grass becomes a possible safety risk, we cut it immediately'. Why is the Council waiting for uncut verges to become a safety risk before taking action?		
<b>Answer from:</b>	Councillor Roger Symonds	
<i>The Council does not wait until long grass becomes a hazard before taking action. Overgrown vegetation reported by the public or spotted by officers likely to cause a safety risk is attended to as quickly as possible.</i>		

<b>M 08</b>	<b>Question from:</b>	Councillor Charles Gerrish
Local traders and residents are keen to know progress as to when the Cabinet will be take a decision on whether or not to agree to Full Council's request to create free parking in Keynsham. Can the Cabinet Member therefore please inform of what decision has been made or provide an update on when he is likely to take a decision on this matter?		
<b>Answer from:</b>	Councillor Roger Symonds	
<i>I have responded to the request submitted to Cabinet confirming that officers have investigated this proposal and it is not possible to make it cost neutral. Therefore based on the cost and the impact on the budget I have decided not to implement free parking. However, 17 additional free bays will be installed in Ashton Way car park to replace the bays lost at the Civic Centre.</i>		

<b>M 09</b>	<b>Question from:</b>	Councillor Charles Gerrish
When might we expect the outcome of the overall assessment of traffic requirements in Keynsham to be completed? This is especially important in view of the pending planning		

application expected re the Cadbury site where the community are pressing to ensure that the developers are required to provide a second access.

**Answer from:**

Councillor Roger Symonds

*The Council has provided the developers of the Cadbury site with a traffic model of the existing highway layout and traffic flows in Keynsham to assess the impact of proposed new development on the existing highway network in future years and, in particular, the need for a second site access. The results of this assessment will be submitted with the Planning Application, I understand that it is the intention of the developer to submit their application in November.*

**M 10**

**Question from:**

Councillor Vic Pritchard

Placemaking Plans are a central component of the Council's Core Strategy in determining the location of any development, for example in RA1 classified villages. What is the Council doing to accelerate the process of developing these Placemaking Plans?

**Answer from:**

Councillor Tim Ball

*At its meeting on 12th September the Cabinet agreed to revise the Local Development Scheme (work programme for the preparation of the Local Development Framework) and identified the necessary resources to progress the Placemaking Plan in parallel with the further work needed on the Core Strategy to address the concerns raised by the Examination Inspector. The importance and benefits of progressing the Placemaking Plan alongside the Core Strategy were identified in the report to Cabinet (see paragraph 9.3).*

**Supplementary Question:**

Can the Cabinet member confirm whether this will coincide with the close of the year's grace period given by government?

**Answer from:**

Councillor Tim Ball

***The following answer was provided within 5 days of the meeting:***

*The year's grace period given by the government to which Cllr Pritchard refers is assumed to be that which is set out in the National Planning Policy Framework (NPPF). Paragraph 214 of the NPPF refers to Council's being able to give full weight to policies in Local Plan's adopted under the 2004 Planning & Compulsory Purchase Act for a period of 12 months (up to March 2013) in determining planning applications. The B&NES Local Plan was prepared and adopted under the provisions of the 1990 Town & Country Planning Act. Therefore, the 12 month period does not apply to the B&NES Local Plan. The NPPF (paragraph 215) makes it clear that in B&NES from the date the NPPF was published (March 2012) the Council should give weight to the Local Plan*



*policies according to the degree of consistency of these local policies with those set out in the NPPF. In addition, those policies in the emerging Core Strategy which are consistent with the NPPF also have some weight in decision making in light of the Core Strategy's advanced state This emphasises the importance of progressing preparation of the Placemaking Plan in parallel with the Core Strategy in order to get in place an adopted local up to date planning policy framework*

