

BATH AND NORTH EAST SOMERSET COUNCIL

HOUSING AND MAJOR PROJECTS POLICY DEVELOPMENT AND SCRUTINY PANEL

Tuesday, 14th May, 2013

Present:- Councillors Eleanor Jackson (Chair), Les Kew, Brian Simmons, Gerry Curran, June Player and Nathan Hartley (In place of Will Sandry)

Also in attendance: Derek Quilter (Divisional Director for Project Management), Graham Sabourn (Associate Director for Housing), Simon De Beer (Policy & Environment Manager) and David Trigwell (Divisional Director for Planning and Transport)

81 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting. She announced that this would be her last in the role as Chair and would like to thank officers, fellow Councillors and Cabinet Members for their contributions over the past 12 months.

82 EMERGENCY EVACUATION PROCEDURE

The Chair drew attention to the emergency evacuation procedure.

83 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Councillor Will Sandry had sent his apologies to the Panel and Councillor Nathan Hartley was present as his substitute. Councillor Tim Ball, Cabinet Member for Homes & Planning and Councillor Cherry Beath, Cabinet Member for Sustainable Development had also sent their apologies to the Panel.

84 DECLARATIONS OF INTEREST

Councillor Eleanor Jackson declared a personal and non-pecuniary interest in agenda item 9 (Core Strategy Update) as she is the secretary of the Meadow View Action Group.

85 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was none.

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

Four members of the public had registered to speak regarding Agenda Item 10 (Gypsies, Travellers and Travelling Showpeople Site Allocations Development Plan

Document) and one member of the public had registered to speak regarding Agenda Item 11 (Major Projects Update).

The speakers would be heard directly before the agenda item was debated by the Panel.

87 MINUTES - 19TH MARCH 2013

The Chair asked for a point of clarification on page 7 of the minutes. She asked if Councillor Brian Simmons was referring to K2A or K2B.

Councillor Simmons replied that he was referring to K2A.

The Chair also pointed out a typing error on page 10. In the second paragraph of minute 78 a capital 'I' was in place where a lower case one should be.

With those amendments in mind, the Panel confirmed the minutes of the previous meeting as a true record and they were duly signed by the Chairman.

88 CABINET MEMBER UPDATE

In the absence of Councillor Tim Ball, Cabinet Member for Homes & Planning, the Associate Director for Housing gave an update to the Panel.

He wished to announce a scheme that was being launched in conjunction with Housing Services, Curo and Learning Difficulties Service. The scheme is for 4 units of accommodation in Midsomer Norton for adults with learning difficulties.

He informed the Panel that as part of the Localism Act social housing tenants could no longer make direct complaints to the Housing Ombudsman. He added that the Council was working together with Curo to reach an agreement on how these would be handled in the future.

Finally, he wished to make the Panel aware of the Council's stance on prosecuting landlords over dangerous properties. He said that three had been prosecuted this year and that the Council was working hard to enforce the law and protect tenants.

Councillor Nathan Hartley asked who had made the decision regarding the Housing Ombudsman.

The Associate Director for Housing replied that it was a Government decision made as part of the Localism Act. He added that they would like members of the public to approach their MP, Councillor or Tenant Panel in the first instance.

Councillor June Player commented that she felt this decision was undermining the residents and their ability to make direct complaints.

The Chair commented that she also felt residents were slightly confused as two parallel systems for complaints appeared to be in use.

The Associate Director for Housing replied that this should be raised at a Curo B&NES Liaison Panel.

The Chair replied that she would do so when she next attended one. She thanked the Associate Director for Housing for his update on behalf of the Panel.

89 CORE STRATEGY UPDATE

The Policy & Environment Manager introduced this item to the Panel. He explained that around an additional 1,870 dwellings needs to be provided over and above the existing supply. He added that having already maximised opportunities on brownfield sites, and in order to meet the housing need in the most sustainable way, the identification of additional locations, including the release of land from the Green Belt, were necessary.

He informed them that the public consultation on the proposed changes had closed on 8th May and that written comments were still being analysed. He added that all the comments will be passed to the Inspector and that the Core Strategy Examination Hearings are anticipated to resume in summer of 2013.

Councillor Nathan Hartley asked if we had an indication of what % figure the Inspector would agree to with regard to affordable housing.

The Policy & Environment Manager replied that the Inspector had not specified an exact figure, but that it was clear that the Inspector did not support the blanket requirement for all housing sites to provide 35% affordable housing as it did not reflect the evidence of variations in viability across the district.

Councillor Les Kew commented that he agreed that there should be more flexibility across differing sites.

The Chair asked if a higher % of jobs became apparent for the area, would that be allowed.

The Policy & Environment Manager replied that yes it would, provided it didn't affect the development viability.

The Chair commented that she felt the document was still Bath centric and could give a bit more coverage to historic rural settlements and heritage. She said she was also disappointed that the option of having the Radstock to Frome rail link was not mentioned.

The Chair wished to thank the Policy & Environment Manager and his team for all their work and patience on this matter on behalf of the Panel.

