

BATH AND NORTH EAST SOMERSET COUNCIL

PLANNING, TRANSPORT AND ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY PANEL

Tuesday, 15th May, 2012

Present:- Councillors Marie Longstaff (Chair), Malcolm Hanney, Geoff Ward, David Martin, Douglas Nicol and Ian Gilchrist (In place of Neil Butters)

Also in attendance: Simon De Beer (Policy & Environment Manager), Lucy Corner (Ecologist), Meghan Rossiter (Senior Planning Officer), Richard Daone (Planning Policy Team Leader), Sara Grimes (Corporate Sustainability Officer) and Stephen George (Senior Planning Policy Officer)

1 WELCOME AND INTRODUCTIONS

The Chairman welcomed everyone to the meeting.

2 EMERGENCY EVACUATION PROCEDURE

The Chairman drew attention to the emergency evacuation procedure.

3 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Councillor Caroline Roberts and Councillor Neil Butters had sent their apologies to the Panel. Councillor Ian Gilchrist was present as a substitute for Councillor Neil Butters for the duration of the meeting.

4 DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972

There were none.

5 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

The Chairman announced that agenda item 12 (Gypsies, Travellers and Travelling Showpeople Site Allocations Development Plan Document (DPD): Preferred Options consultation paper) would move up the running order and be debated as item 8.

6 ITEMS FROM THE PUBLIC OR COUNCILLORS - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS RELATING TO THE BUSINESS OF THIS MEETING

A number of public statements were made in relation to agenda item 12 (Gypsies, Travellers and Travelling Showpeople Site Allocations Development Plan Document (DPD): Preferred Options consultation paper). These statements were all heard directly before the Panel debated the item. A copy of the statements can be found on the Panel's Minute Book.

7 MINUTES - TUESDAY 13TH MARCH 2012

The Panel confirmed the minutes of the previous meeting as a true record and they were duly signed by the Chairman.

8 CABINET MEMBER UPDATE

No Cabinet Member was able to be in attendance on this occasion. Councillor Roger Symonds, Cabinet Member for Transport issued a written report to the Panel.

9 PROCEDURE FOR DESIGNATION OF LOCAL SITES IN BATH & NORTH EAST SOMERSET

The Ecologist introduced this item to the Panel. She informed them that the adoption of this criteria-based and objective process for the designation of Local Sites within the District will bring the Council in line with the current guidance, increase the robustness and defensibility of the system, raise standards and improve consistency of approach.

Councillor Malcolm Hanney asked if the key stakeholders were happy with the procedure.

The Ecologist replied that it had been agreed by all.

Councillor David Martin asked if the figure of 300 Local Sites was likely to change greatly by adopting this procedure.

The Ecologist replied that no, it would not.

The Panel **RESOLVED** to commend the proposal to the Cabinet for the procedure as detailed in Appendix 1 to be followed for designation of Local Sites in Bath & North East Somerset.

10 CORE STRATEGY UPDATE

The Policy & Environment Manager introduced this item to the Panel. He explained that the strategy is a key Council strategy that sets out the overarching development requirements & policy framework. It is central to achieving objectives such as economic growth, protecting the environment, education & housing. The strategy focuses on brownfield urban regeneration & seeks to avoid greenfield urban extensions.

The strategy is undergoing an examination by an independent Inspector and his report is expected in the next few months, but this depends on when the examination is closed. Full Council will need to respond to the Inspector's report.

In meantime, work is underway on; Placemaking Plan, Community Infrastructure Levy, Gypsies & Travellers Sites Plan, Supplementary Planning Documents and Neighbourhood Planning

Councillor David Martin asked if the National Planning Policy Framework (NPPF) would come into effect if the inspector finds any fault with the strategy.

The Policy & Environment Manager replied that the NPPF was already in place and had been from March.

Councillor Geoff Ward asked how Neighbourhood Plans would interact with the Core Strategy.

The Policy & Environment Manager replied that they should look to compliment the Core Strategy.

The Chairman thanked him for his presentation.

11 SUSTAINABLE CONSTRUCTION & RETROFITTING SUPPLEMENTARY PLANNING DOCUMENT

The Planning Policy Team Leader and Corporate Sustainability Officer introduced this item to the Panel.

