

## **BATH AND NORTH EAST SOMERSET COUNCIL**

### **PLANNING, TRANSPORT AND ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY PANEL**

Tuesday, 16th July, 2013

**Present:-** Councillors Marie Longstaff (Chair), Lisa Brett (Vice-Chair), David Martin, Liz Richardson, Les Kew and Ian Gilchrist (In place of Douglas Nicol)

**Also in attendance:** Kate Hobson (Waste Management Officer), Matthew Smith (Divisional Director for Environmental Services), Cathryn Humphries (Neighbourhood Environment Manager), Aled Williams (Environmental Protection Manager), Nick Jeanes (Team Leader for Traffic and Safety) and Kelvin Packer (Service Manager for Highways & Parking)

Cabinet Member for Homes & Planning: Councillor Tim Ball  
Cabinet Member for Transport: Councillor Caroline Roberts

#### **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 Ian Gilchrist was present as a substitute for Councillor Douglas Nicol who had sent his apologies to the Panel.

#### **4 DECLARATIONS OF INTEREST**

There were none.

#### **5 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN**

There was none.

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

Mr Tim Williamson addressed the Panel. A copy of the statement can be found on the Panel's Minute Book, a summary is set out below.

### **The Need**

- In B&NES 41% of CO2 emissions are from our houses
- Most of the heat in a house leaks through the walls.
- More so in solid walled houses (50%)
- 69% of our houses in Widcombe are solid wall.
- Therefore wall insulation – internal or external is required

### **The problem of planning permission**

- 1/3 of Widcombe residents report planning was a barrier.
- I applied: after several attempts have finally got planning permission.
- Required to submit: Scaled drawings of elevations 1:50 or 1:100 – both as exists and also as proposed with external insulation?!
- A Design and Access Statement = Landscaping? / Paths? Roads?
- Agricultural Land Declaration!

This planning process is for house extensions – not for wall cladding  
Householders will be put off. Also cost = £200

### **Proposed Solution and question**

National Planning policy framework

- 128 In determining applications... The level of detail should be proportionate .....and no more than is sufficient to understand the potential impact.
- 199. Local planning authorities should consider Local Development Orders to relax planning ..... in particular where this would promote economic, social or environmental gains, ..... and should consider .... the use of conditions or planning obligations (203).

I now ask the Committee to request the Planning Department to answer:

Can a Local Development Order be developed to make it easier for householders to get permission for external insulation?  
e.g. PERMITTED DEVELOPMENT for the side and rear walls using the same colour as exists.

The Chairman thanked him for his statement and asked that it be passed to the Planning Department so that they may prepare a response.

Mr Sean Dixon addressed the Panel on behalf of Mr David Redgewell. A copy of the statement can be found on the Panel's Minute Book, a summary is set out below.

Greater Bristol and South West transport groups welcome Network Rail's proposals for four tracks between Lawrence Hill and Filton Abbey Wood which will double capacity on both the InterCity lines to the North and West of Bristol as well as the Greater Bristol Metro routes to Clifton Down, Avonmouth, Severn Beach, Henbury, Yate/Gloucester/Cheltenham, Newport/Cardiff, Weston/Taunton and Portishead and hopefully eventually to Thornbury.

The reopening of passenger services on the Portishead line including a new spur to Portishead and new stations at Portishead and Pill constitutes Phase One of the Metro project. Phase Two (fundable between 2019 and 2023) includes a reopened passenger service from Bristol Temple Meads to Henbury and Avonmouth via Filton Abbey Wood.

He also stated the need for proper ramp provision within all railway stations.

Finally, he wished to notify the Panel that a number of bus stops in the north of Bath were without timetables and called for this to be rectified.

The Chairman thanked him for his statement.

Cllr Judith Chubb-Whittle, Chair of Stanton Drew Parish Council addressed the Panel. A copy of the statement can be found on the Panel's Minute Book, a summary is set out below.

She wished to raise concerns relating to the re-submitted & re-advertised Planning application 013/1965/FUL (formerly 013/0125/FUL) to develop the mine & shale tip area adjacent to Old Colliery Site, Stanton Wick as a 12 pitch Gypsy and Traveller site.