**90 GYPSIES, TRAVELLERS AND TRAVELLING SHOWPEOPLE SITE
ALLOCATIONS DEVELOPMENT PLAN DOCUMENT**

The Chair of the Panel introduced this item and gave a brief presentation on the work the Council had carried out so far.

Sue Osborne, Stanton Wick Action Group addressed the Panel. She asked for the Panel to not accept the recommendation to 'note progress' but should scrutinise the members and officers and question the lamentable lack of progress in this key project. She added that the report was confusing and offered no insight into the extended timescales which are themselves vague and offered no future measure for the Panel to scrutinise.

In section 3.2 of the report it states that the 'progression and eventual adoption of the DPD will demonstrate the Councils commitment to the provision of sites to meet identified need'; however there is no demonstration of progress and no confirmation that the adoption of the DPD is on track for December this year.

She asked why a significant and relevant resolution of the September 2012 Cabinet meeting had been omitted from the list scheduled in 4.2. The Resolutions read "To AGREE that whilst the Council is progressing the DPD in light of the absence of any authorised permanent sites within the District the Council should progress a planning application at Lower Bristol Road for gypsy and traveller pitches." She also questioned why the Plan was still in its preparatory stages, some 7 months after the Cabinet resolved to review a process which then had a solid backbone of information and 19 months from the launch of the Councils DPD.

We have questioned the Cabinet in respect of the commissioning of the updating GTAA report (as noted in 4.4). We consider its methodology to be flawed to the extent that its accuracy cannot be relied on. We ask that this Panel requests urgent and detailed assessment of the GTAA report by a senior officer of the Council, not connected with the procurement or implementation of the report.

We note elsewhere that the Fox Hill development site has been sold to Curo Social Housing; surely this is an ideal opportunity to incorporate a traveller site with social rents applied?

The Chair asked for the statement to be passed to the relevant officer for a response.

Councillor Nathan Hartley commented that he felt the Council should be further along in the process than it is.

The Chair asked if any comment could be made on the status of the Lower Bristol Road site.

The Associate Director for Housing replied that planning consultants had been appointed to the site and that a scheme was being worked upon. He added that the Council had made a successful bid to the HCA for funding for the site but stressed that there were many steps to carry out as part of the process.

Councillor Les Kew commented that he wished to see a firm timeline for these events.

The Associate Director for Housing replied that he would be happy to provide that information to a future meeting of the Panel.

Karen Abolkheir, Stanton Wick Action Group addressed the Panel. She said that they were alarmed to read in section 4.9 of the report that at this very late stage there is to be a further unspecified and open period of waiting for a joint update on need from Bristol City and South Gloucester Councils. She added that it cannot be justified that this Councils DPD and Core Strategy process is held up by waiting for adjoining authorities to report. We recommend that a full explanation and definitive timetable should be provided.

In section 4.12 we are advised that 29 sites remain under the list of “new site suggestions” yet we are not advised of the progress made in assessing and consulting on any of these 29 sites. As has been observed earlier, the Council is perilously close to the scheduled dates for hearings on a DPD which as yet has no firm proposals for site allocation.

We concur with the risk management statement made in section 5.0 .The delay of bringing forward the Lower Bristol Road site and the delay in the DPD will expose the authority to speculative, spurious and inappropriate planning applications. The lack of provision provides very special circumstances across the entire authority which will adversely impact on communities and bring financial costs to the Authority. Unauthorised encampments may ensue with associated costs.

The Chair asked for the current number of suggested sites to be confirmed.

The Policy & Environment Manager replied that 27 sites had been suggested through the second Call for Sites which was undertaken during 2012 and a further 2 were suggested through the LDF Steering Group, making a total of 29. He added that these sites were all now subject to a suitability assessment.

Clarke Osborne, Stanton Wick Action Group addressed the Panel. He suggested that the Equalities statement in section 6 of the report should be modified to ensure true compliance and to ensure that the settled communities do not consider that they are being discriminated against during the application of the DPD process.

He added that the statement in section 6.2 should not be accepted as an excuse for unnecessary or unexplained delay to the process. The Panel should scrutinise the reasons for delay and should seek the Councils reassurance that all causes have been identified and procedures put in place to ensure the best performance and speed in delivering the DPD.

He stated the group will continue to play a proactive but questioning role with the Council to ensure that the DPD is delivered and that it proposes deliverable and sustainable sites to meet the properly identified need over the period of the Core Strategy and that the selection of sites assists in the fostering of good and lasting relationships between the traveling and settled communities in B&NES.

Kris Mountford, Stanton Drew Parish Council addressed the Panel. She spoke of how last year the parish council asked the Council to scrutinise the gypsy & traveller DPD due to the deeply flawed process carried out in 2012 concerning the old colliery site at Stanton Wick. She said that the Cabinet resolved in September [2012] to remove that site as a preferred option because of the arguments the parish & action group put forward.

Then in January [2013], a planning application was lodged by the land owner & agent well known to this Council, for a gypsy site, which was classed as a major development. The application was withdrawn two weeks ago, just prior to determination. I come to you to ask you to scrutinise the process by which the planning application was allowed to proceed in the first instance.