<b>M 11</b>	<b>Question from:</b>	Councillor Brian Webber
<p>May I warmly congratulate the Parks Department on the wonderful displays of flowers in the Parade Gardens, Bath, which have elicited much praise from visitors and residents? Has this been reflected in increased receipts at the entrance gate, relative to previous seasons? Are congratulations also due to the proprietor of the teahouse, who I understand has helped maintain the small beds near his business? If so, is this an example of mutually beneficial co-operation between the Council and the private sector, which could be publicised and replicated?</p>		
<b>Answer from:</b>		Councillor David Dixon
<p><i>Thank you for your acknowledgement of the excellent work of the Parks team in creating and maintaining the wonderful displays in Parade Gardens which I am pleased that these have been appreciated by residents and visitors. Parade Gardens has been visited by in excess of 25,000 visitors over the summer period. The wettest summer on record and the dip in visitor numbers to Bath means that these numbers are lower than last year and as a result receipts at the gate are down considerably. Mr Stafford, the proprietor of the tea house, became involved at the start of the season to help plant the beds near his business, which is very welcome. The quality of the planting and maintenance is however due to the work of the Parks team. There are a number of similar initiatives and partnerships taking place under the auspices of the successful In Bloom programme within Bath and throughout North East Somerset and these have been acknowledged and recognized as part of the excellent results achieved throughout the district in the South West in Bloom results.</i></p>		

<b>M 12</b>	<b>Question from:</b>	Councillor Brian Webber
<p>Regarding the co-operative efforts of the Council and the Bath Preservation Trust to re-instate the illuminated lanterns on North Parade Bridge, Bath, what is the expected date for the completion of the project?</p>		
<b>Answer from:</b>		Councillor Cherry Beath
<p><i>The damaged lanterns have been removed by the Council's Street Lighting contractor but some difficulties have been experienced in removing the fixings associated with the iron upstands. A specialist tool has been ordered to assist in removing these fixings</i></p>		

*and, as soon as this has been delivered, the upstands will be removed and sent for repair. The reproduction and repair work needed is of a specialist nature and the target date for completion for this project is spring 2013.*

<b>M 13</b>	<b>Question from:</b>	Councillor Brian Webber
<p>Having regard to the attention which is paid by the Council's Planning and Conservation officers to relatively minor infractions of listed buildings legislation by private property owners, is not the ugly condition of the Council owned Cornmarket a grave reproach on successive Administrations? When might something be done to improve its appearance?</p>		
<b>Answer from:</b>		Councillor David Bellotti
<p><i>We are currently considering the future opportunities which exist in relation to the Cattlemarket car park, and any options going forward will include the work required to bring the Cornmarket building back into effective use</i></p>		
<b>Supplementary Question:</b>		
<p>Will the Cabinet member agree that the technicolour hoarding around the Cornmarket is an eyesore, and that it gives a bad impression to visitors to the city?</p>		
<b>Answer from:</b>		Councillor David Bellotti
<p><i>I do agree. It has been in such a state for too many years.</i></p>		

<b>M 14</b>	<b>Question from:</b>	Councillor Brian Webber
<p>Though the space standards in Lewis House within which the Planning staff have to work may satisfy Health and Safety requirements, are they conducive to efficient working, having regard to the large and bulky documents on which officers have to work and the lengthy and complex telephone conversations they often need to carry on in close proximity to their colleagues? Are the space standards in the Planning department broadly consistent with the standards in other open plan Council departments?</p>		
<b>Answer from:</b>		Councillor David Bellotti
<p><i>Full consultation was carried out with officers in Planning Services as part of the "Workplaces Project" which resulted in the agreed space planning and working methods which now exist within Lewis House</i></p>		

<b>M 15</b>	<b>Question from:</b>	Councillor Brian Webber
<p>Whatever the merits of homeworking and hot-desking may be, is it not the case that short impromptu discussions with and between individual officers is often impossible because the officer is working at home and, if contacted there by telephone, does not have the necessary papers? Are the homeworking and hot-desking arrangements kept under regular review?</p>		
<b>Answer from:</b>		Councillor Paul Crossley
<p><i>The Council has successfully been reducing its office space, reducing costs and improving team working by using flexible working. This has been incorporated into the design of Lewis House, the Hollies and applies partially in Keynsham.</i></p> <p><i>Flexible working only occasionally involves home working. The approach is much more about supporting staff to work on site, reducing their need to waste time travelling. It frees up space that was previously left empty whilst staff are away, for example, at meetings or on site. It has also helped enable much co-location of staff and teams which helps to break down departmental divisions.</i></p> <p><i>When flexible working does involve home working, the member of staff generally has access to the information they need over the internet using a secure connection, through e mail or even using paper.</i></p> <p><i>No system is perfect so we constantly keep the arrangements under review as part of the workplaces programme. If there are any specific issues you want us to look into please do let me have the details.</i></p>		