She stated that the first application in January was full of errors, omissions and misleading information and was patently not checked adequately during the registration process. Fundamental errors included a factor of 4 error on the area, incorrect redline and grid reference, plus the site location referring to the adjacent Old Colliery Yard. All of these errors were clearly pointed out in objection statements lodged by the Parish Council and our parishioners.

Due to the errors and in particular the B2 error the applicant was asked to modify the application, which was re-advertised on 11th July. Now the 'change of B2 use' has been removed from the BANES description of application but remains on the application form. Why has the Case Officer allowed this?

Senior officers are well aware that B2 use only applied to the former concrete works and was not transferable.

Whilst there is not a lot that you can do about this mess other than to refuse the application please review and improve your processes & procedures to ensure

that any subsequent applications are scrutinised for fundamental flaws before being registered.

The Chairman thanked her for her statement and asked Councillor Tim Ball, Cabinet Member for Homes & Planning if he would like to respond to the statement.

Councillor Tim Ball replied that as the application was currently live he was unable to give a response.

Pat Dawson addressed the Panel regarding the proposal to close some of the Council's public toilets, in particular Larkhall. She asked the officers concerned to review the Equalities Impact Assessment (EIA) that was made prior to the decision.

She said that if the facilities were to close local traders would see a downturn in business.

She stated that all the facilities should remain open as they were well used by the public, including school children, runners and cyclists.

The Chairman thanked her for her statement and said that the matter would be discussed further later on in the meeting when the agenda item was reached.

## **7 MINUTES - 7TH MAY 2013**

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**

Councillor Caroline Roberts, Cabinet Member for Transport addressed the Panel. She first of all wished to offer her congratulations to the Street Lighting team for winning a street design award for their work on introducing LED lights across the Council. She added that a number of authorities were now looking to do something similar.

She informed the Panel that a Transport Strategy was being developed alongside plans for the Core Strategy and the Placemaking Plan.

She spoke of how the Council had applied for a Better Bus Area Grant and how 100 bus shelters had now been replaced across the area as part of the Bath Transport Package.

She stated that arrangements were already being made to make sure that enough Snow & Grit Wardens were in place for the coming winter.

She informed them that a 10 journey Park & Ride smartcard was now available to purchase.

Councillor Ian Gilchrist commented that he had not yet received a response to the petition relating to the inclusion of Widcombe Hill in the proposed 20mph zone.

Councillor Caroline Roberts replied that she would seek advice as to whether it could be included as part of the consultation process.

Councillor David Martin suggested that the consultation on the proposed 20mph zone for Bathwick takes place at the same time as the one for Widcombe.

Councillor Les Kew asked how much did the implementation of the LED street lights cost and how much did the Council hope to save as part of the project.

Councillor Caroline Roberts replied that implementation costs were £1m and that £200,000 a year was projected to be saved.

Councillor Les Kew asked if there was any update on the plans for the extension of the Newbridge Park & Ride.

Councillor Caroline Roberts replied that the plan relating to this was ready to be submitted.

Councillor Tim Ball, Cabinet Member for Homes and Planning addressed the Panel. He informed them that a meeting was due to take place on 17<sup>th</sup> September with the Core Strategy Inspector to discuss the unmet housing need of Bristol & South Gloucestershire. He added that the Council had already advised him that they would only take part in a review concerning B&NES.

He announced that the Placemaking Plan was due to be launched on 24<sup>th</sup> July.

He spoke of plans to hold a Developers Conference in the early part of 2014 to encourage the building of homes within B&NES. He added that it would be an opportunity for Councillors to meet with developers and build momentum for the area.

## **9 URBAN GULLS**

The Neighbourhood Environment Manager and Environmental Protection Manager gave a presentation to the Panel regarding this item. A copy of the presentation can be found on the Panel's Minute Book, a summary is set out below.

The Neighbourhood Environment Manager explained that the department had recently undertaken a publicity campaign relating to gulls, had reviewed their web pages and produced a leaflet regarding urban gulls. As a result of this she was pleased to announce that the web pages had seen a substantial increase in hits.

### Egg replacement service

8 buildings in City Centre used the service  
21 nests were found  
42 eggs were replaced

The Neighbourhood Environment Manager spoke of how they working on ways to encourage more businesses to take up the service.