The Planning Policy Team Leader informed them that the Sustainable Construction & Retrofitting Supplementary Planning Document (SPD) had been prepared and was approved by Cabinet on 14th March 2012 for public consultation. The guidance will support the Council's Core Strategy policies on these issues. He added that the guidance within the SPD was aimed at householders and small scale house builders and includes practical advice, tips and information including planning, building control and historic buildings advice.

Councillor Ian Gilchrist asked if they had any first thoughts on some of the comments received through the consultation.

The Planning Policy Team Leader confirmed that the comments received so far were still being analysed and that some areas for improvement of the SPD had been identified, including greater clarity and detail on retrofitting Listed Buildings. The Corporate Sustainability Officer replied that they had received around 50 comments and around 600 people had visited the Fit for the Future exhibition. She added that many of the comments were of a detailed and technical nature.

Councillor Geoff Ward asked for clarification on how Cavity Wall Insulation would be carried out on certain properties as he would not want to see the buildings suffer unduly.

The Corporate Sustainability Officer replied that they would clarify that detail as part of the next stage of the process.

Councillor David Martin commented that he had been following this subject matter from its inception and believed the document to be well written. He felt though that the Planning Process section should be expanded, including links to Neighbourhood Planning. He also thought links should be included to the Green Deal, Listed Building

Consent section should be clearer and information on Low Cost / High Impact measures should be included up-front in the document.

The Planning Policy Team Leader thanked the Panel for their comments.

12 GYPSIES, TRAVELLERS AND TRAVELLING SHOWPEOPLE SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT (DPD)

Judith Chubb-Whittle, Chair of Stanton Drew Parish Council addressed the Panel (a full copy of the statement is available on the Panel's Minute Book, a summary is set out below). She spoke of the overwhelming opposition that had been voiced by the residents of Stanton Wick hamlet and Stanton Drew, at their Parish Council public meeting on 2nd May. The parish council vehemently opposes the proposal on the following grounds:

The scoring matrix defies logic.

How can a site that was scored 17th out of 23 sites becomes one of the preferred top 7 sites, when alternative sites demonstrated superior access to amenities?

The proposed 15 permanent & 5 transient pitches will totally dominate the hamlet of 26 dwellings i.e. approx. 60 people, contravening Planning Policy for Traveller Site, March 2012.

Based on Designing Gypsy and Traveller Sites document, a pitch comprises of an average 1.7 caravans but the DPD states 3 caravans. This could mean an influx of 50 to 100 people into the hamlet putting significant pressure on the local community utilities and services, especially the already faltering mains water supply.

The DPD states that amenities should be accessible by foot, cycle & public transport within 1500m. The local shop in Pensford is due to close in 5 months' time, it has been on the market for over 2 years. The next shop & dentist are over 3 miles away. The doctors' surgery is 5 miles away. No public transport runs to this site.

2011 Filers Coaches [next door to the proposed site] applied for retrospective parking for 8 coaches, which was refused on the grounds of

- 'inappropriate use of Green Belt'
It is a Site of Nature Conservation.
- 'vehicle parked...would detract from the openness & rural character of this area'
- 'local road system, is unsuitable in width, & alignment at junctions.
- 'location is remote from services & public transport...
- Benefits ...clearly do not outweigh the harm by reason of appropriateness

Have Highways been consulted?

- 2005 B&NES Economic Development Dept turned down an application on the Old Colliery buildings site as

- ‘...not in a sustainable location for a significant employment use...particularly unsuitable for HGV traffic.’
- Contamination report during winter 2009/10 for the landowner, reported arsenic concentrations exceeding Residential SGV, stating that; ‘certain areas are unsuitable for use in garden & landscape areas...600mm of Made ground would need to be removed & replaced’. Thus creating many HGV movements during remediation works.

We fully understand that B&NES needs to provide authorised sites but location of unauthorised sites over the past 10 years indicates that travelling communities prefer to be near urban areas.

Is it fair on the travellers to put them in an unhealthy, unsafe remote ghetto that will put significant pressure on them and existing inhabitants?