<b>M 16</b>	<b>Question from:</b>	Councillor Brian Webber
<p>The recent press notice triumphantly announcing the commencement of the 20 mph speed limits in Twerton and Southdown trotted out, by way of justification, the truism that an accident at high speed will cause more injury than an accident at low speed. No-one disputes that. However, where is the evidence that blanketing 20 mph speed limits on streets which already have low average speeds reduces the incidence of high speed driving as opposed to merely inducing all motorists to marginally reduce their speeds? 20 mph speed limits in Portsmouth and Bristol do not appear to have reduced accidents.</p> <p>Would not traffic calming measures (possibly including speed limits) at selected blackspots and rat-runs be more effective?</p>		
<b>Answer from:</b>		Councillor Roger Symonds
<p><i>Bristol City Council's 20mph Speed Limit Pilot Area Monitoring Report states that 65% of roads in the pilot areas saw a reduction in mean speeds. We are not aware of any evidence on the balance between marginal reductions of all speeds as opposed to reduction of the incidence of high speed driving.</i></p> <p><i>Generally there are no accident concentration sites in residential areas; accidents tend to occur on a fairly random basis and are widely spread, therefore implementing traffic calming as a means of reducing injury accidents would be very difficult to justify.</i></p>		

*It is however clear to me that by reducing traffic speeds the severity of the injuries arising from accidents will be significantly reduced.*

<b>M 17</b>	<b>Question from:</b>	Councillor Anthony Clarke
<p>In the papers relating to the new funding formula no mention is made of the Pupil Premium. Can the Cabinet Member confirm that this provision will remain and give some indication of which schools will benefit and to what extent?</p>		
	<b>Answer from:</b>	Councillor Dine Romero
<p><i>The pupil premium is a government initiative that will continue until the government decides otherwise. The school funding reform process does not take the pupil premium into account as it is supposed to be in addition to main funding streams available to schools. The pupil premium is currently £619 for every child recorded as being in receipt of free school meals in the past 6 years, plus £619 for every child recorded as looked after and £250 for every child from a service family.</i></p> <p><i>For 2013-14 the DFE have confirmed that the first 2 categories will be increased to £900 per child with the service children still to be decided.</i></p> <p><i>Attached is a file that shows the current and estimated funding levels of each school through the pupil premium. Schools that converted to academies prior to April 2012 are omitted from the data as we do not have records of their pupils in the same way as maintained schools. Schools highlighted are those schools that have converted to academies since April 2012</i></p> <p><i>Schools are required to report to parents how they have utilised the pupil premium to ensure pupils from deprived backgrounds have been supported to attain better outcomes</i></p>		

<b>M 18</b>	<b>Question from:</b>	Councillor Anthony Clarke
<p>While it is accepted that there should be transitional arrangements so that those school with a significant reduction in their funding have time to adapt, can the Cabinet Member offer reassurance that the proposed Cap on Gains, when balanced against the Minimum Funding Guarantee, will not lead to an excessive taper in funding which will result in a disincentive to schools needing protection to either improve their recruiting of pupils or making the necessary changes to ensure they can live within their allocated budget and also deprive other schools of funding needed to meet the needs of their pupils? Can the Cabinet Member state the maximum time period that is anticipated for the taper in funding to come to an end by applying the Cap on Gains?</p>		
	<b>Answer from:</b>	Councillor Dine Romero
<p><i>The transition allowed to enable schools to adjust to reduced resources has been created by the DFE and imposed on Local Authorities in the form of the Minimum</i></p>		

*Funding Guarantee (MFG). This protects schools to a fall of 1.5% per pupil in any financial year. The MFG will exist for 2013-14 and 2014-5 ( set in regulations by the DFE), but after that there is no guarantee. Schools will need to plan for no protection in 2015-16 as the DFE may not agree to any protection of this kind from that date.*

*If the MFG were to be in existence for the future then some schools would be protected for many years, depending on pupil number changes, possibly as long as 10 years or more. The DFE recognise that this may occur and have therefore intimated that National Funding Formula they intend to introduce may have different protection mechanisms.*

*In our consultation document we modelled the impact of keeping a MFG mechanism in place for 5 years with stable pupil numbers and we found that 14 primaries and 2 secondary schools would be still protected by the MFG at that point. We have not modelled beyond 5 years but suspect that some schools may be protected for about 7-8 years.*

*The cap on gains is proposed to limit gains in order to pay for the protection. As the protection reduces year on year the cap will eventually grow until schools see no cap. In year 1 we are estimating 1.74% and year 2 approx. 2.03%. In year five the cap would be around 2.7%. As the increase is cumulative a school that was gaining each year would gain over 10% in the 5 years.*

**Supplementary Question:**

If the minimum funding formula should change, would the Cabinet member assure us that the very considerable cap on increases will be removed earlier, so as not to deny schools the funds they are acknowledged to need and deserve?