#### Bird free gel

The gel is being trialled by a number of Councils with the aim of deterring the gulls from using buildings to nest on. The gel deceives the gulls into thinking the building is too hot to land upon or on fire and therefore they do not settle upon it. It has been used on the roof of the Roman Baths Kitchen and the feedback so far has been fairly positive.

#### Commercial Waste enforcement

The Environmental Protection Manager reported the following figures:

157 warning letters  
48 waste receptacles warning letters  
15 Fixed Penalty Notices  
3 'straight to' prosecutions

He stressed how important it was for waste to be contained properly and to be put out for collection at the appropriate time.

#### Domestic Waste enforcement

The Environmental Protection Manager explained how the department were targeting 'hot spots' and had issued approximately 60 letters to residents.

#### Feeding gulls

The Environmental Protection Manager spoke of the need to challenge members of the public who are blatantly feeding gulls and to consider littering offences if it was in the public interest.

#### Gull proof sacks

The Neighbourhood Environment Manager informed the Panel that the sacks had been currently issued to 2000 households and that 400 more bags, over 20 streets were to be issued in September 2013.

#### Solar compacting bins

The Neighbourhood Environment Manager stated that 55 of the bins had now installed and that they were much better at containing waste. She added that B&NES is the best performing Council in terms of efficiency with around 89% of bins being emptied when they reach the 'amber' level.

Kirsten Elliott addressed the Panel. A copy of her statement can be found on the Panel's Minute Book, a summary is set out below.

She wished to propose the idea of a Gull Conference. She outlined the possible schedule for a one day conference / public meeting to seek a solution to the gull problem.

She asked the Council to provide a room, a small fund to pay speakers (if necessary), and refreshments. She stated that she was happy to organise the event at no charge as she was a concerned resident who wants to do the best for the City in which she lives.

She added that she was not politically motivated, and hoped that political parties would work together to seek a solution to the issue.

She also hoped that local people would feel free to input ideas.

Councillor Marie Longstaff, Chairman of the Panel commented that she thought the conference would be a good idea.

The Divisional Director for Environmental Services commented that he had discussed the matter with Councillor David Dixon, Cabinet Member for Neighbourhoods who welcomed the idea.

He added that further work was required to prevent gulls from scavenging as it is such a huge effort to clean up after them and was prepared to listen to ideas.

Councillor Geoff Ward, Shadow Cabinet Member for Neighbourhoods addressed the Panel. He wished to thank the officers concerned for all their help recently.

He said that he was troubled with the amount of mess left by gulls that have destroyed rubbish bags early in the morning. He added that he was also very worried by the amount of bird excrement he had seen, the reported attacks on members of the public, the noise the gulls make and their ability to pick up food left on tables outside of eating establishments.

He stated that the denial of food was the main weapon the Council should have at its disposal.

He summed up with what he considered to be the three main focus areas:

1. Preventative measures to deny access to food.
2. The information campaign should be sustained.
3. Zero tolerance on rubbish that is left out and disturbed.

He wished to ask the Cabinet Member for Neighbourhoods formally if he was prepared to support a conference on gulls taking place.

The Chairman asked for that question to be passed onto Councillor Dixon.

Councillor Patrick Anketell-Jones addressed the Panel. He said that there was a need to reduce their numbers and that the ruling on their protected status should be challenged. He added that he would welcome a conference to highlight this matter.

The Neighbourhood Environment Manager commented that the numbers of gulls in coastal areas were in decline, but the numbers of urban gulls were rising. She added that it was difficult to know how to challenge this ruling, she wondered whether the local MP should become involved.

Councillor Lisa Brett, Vice-Chair of the Panel said that she supported the idea of a conference.

Councillor Les Kew commented that it was their ability to access food that needed to be tackled first and foremost and welcomed any powers the Council had to prosecute repeat offenders.

Councillor Liz Richardson asked if sponsorship had been considered for the new solar compacting bins.

The Neighbourhood Environment Manager replied that had been considered.

The Divisional Director for Environmental Services added he believed an application was due before a future meeting of the Development Control Committee in that respect.

Councillor David Martin stated that the containment of waste was key and asked how enforcement powers could be used.

The Environmental Protection Manager replied that they were very strict on the containment of commercial waste and were approaching a similar situation with regard to residential waste.