She added that many hours had been spent over the last 12 months by her parishioners highlighting errors made by B&NES during the DPD to prevent gypsies & travellers being denigrated to this isolated, contaminated spot. Now, many more copious hours have been wasted having to highlight once again a multitude of errors that should have meant the application being turned down as soon as it hit the B&NES' Planning Dept reception desk.

The Chair suggested that this statement should be passed to the Planning, Transport & Environment Panel.

The Democratic Services Officer replied that a very similar statement had been made at that Panel the previous week and that he was aware that response to the statement was being drafted.

Councillor June Player commented that she was surprised that some sites remained under consideration and that unsuitable sites should be removed to alleviate the unnecessary fear to the associated communities.

Councillor Nathan Hartley thanked the speakers and commented that he felt the recommendations to the report should be firmer. He proposed the following wording as recommendation 2.2.

The Panel calls on Cabinet to produce a list of feasible sites, according to the existing 2012 criteria and to produce a timeline as part of their June recommendations.

This proposal was seconded by Councillor June Player.

The Panel voted by a majority of 5 to 1 to approve the proposed recommendation.

The Chair wished to propose a further recommendation with regard to the resources associated with this work area. She proposed the following wording as recommendation 2.3.

The Panel requests that Cabinet ensures that adequate resources are provided to complete the work on this matter properly and expeditiously.

This proposal was seconded by Councillor Les Kew.

The Panel voted unanimously to approve the proposed recommendation.

Therefore, the Panel **RESOLVED** the following recommendations:

- (i) Note the progress and further work on the preparation of the Gypsies, Travellers & Travelling Showpeople Site Allocations Plan
- (ii) The Panel calls on Cabinet to produce a list of feasible sites, according to the existing 2012 criteria and to produce a timeline as part of their June recommendations.
- (iii) The Panel requests that Cabinet ensures that adequate resources are provided to complete the work on this matter properly and expeditiously.

The Chair on behalf of the Panel wished to thank the public speakers for their contributions to the debate as they raised important generic points as well as points relating to Stanton Wick. She added that the latter could not be addressed directly because of a pending planning application and the fact that three of the Panel are the General Development Control group leaders, and there should be no suggestion of pre-judging any planning application.

91 MAJOR PROJECTS UPDATE (INC. MIDSOMER NORTON & WESTFIELD APPENDIX)

David Redgewell, South West Transport Network addressed the Panel. He wished to highlight once again the bollards that remain in Dorchester St alongside the non-operational bus stops. He also stated that a fully functioning booking office was still required within the bus station and that an additional pedestrian crossing was to be constructed.

Councillor Gerry Curran commented that he agreed that the issue of the bollards needed to be resolved swiftly as the public are starting to create their own gaps in them.

The Divisional Director for Planning and Transport replied that hardly a day goes by that the Council does not address Multi on this matter.

The Chair commented that she was disappointed to learn that the public toilets within the bus station were only open between 9.00am – 4.45pm, Monday to Saturday.

The Divisional Director for Project Management replied that the public toilets within the Southgate retail development were able to be used 24hrs a day.

Councillor Gerry Curran commented that he too was disappointed that the toilets within the bus station were not open for 24hrs a day.

The Divisional Director for Project Management introduced the report to the Panel. He wished to highlight the following points within it.

Guildhall Tech/Creative Hub – Site has now been handed over to the operator.

Victoria Bridge - Permanent works (Phase 3)

- o Listed Building Consent application was submitted in April 2013.
- o Invitations to tender for role of Principal Contractor now issued. Principal Contractor appointment envisaged June 2013.
- o Works commencement envisaged in summer 2013.
- o Works completion anticipated mid-2014.

Keynsham Regeneration Project

- o Project is on-time and on-budget
- o Archaeology investigations are nearly completed
- o Foundation construction works have started for the new offices
- o Willis Newson has been appointed as Public Art Consultant
- o Retail signage to promote business along Temple Street has been completed

The Chair commented that in relation to Norton Radstock Regeneration she had made a request to see the results of the Road Safety Audit.

The Divisional Director for Project Management replied that this request had been passed to the Service Manager for Highways & Parking.

Councillor Les Kew asked had there been a delay to the expansion of the Newbridge Park & Ride.

The Divisional Director for Project Management replied that this was due to the carrying out of Equality Impact Assessments and additional surveys.

The Chair asked if any comment could be made on the potential sale of the snooker tables from within the Victoria Hall and the possibility of the Town Council using a room within the Hall.

The Divisional Director for Project Management replied that the Town Council were in discussions to use a room at the Hall and that he believed that the snooker tables were to be donated to a community venue in the locality.

The Chair thanked the officers for providing the appendix on Midsomer Norton, Westfield & Radstock.

92 BOAT DWELLERS AND RIVER TRAVELLERS TASK AND FINISH GROUP REVIEW

The Chair handed out an update on the review that she had written. No discussion took place.

93 PANEL WORKPLAN

The Panel made no amendments to the printed workplan.

Councillor Les Kew on behalf of the Panel wished to thank Councillor Jackson in her role as Chair over the past 12 months.

The meeting ended at 7.55 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services