**Answer from:**

Councillor Dine Romero

***The following answer was provided within 5 days of the meeting:***

*The proposal that has been consulted on with schools and has now been decided makes the intrinsic link between the Minimum Funding Guarantee (MFG) and the cap on gains, in that the sum of resources used to support the MFG would be utilised to calculate the cap on gains. If the MFG were to be removed or significantly altered to require less resource, the cap on gains would be recalculated to release the resources to those schools that would gain.*

*The regulations the DFE have established require that the whole resource currently available for schools (including the resource used to support the MFG) has to be available to schools in future years. This ensures that as resources are released from the MFG they will be paid to the schools that gain.*

**M 19**

**Question from:**

Councillor Patrick Anketell-Jones

The Council has understandably been preoccupied with the imminent developments in Keynsham and Radstock.

In the meantime, however, Midsomer Norton Town Council has been working, with B&NES officer support, on plans for its own future development. The vision for the town is known and laid out clearly in the Council's draft Core Strategy. Unfortunately, there are concerns that this valuable support is due to be withdrawn before work on the plans

has been completed.

Will the Cabinet member please give an undertaking to continue to provide the officer support so that the people of Midsomer Norton will be in a position to decide the future of their town rather than simply having to be reactive, with the danger of being overtaken by events or other external pressures?

**Answer from:**

Councillor Cherry Beath

*The Cabinet recognises the work that is being undertaken in Midsomer Norton and is committed to supporting this within its resource constraints. A number of development & regeneration opportunities across the area are currently being progressed and the full programme, including projects in Midsomer Norton, is provided in tonight's Cabinet Paper about the Development, Regeneration, Employment & Skills Agenda.*

**Supplementary Question:**

Can the Cabinet member explain why no projects in that area are planned within the first 12 months?

**Answer from:**

Councillor Cherry Beath

*The report does explicitly say that the plans include projects in Radstock and Midsomer Norton. The local councils will be able to explain to him why these are not planned for the first year.*

**M 20**

**Question from:**

Councillor Eleanor Jackson

Why are they proposing to move the Jubilee Oak Tree to the grounds of Writhlington School when there has been no consultation with Radstock Town Council, whose predecessor body Radstock Urban District Council planted it or with this ward councillor about this strange choice of off centre location? It has been central to Radstock's history since 1897 or perhaps 1905, and should remain so, as there is no operable planning permission for the development of the railway lands or the destruction of the subway.

**Answer from:**

Councillor Paul Crossley

*The initial intention was to move the oak tree to Waterloo Road open space. However, it was found to have major underground services in the location we planned to move the tree. Through consultation with the family of the young man who died near the tree, Cllr Allen suggested Writhlington School. There is sufficient space for the tree and are prepared to help re-establish it (water it mostly) to help it survive.*

**Supplementary Question:**

There has not yet been any work done to change the road layout; why therefore has the tree been moved unnecessarily?

**Answer from:**

Councillor Paul Crossley

*The substantive planning application has been approved. The new one is for minor variations. Trees can only be moved at certain times of the year, so this is the right time to consider to move it, in addition to which there was an assurance that it would be looked after on its new site. The cuttings at both Writhlington School and the Norton-Radstock College are doing well.*

## QUESTIONS AND ANSWERS - PUBLIC

There were none

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## 20mph petition presented to cabinet 10<sup>th</sup> October 2012

### **PETITION: We the undersigned wish to show support for a 20pmh speed limit on Wells Road.**

It our belief that the reduction in the speed limit will significantly improve road safety along this route, improve the environment for the community and ensure that pedestrians walking up and down and across the Wells Road can do so with massively reduced risk.

Firstly I would like to say that I, together with most Wells Road residents, are very supportive of the general introduction of 20mph across Bath – slower speeds mean safer communities.