The Chairman thanked everyone for contributing to the debate and said she would update the Panel on the proposed conference when possible.

## **10 IMPROVEMENT PROGRAMME FOR PUBLIC CONVENIENCES**

The Waste Management Officer introduced this item to the Panel. She explained that the agreed Medium Term Service & Resource Plan includes a £120k savings target from 2014/15 on the public toilets budget.

### Procurement for external contract:

The external contract (15 years plus 5 year extension) will include investment by the contractor in the 12 prioritised toilets to improve and modernise facilities, such as automatic doors, anti-abuse mechanisms and equipment, easy-clean surfaces, water and electricity minimisation, and including entry charging for income to off-set against running costs, plus full management, cleansing, coin collection/handling, utility charges, responsive and planned repairs and maintenance. The outcome of the procurement process is close to being finalised.

The Chairman asked what would happen to the remaining sites if no alternative provision is found.



The Divisional Director for Environmental Services replied that the sites would still have to close even if no alternative provision was found. He added that the exceptions to this were the ones located in Weston High Street as agreed at Full Council which must have an alternative before closing and the ones in Larkhall that will now remain open until at least next April, while ward councillors and officers try to find an alternative facility.

He added that when any public toilets were closed the Council would attempt to sell the site.

Councillor David Martin asked when the external contractor would begin to run the prioritised sites and if the Council would be involved in setting the charges for the use of the facilities.

The Waste Management Officer replied that they were likely to be running the sites from October 2013 and yes the Council would be involved in setting the charges.

Councillor David Martin asked if charges were to be applied to the facilities within Southgate.

The Waste Management Officer replied that she was not aware of any such proposal.

Councillor Patrick Anketell-Jones asked if a site that was due to be closed could be sold off commercially with a provision of one multi use toilet to be retained.

The Divisional Director for Environmental Services replied that he was in talks with Property Services on this very matter to see if the Council can agree a mixed-use commercial arrangement for the buildings, which included a toilet for the public to use.

Councillor Geoff Ward commented that he felt it was a bizarre decision for a city with the stature of Bath to take. He stated that the Council should be doing all it could to keep our public independently minded and suggested the savings be made elsewhere.

The Chairman thanked the officers for the update and asked that the Panel continue to be kept informed on the matter.

## **11 ROSSITER ROAD IMPROVEMENTS SCHEME**

Sylvia Green, Bath Cycling Club addressed the Panel, a copy of her statement is available of the Panel's Minute Book, a summary is set out below.

She spoke of how she was a long term resident of Widcombe and knew the area very well. She said that she was aware that the Widcombe Association had for many years been working towards the closure of Widcombe Parade to through traffic in order to improve the experience of residents, but she felt that the discussions and tentative plans thus far would not achieve that aim for all users.

She stated that Bath Cycling Club is concerned over the lack of thinking about the needs of cyclists and would like to see a proper professional consultation before the

plans were finalised. She added that of particular concern is the westward route from Pulteney Road as it is very problematic. If Rossiter Road becomes two way it will be very narrow and therefore dangerous for cyclists in both directions.

She suggested that the existing cycle lane be retained in its current direction as a contra-flow cycle lane through Widcombe Parade to solve the problem. She added that in a contra-flow lane the cyclist can see well in advance what is coming, can make eye contact with the driver and anticipate what action to take. She said that this proposal would also entail the minimum amount of building works to implement and therefore hoped it could be incorporated into the final plans.

Roger Houghton addressed the Panel, a copy of his statement is available of the Panel's Minute Book, a summary is set out below.

He said that it was difficult to comment on the current proposal for Rossiter Road as since the scheme was approved at Cabinet last July all discussion had subsequently been held in private with no opportunity for public participation. He said he would therefore like to make a more general criticism, about how in B&NES such schemes continue to be treated as traffic management rather than urban design issues.

He commented that in Bath the project had been handled largely by Highways, with a traffic-led solution based on modelling (modelling which has a less than perfect record for accurate prediction). Halcrow was employed as a consultant — an organisation whose expertise lies more in engineering than in urban design and even understood that Highways had insisted that the Rossiter Road scheme be designed to a 40 mph standard, despite being a 30 mph road.