Liz Richardson, Stanton Wick Action Group addressed the Panel (a full copy of the statement is available on the Panel’s Minute Book, a summary is set out below). She wished to emphasise certain planning related issues around the proposed Gypsy and Traveller site at Stanton Wick.

Stanton Wick is situated within the Green Belt- to the South West of Bath. The proposed site is some 10 Hectares - or 25 Acres. This is a daunting size in many urban settings and a size that is completely overwhelming in a Hamlet of just 26 houses and 60 people.

Policy C of The National Planning Policy Framework 2012 and Planning Policy for Travellers Sites March 2012 - Sites in rural areas and the countryside; states that when assessing the suitability of sites in rural or semi-rural settings local planning authorities should ensure that the scale of the site does not dominate the nearest settled community. This one clearly will!!

Looking at previous applications for the site in question and its immediate neighbours the Local Authority has shown itself to respect the Green Belt by continually rejecting planning applications.

Examples of this include various planning applications by Filers Coach Yard. There have been several applications and rejections - one is still outstanding and was due a decision in January - but the previous application **Ref 11/03051/FUL** was refused in November last year - reasoning included that it was contrary to GB1 and GB2 in that...

“The proposed expansion of the area to be used for coach parking would represent ‘inappropriate development’ in the Green Belt, ...” and it would **“....detract from the openness and rural character of this area within the designated Green Belt,...”** We are talking 8 coaches here.

With such tightly regulated planning protection it seems utterly incredulous that a separate arm of the same planning department could allow a proposal for the Development of a Gypsy and Traveller site in Wick Lane to go beyond the initial call for sites.

Policy E of the Planning policy for traveller sites states

“...Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development”

We believe that the harm caused to the openness of the green belt by (using GTAA average) 60 caravans and 40 vehicles together with domestic paraphernalia and outside storage and infrastructure will not be outweighed by the need for gypsy sites. Also the harm to the openness of the green belt would not be reduced by the reduction in pitch numbers as development on site would without question expand to fill the space available.

The allocation of this site would be contrary to both local policies GB1 and GB2 which have been quoted in reasons for refusal on this site and the Coach Yard and upheld in the high court when the grant of permission for the extension of the coach yard was successfully challenged. As such - please could this committee call for the proposed Gypsy and Traveller Site at Stanton Wick to be removed from the list immediately?

Sue Osborne addressed the Panel (a full copy of the statement is available on the Panel's Minute Book, a summary is set out below). She explained that Stanton Wick Lane cannot sustain more traffic. It is predominantly a single lane, with sharp bends, narrow and steep sections, exiting to A368 through a dangerous double blind junction one end and through the Conservation area, over the narrow medieval bridge and listed properties flush to the road the other.

Filers coaches in Stanton Wick Lane have repeatedly been refused permission to increase the number of coaches able to use the depot, based on the highway capacity of the road and inappropriate development in the Greenbelt. These decisions have been tested by Judicial Review. Of concern to us is the fact that a further application made in November 2011 has not been determined, despite complaint from the applicant and outside of the published target date for a decision of 5th January 2012. Our concern is that this application is being held up by B&NES as it would severely embarrass them, if it is refused and would add further to the existing pressure on the roads if it is granted. This is possibly abuse of the planning process.

The G&T Assessment acknowledges that Old Colliery is 'not in a sustainable' location. The assessment process failed to engage with the Highways Dept prior to drawing up the shortlist despite having marked the assessment question, 'existing road network can accommodate additional traffic movements' as 'NO'. The assessment guidance suggests that there should not be a rejection if only 'modest' additional daily movements. This is contemplation of a huge increase in traffic movement.

The scoring matrix has been drafted to expressly ignore the new Policy Statement for Traveller Sites. The original policy stated 'gypsy and traveller site are normally inappropriate developments in greenbelt'. The new policy has removed normally

from this statement and thereby delivers an explicit message. B&NES has failed to acknowledge this and as a consequence will therefore waste significant time and financial resource pursuing sites, and especially this vast site, that are undeliverable.

Our assessment of the scoring of the Stanton Wick site using the criteria set out by B&NES is minus 8 – B&NES score was 10.