Having lived on the Wells Road for over 8 years, I have always been disturbed by the speed of traffic whilst walking on narrow pavements with my young child and dog. My Zone 4 residential parking bay is on the other side of the road opposite my house. When I suggested to the council that it is moved to the same side of the road so that I and other residents do not have to dodge traffic to get to our vehicles, I was advised that it acted as a chicane to slow down traffic.

I have been an active member of Widcombe Speed watch since its inception in February 2010. Wells Road was included in the patrols because the police have long been aware that people drive up and down the road at speeds greatly exceeding the 30mph speed limit. We have monitored up to 6% of vehicles driving over 36 miles per hour, this is whilst seeing us wearing high-vis jackets and carrying speed monitoring equipment. I believe that speeds are even more excessive when we are not out on patrol.

As a parent representative of Hayesfield School Travel Group I have been actively lobbying the council to improve the walking environment around the school, including upgrading the pedestrian island on Wells Road to a zebra or pelican crossing. Most mornings I assist my daughter, who is now 13 years old, cross the road outside our house, since at the pedestrian island further up the road there is a constant stream of rush-hour traffic, cars do not stop to let her cross and often speed around the corner.

Islington, which was the first London borough to introduce 20mph speed limits, is so happy with its residential limits that it is extending 20mph to arterial roads. Most pedestrian accidents occur on arterial roads, not residential and of course 2 people have died on Wells Road in the last 10 years.

I together with over 80 residents of Wells Road who have signed this petition, believe that our residential road should **not** be excluded from the 20mph limit. Why should people on the Wells Road not have the same right to a safer community as those living round the corner? If the speed was reduced not only would we be able to cross the Wells Road more safely but it could also reduce noise and pollution, improve our local environment and encourage more people to walk.

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## **Radstock – Frome Railway, Feasibility Study by Halcrow on behalf of Bath & North East Somerset U. A.**

- The report emphasizes distance to Bath: surely time is more important to a commuter (see p3, 1.2).
- There is no mention of a possible service Radstock / Frome / Westbury / Melksham / Chippenham / Swindon (see p7, 3.1). It seems as though the only possible routes lead towards Bath / Bristol.
- A new platform at Mells is feasible and would be nearer the village, not at Mells Road. Potentially, this would increase the user level.
- The NCN path should not be a problem. A Section 106 exists which permits the cycleway to retain its current benefits.
- The Report only considers a chord to Frome station and reversal, ignoring the possibility of a platform behind the Cheese & Grain building. (see 3.2.1)
- Use of a platform behind the Cheese & Grain building, with easy access to a large car-park, would simplify operations and save land purchase for the chord and costs of a bridge. (see p8, Infrastructure)
- Destinations beyond Westbury are not considered (e.g. Reading / London) (see p13).
- Using the information in the Report only, a Radstock / Westbury shuttle is probably the preferred compromise, calling at stations to Frome (Cheese & Grain) and direct to Westbury (see p16) Extend to Bristol and / or Chippenham later.
- An increase in the size of parking area at Radstock would help revenue and might also be useful for 'bus passengers (see p17). Should not B&NES be involved and consider full inter-modal travellers?
- Station operating costs are claimed to be significant. How can this be, as only CCTV, lighting and a 'help' facility are needed. Perhaps local 'Friends' could improve appearance and therefore encourage users.
- There is no investigation of the benefits of track-laying to lighter than “Network” standards, with upgrading only when traffic is proven
- Did Halcrow contact ATOC or study the Connecting Communities Report?
- The costs are very “broad-brush”, so a break-down is certainly required. However, it goes against the McNulty Report to have such a large Management & Contingency Budget (2/3 of the total capital). (Appendix, Table A.1). It is actually 2/3 of the capital budget.
- ‘Soft’ benefits are not mentioned, such as Regeneration in Radstock. Better transport means improved access for everyone, commuters and tourists alike. Welton Bibby is moving to Westbury in January and will need their current skilled staff.
- Trains are more likely to be DDA compliant. ‘Buses might be, but access is still difficult.
- In conclusion, I must say that the most important point is that Halcrow did not attempt to suggest alternatives, when faced with a potential difficulty. Surely this is why consultants are employed?

George Bailey  
Radstock Action Group

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