Notwithstanding the emphasis placed by B&NES on the scoring matrix, in respect of the Stanton Wick site it has been ignored and the site has been, without explanation, elevated from 17th position from 23 (on B&NES scoring) to the first 6.

The site is contaminated with arsenic. The contamination report is held on public planning file. The Cabinet not directly involved with this project appeared to be unaware of this. The matrix accepts the contamination and despite planning guidance of 'only where land has been properly decontaminated should development be considered on that land', this site has been proposed. We suggest that insufficient information was provided to Cabinet to enable a fully informed decision to take Old Colliery to a short list.

In summary, Old Colliery is unsustainable, inaccessible, contaminated, unmanageable, overwhelming, segregated and located in the green belt.

Karen Abolkheir addressed the Panel (a full copy of the statement is available on the Panel's Minute Book, a summary is set out below). She spoke of having attended two local meetings in Pensford and Stanton Drew and without doubt one of the recurring themes was the lack of communication & consultation between the Council and the local residents. Local residents and the Parish Council called meetings to inform and debate the situation and petitions have been signed by an overwhelming majority of residents, objecting to the development.

Any development in the Green Belt is emotive but to place a huge development on a tiny single track lane onto a short list without a) any communication or consultation & b) checking the basic background is reprehensible. You can see on the B&NES planning application website that there are a number of objections for just an increase of 8 buses in a coach depot in Stanton Wick and local residents have planning applications turned down consistently.

It was on 18 April 2012 that our community first heard that not only was the Stanton Wick site to be considered but that it was on the short list. Even our Ward Councillor, Jeremy Sparkes, and our local Parish Councils heard on that date. How would any community feel if placed in the same position? The Council's position that we are now going into 8 weeks of consultation is irrelevant and unacceptable.

The Council did not consider other non-Green Belt sites that were already earmarked for development such as the 3 MoD sites and those identified in the 2007 B&NES Local Plan. One of our members has asked the question can they and I quote:

“confirm if the council is looking to make provision for Gypsy and Traveller pitches within any of these new residential developments. Referring to section B9 - General Development Sites, in particular the large developments mentioned in B6, B13, K1, K2, NR2, NR4, NR15, may from initial observations be suitable regarding amenities

and location for the allocation of a small number of pitches. In addition to these there are developments at other disused MOD sites within the B&NES area, again if these are to include a significant number of residential dwellings in the re-development then ought these also be looked at for appropriate positioning of small numbers of pitches.” I believe that a new call for sites is now on the B&NES website.

The Selection Criteria Matrix barely changed between the DPD publication and the completion of the short list – despite 39 pages of responses – many asking for the Green Belt scoring to be amended to save development on the Green Belt. It also included a statement from Stowey Parish Council to consult with residents.

The decision made at the 9th May 2012 Council Cabinet Meeting that the Stanton Wick site would be taken forward to ‘Consultation’ was pre-determined. We had understood that there would be a debate on the issues of the site and this was clearly side-stepped. Cllr Tim Ball read from a prepared statement so it was obvious that the decision had already been made.

Until we have any other evidence we have no option but to interpret the chaos surrounding the extremely hasty process, the lack of consultation; the erroneous matrix scores and site assessment details; the hurdles we are facing at every stage with regard to lack of information; and the unwillingness of the Council to find other sites which already exist and should have been included in the process; as an attempt by some members of the Council to bulldoze this site through despite the obvious & substantial constraints.

In short there has been great harm done over this issue and we respectfully ask you to consider the concerns and misgivings surrounding the process to date and ask you to recommend - after due consideration - that this unsuitable & inappropriate site is removed from the short list before the formal consultation process is due to start on 23 May.

Clarke Osborne addressed the Panel (a full copy of the statement is available on the Panel’s Minute Book, a summary is set out below). He wished to present the concerns of the Stanton Wick Group in relation to the conduct of the Cabinet Meeting, the comments made by members of the Cabinet and the decisions taken by Cabinet members post the meeting on May 9th.

He stated that he thought that the actions of the Cabinet prior to the meeting on 9th May, at the meeting on the 9th May and subsequent to that meeting are flawed, have been without proper consideration and have damaged the residents of Stanton Wick, Stanton Drew, Pensford and Publow.

Firstly, I address my concerns regarding the conduct of the Cabinet meeting. This is best outlined by a copy of my letter to Paul Crossley which was delivered yesterday. In this letter, I say,

Following the 14 presentations made to the Cabinet, which covered important and fundamental issues surrounding the consultation process and assembly of the published proposed sites shortlist, each member of the Cabinet responded with, in essence, the same statement, namely; reminding the audience of B&NES responsibilities to provide sites, blaming the previous administration for lack of

progress in finding suitable sites, providing a lecture on the need for social inclusion of and the deprived state of Gypsy and Traveller communities. In addition the speakers were advised by yourself and a number of your Cabinet colleagues that the meeting was in fact the start of the consultation process.

Further it became clear from the statements made by various members of the Cabinet that in assessing the sites for the short list, no level of due diligence had been undertaken. In particular, and in relation to the Stanton Wick site it was clear from the remarks that no account of the site contamination, hazardous nature, protected wildlife and road access had been considered, despite all of this information being readily available to the Council.

Can you list the reasons that following the submissions made directly to Cabinet, the letters, e-mails and phone call received, the submission of your own ward councillor and the presentation of a petition representing over 90% of the residents and 100% of the residents in Stanton Wick, that the Cabinet did not a) debate the removal of the Stanton Wick site from the short list and b) did not consider it appropriate to remove the Stanton Wick site from the short list?

To summarise, I consider that the Cabinet have;

Failed to ensure reasonable due diligence as to the suitability and sustainability of the Stanton Wick site (the largest site proposed) before promoting to the short list of 7 sites

Failed to ensure a proper process of consultation before deciding upon the short list of 7 sites

Failed to undertake an efficient and effective process of considering all possible sites within B&NES

Failed to undertake an effective process of evaluation of the sites under consideration

Failed to comply with its own evaluation scoring process when making the selection for the short listed sites

Failed to consider the submissions made at the Cabinet meeting before making a decision

Incorrectly advising speakers at the Cabinet Meeting on 9th May that the meeting was the start of the consultation process.

Peter Duppa Miller, Secretary of the B&NES Local Councils Association and also the Clerk to Combe Hay Parish Council addressed the Panel (a full copy of the statement is available on the Panel's Minute Book, a summary is set out below).

Taking into account the detailed caravan counts in B&NES between July 2009 and January 2012, it is recommended that the West of England Gypsies and Travellers Accommodation Assessment 2007 be reviewed forthwith, in order to establish a more reliable basis for the current process of preparing the B&NES Gypsies,

Travellers and Travelling Show People Site Allocations Development Plan Document.

It is also recommended that further suitable land (particularly land to the far south of the District and thus not in the Bristol/Bath Green Belt) should be identified and assessed.

These two actions, taken together, might very well do away with the need to put forward sites in the Green Belt, which not only contravenes paragraph 14 of DCLG's "Planning Policy for Traveller Sites" dated March 2012 but also for which the "very special circumstances" argument is, inevitably, weak - if not specious.

Councillor Eleanor Jackson addressed the Panel. She spoke in relation to the site at the Former Radstock Infant School Canteen.

She stated that £270,000 was potentially available through the Housing Association to build 12 new homes on the site for currently homeless families.

She urged Councillor Tim Ball to remove the site from the shortlist and questioned who actually the owner of the site was.

Councillor Malcolm Hanney asked who she thought was the owner of the site.

Councillor Eleanor Jackson replied that Lord Waldegrave was seeking legal clarification on the matter.

Councillor Geoff Ward asked if the roof of the building was damaged and whether it contained asbestos.

Councillor Eleanor Jackson replied yes to both questions.

Rosemary Collard addressed the Panel (a full copy of the statement is available on the Panel's Minute Book, a summary is set out below). She informed them that contracts were exchanged on Ellsbridge House, better known locally as Norton Radstock Veterinary College, in December 2011 and the sale was completed at the beginning of January 2012. We were completely unaware of the proposed Travellers' Site next door to the property and nothing was revealed in the solicitors' search even though the purchase took place during the public consultation period.

Towards the end of April we heard that the woodland adjacent to Ellsbridge House was being considered as a possible travellers' site from a local journalist who had just discovered the proposals and told us it was going to be announced to the public. This was the first intimation we had of the Council's plans for this site.

We immediately contacted the B&NES Planning Department and were told that there was a Cabinet meeting on 9th May where 7 sites possible sites would be discussed and that following this meeting there would be an 8 week public consultation period beginning towards the end of May. During this conversation we were not informed that we could have any input at the cabinet meeting, in fact, we were given the impression that this was a purely internal affair for cabinet members. We were told that the list of 7 sites being considered on 9th May had been released into the public

domain at the very early stages of the process of choosing sites so that the public was involved and that the process was transparent. Subsequently we have discovered that Ellsbridge House had by that time already been short-listed from an initial 23 sites and that the process had been begun in November 2011.

The B&NES Early Years Team have known of our intention to open a children's nursery at Ellsbridge House since we first expressed an interest in the property, yet only last week I received a phone call from them asking if we knew about the proposals as they had only just heard about it themselves

Since purchasing Ellsbridge House we have spoken to someone in B&NES Property Services with a view to finding out if the adjacent land would be available for sale or rent because we place a strong emphasis on running forest school at our sites and the woodland presents a wonderful natural resource. Up to this point I haven't received any information as to the possibility of either. Once again there seems to have been a missed opportunity for letting us know that there were some other possible ideas as to the use of this land.

We have grave concerns about shared access onto this site. If we have shared access the point at which the land next to Ellsbridge House is accessed would be very difficult if not impossible to secure, leaving the site vulnerable and exposed to trespassers and loose animals. This is of particular concern because of our responsibility to safeguard the children in our care and because the site is unprotected during the evenings and weekends.

There is currently no existing physical boundary between Ellsbridge House and the land in question and this would require a substantial amount of fencing in order to separate the two sites and secure the boundary. The plan provided in the Planning Department's documentation is, in fact, incorrect and includes a section of land which is owned by us. We will be happy to supply you with the correct boundary map.

As a children's day nursery we are highly regulated by Ofsted and part of our protecting and safeguarding children responsibility means that all staff need to have a CRB and that all visitors to the site need to be signed in or escorted. This is further reason why the boundary of the site is so important to us.

Whilst the Planning Department maintains that the public consultation period has not yet begun, it is clear that decisions as to the suitability of the vast majority of the 23 original sites have already been made and we have already missed opportunities to represent our interests due to a lack of information in the public domain. I would therefore ask that you take this statement into account during any further discussions and I seek your reassurance that we will be kept informed in advance of every stage of the decision making process.

Councillor Geoff Ward asked if she could describe the woodland area.

Rosemary Collard responded by saying it was an area that children would love to explore.

Councillor Charles Gerrish addressed the Panel. He stated that he felt that the process so far was flawed due to the lack of input from the Highways dept. He added that Ellsbridge House has not agreed to dual access of the site. He also objected to the removal of mature trees from the site and called for an Environmental Impact Assessment to take place.

Councillor Bryan Organ addressed the Panel. He said that the choice of Ellsbridge House as a potential site was a dreadful one given that it is so close to a busy main road. He added that he did not believe that a dual entrance to the site was workable.

Councillor Vic Pritchard addressed the Panel. He stated that he felt that the Cabinet had given themselves a considerable challenge and were making the criteria fit into the proposed sites. He called for the Cabinet to review the number of sites required.

The Chairman summarised a range of questions made in the public statements and asked the officers present to respond.

The Policy & Environment Manager stated that the Cabinet has acknowledged that a provision of sites within Bath & North East Somerset Council is required. He said that they were aware that each site would have its own difficulties and that at this stage they were under no legal obligation to consult with the public. The current consultation was a discretionary stage and was being held to facilitate community involvement.

Councillor Malcolm Hanney asked if the respective Ward Councillors for each site had been approached.

The Policy & Environment Manager replied that he was unsure whether they all had been approached and would clarify that with the Panel at a later date.

The Senior Planning Officer stated that the Scrutiny Panel had been consulted, and both Cabinet and Council agreed the scoring matrix prior to the Issues and Options stage consultation. The Policy & Environment Manager clarified that the scoring matrix was only the first part of a two stage site selection. The second stage, as set out in the report to Cabinet, was a more detailed site analysis. However it was recognised that this is still a formative stage in the process and there were still some issues that needed further assessment before the draft Plan could be prepared later in the year. These issues were set out in the Cabinet report.

The Policy & Environment Manager stated that other sites will be considered if brought forward and that the Cabinet will receive the results of the initial consultation at its September meeting. He added that the formal consultation on the draft Plan was due to commence following the Cabinet meeting in December 2012. The Senior Planning Officer clarified that the formal Call for Sites had closed in January 2012 but that information on sites was still being accepted.

The Chair sought clarification as to whether the consultation continues until December.

The Policy & Environment Manager clarified the timetable and the current consultation is from May until July and the next consultation would be in September.

This stage of the plan preparation is informal with the first formal stage being the Draft Plan due in December on which there would be a formal consultation.

Councillor Malcolm Hanney proposed that the Panel may need to move its September meeting or hold a special meeting in order to receive the consultation results and consider any additional sites recommended for public consultation prior to the Cabinet meeting.

Councillor Geoff Ward asked if there was legal deadline to which the Council had to meet for agreeing the provision of sites.

The Policy & Environment Manager replied that there was no deadline. He added though that the Council was the only authority in the West of England not to have permanent sites.

The Senior Planning Officer stated that a long-list of Council-owned property and sites were assessed by Property Services who had released a shortlist of sites for further assessment by Planning Policy. She added that the matters of Ecology, Highways and Contaminated Land had been considered as part of an internal officer consultation, the results of which are incorporated in the detailed site assessment report. The Senior Planning Officer added that additional surveys would now take place on the significant issues identified on the Preferred Sites to assess feasibility and potential costs of site development.

Councillor Malcolm Hanney requested that the Panel be made aware of the Property Services report and stated that he felt an alternative use should be considered by the Council on all sites.

He added that he could not see how the proposed site at Stanton Wick had any chance of being permitted through the Development Control process. He also felt that the site in Radstock and at Ellsbridge House had little chance of permission. This would then leave only 2 Permanent sites and 15 Transit pitches going forward. He stated that the consultation that had taken place so far was false as it had not considered properly the amount of work required on each site, the costs involved, the possibility of Compulsory Purchase Orders or alternative uses for the sites. He called for the needs assessment to be reviewed and asked for officers to advise the Cabinet Member accordingly.

Councillor David Martin said that a final decision on sites would be a difficult one, but acknowledged that they were required and were agreed as part of the Core Strategy. He also felt it might be wise for the Panel to move its September meeting forward to accommodate the receipt of further information.

The Chairman stated that her biggest concern was the proposed use of the Green Belt as it had already been highlighted within the report that some of the sites were inappropriate.

She then proposed the following resolution:

The Panel asks the Cabinet to consider at its next public meeting the postponement of the consultation until it has conducted an updated needs assessment and

reconsidered the suitability of the various sites listed in the report having regard to the concerns expressed by the Panel. The Panel requests that the updated needs assessment is then presented to the Panel prior to any further decision by Cabinet.

3 Panel members voted for the resolution, 3 Panel members voted against and there were no abstentions. The Chairman of the Panel has the discretion to use a second vote in this situation which resulted in the resolution being passed.

The Panel **RESOLVED** to ask the Cabinet to consider at its next public meeting the postponement of the consultation until it has conducted an updated needs assessment and reconsidered the suitability of the various sites listed in the report having regard to the concerns expressed by the Panel. The Panel requests that the updated needs assessment is then presented to the Panel prior to any further decision by Cabinet.

Councillor Geoff Ward stated that he felt that the consultation process was flawed and should not have taken place between November 2011 and January 2012 in the first instance.

The Corporate Policy Manager for Equalities suggested that in future consultations the issue of Boat Travellers should also be investigated.

The Chairman thanked all those present for attending and their contribution to the debate.

13 DRAFT CONCEPT STATEMENTS FOR MOD SITES IN BATH

The Senior Planning Policy Officer introduced this item to the Panel. He informed them that two public events had been held with regard to the Foxhill site and that the documents had been well received. He added that the key issues coming forward were that Combe Down Primary School were wishing to have a split site for the school and the question as to whether a local shop was required on the site. He also mentioned that public events in relation to the Warminster Road site were due to take place later this week on Thursday and Saturday.

The Chairman asked if aspects of this report should be seen by the Early Years, Children & Youth Panel.

The Senior Planning Policy Officer replied that he would be happy to do that if required.

Councillor Ian Gilchrist asked if he had personally visited the pathway known locally as 'Blind Lane' as he was informed by a resident that it was not suitable for pedestrians or cyclists.

The Senior Planning Policy Officer replied that he had discussed the matter with a number of residents and visited the route on a number of occasions. He added that it would not necessarily become a cycle route.

Councillor David Martin spoke with regard to the Warminster Road site. He spoke of the need for a school and local shop on the site and called for the site to be

sustainable. He asked if the sale of the sites had been through the Placemaking Plan process.

The Senior Planning Policy Officer replied that they all have to be taken through the rigorous Placemaking Plan process.

Councillor Malcolm Hanney suggested that the Council looks closely at what elements of the New Homes Bonus might be allocated to support overall sustainability of the developments and linkages with relevant communities i.e. beyond the funding we should reasonably expect to come from the developments directly.

The Senior Planning Policy Officer replied that he would report that back to the Cabinet.

Councillor Charles Gerrish asked if Sport England had been engaged with regarding the playing fields at Kingswood School as he believed they were in the ownership of the Methodist Church and not the School.

The Senior Planning Policy Officer replied that the Council's Business Development Manager had been in contact with Sport England regarding this matter.

The Chairman asked if the MoD sites were ever considered as a possible solution for any of the Gypsies & Travellers sites.

The Policy & Environment Manager replied that the Council had already made a decision on the MoD sites through the Core Strategy process and allocated these sites to cater for its general needs Housing allocation to avoid the loss of Green Belt land.

The Chairman asked what building materials would be used in the construction of the new homes.

The Senior Planning Policy Officer replied that all homes are due to be built to the Code Level 4 standard and will attempt to incorporate elements of Code Level 5 & 6.

The Chairman asked what the Council could do to reduce the impact of the removal of a number of trees on the Ensleigh site.

The Senior Planning Policy Officer replied that they could encourage that further trees be planted on the site.

Councillor David Martin asked how the statements had been received by local bodies, such as the MoD themselves, British Waterways and Network Rail.

The Senior Planning Policy Officer replied that he would need to check in relation to British Waterways and Network Rail. He added that the MoD were broadly supportive of the statements.

Councillor Douglas Nicol stated that he felt that carbon neutrality should be encouraged across all sites.

Ian Barclay, a member of the public, asked if Backstone Field was to be involved in the scheme.

The Senior Planning Policy Officer replied that it was not currently within the concept statement.

The Chairman requested that the Panel receives the Placemaking Plan at a future meeting.

The Policy & Environment Manager replied that the Cabinet were due to receive an options report in either November or December this year. He added that he would also like to have a discussion with the Chairman and the Vice-Chair as to what future items the Panel could debate in the future.

The Panel **RESOLVED** to ask that their comments from this meeting be passed to the Cabinet.

14 **PANEL WORKPLAN**

The Chairman introduced this item to the Panel. She stated that she would work together with the Vice-Chair and the Strategic Director of the Panel in order to formulate the workplan so that it would take into account the upcoming decisions of the Cabinet until the end of 2012.

Councillor Ian Gilchrist requested that the Panel receives an update on 20mph zones at its September meeting.

Councillor Douglas Nicol informed the Panel that he had still not received a response to his question relating to Victoria Bridge that he posed in December 2011.

The Chairman requested that an email be sent on behalf of the Panel in order to seek a response.

The Panel **RESOLVED** to approve all of the above proposals.

The meeting ended at 5.30 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services