He said that in Ashford, by contrast, a multi-disciplinary team had been led by renowned urban design company Whitelaw Turkington. Bristol-based Ben Hamilton Baillie provided advice on shared space (regrettably I'm told that B&NES's Highways officers have fallen out with Hamilton Baillie and his ideas). The decision was taken to adopt shared space as the fundamental design philosophy.

He said that for Widcombe, having waited 30 years for a solution to its traffic problems the temptation is to argue that anything must be better than nothing. Unfortunately what's on offer seems to be more a missed opportunity, a flawed solution that will leave the essential nature of Claverton Street unchanged — as a road carrying through traffic, albeit at levels of 10 or 20 years ago.

He commented that there had not been much, if any, effort put into improving access to Widcombe for pedestrians or cyclists and that Rossiter Road will remain a physical and psychological barrier between it and the city centre.

He stated that there was increasing evidence that local economies will gain far more from encouraging cycle and pedestrian visitors than from appeasing car users, particularly for cafés and licensed premises. Widcombe, at the end of the canal towpath, was ideally placed to benefit from a cycling economy but this scheme will do little to help.

The Chairman asked what plans were there for consultation on the proposed scheme.

Councillor Caroline Roberts, Cabinet Member for Transport replied that a steering group for the scheme exists and that a public exhibition was planned to take place.

The Service Manager for Highways & Parking gave the Panel a presentation on this item. He first of all stated that it was not solely a Highways scheme.

### Design

Natural desire to make the area pedestrian friendly

Avoid traffic to Lyncombe Hill having to do a loop of the Parade

U-turn facility only for vehicles under 7 tonnes

Aware of cycling provision and working towards a solution

### Costs

£1.8m – Cost of the whole scheme

(£1.35m – Construction works)

(£200,000 – Contingency fund)

(£250,000 – Staff / Modelling / Consultation)

### Programme

Current Position – Detail Design Stage

Sept 2013 – January 2014 – Contract documents

February 2014 – Issue tenders

July 2014 – Commence construction

October 2014 / November 2014 – Scheme completed

He said that some Traffic Regulation Orders (TRO's) would be in place while work was on-going as well as works undertaken by the utilities companies. He added that notices regarding diversions would be put in place on site as soon as was possible.

Nigel Sherwin addressed the Panel. He said that he was concerned as he felt the current proposal would take the cyclists onto a very busy route. He asked for the contra-flow to not be turned into a car park.

The Service Manager for Highways & Parking said that he would be more than happy to discuss the matter with the members of the public after the meeting.

Councillor Lisa Brett wished to congratulate the Cabinet Member for Transport for bringing this scheme forward.

Councillor David Martin asked what effect the scheme will have on the queues of traffic on Pulteney Road and could they be made acceptable through signal management.

The Service Manager for Highways & Parking confirmed that Halcrow have considered this matter and that traffic signals can be modified if required at peak times of traffic.

Councillor David Martin asked if the proposals for Dorchester Street had been considered alongside this scheme.

The Service Manager for Highways & Parking that yes it had and that as part of the project it will be assessed and reviewed.

The Chairman asked for the Panel to be updated on the scheme at its November meeting.

The Service Manager for Highways & Parking replied that he would provide this for them.

## **12 ROAD ACCIDENTS IN B&NES (INC. HIGHWAYS AGENCY UPDATE)**

The Team Leader for Traffic and Safety introduced this item to the Panel.

He explained that B&NES maintains a record of all accidents involving injury which are reported to the Police. It is a legal requirement for accidents involving injury to be reported to the Police, however, it is accepted that some accidents go unreported, especially those involving a single vehicle. Collision – only accidents, which involve no injury, are not reported, therefore no records of collision-only accidents are held.

He commented that fatal accidents are thankfully very rare in B&NES, however 6 occur on average every year. They normally occur at random locations, and a large proportion is due to errors on the part of the casualty. Should more than one fatal accident occur in the same location, the local road network will be investigated and improvements made if required.

### Headline Data

Over the period 2005 – 2012, all casualties in B&NES has dropped from 705 to 437, a reduction of 38%

KSIs have dropped from 71 to 33 (54%)

Slights have dropped from 634 to 404 (36%)

### Highways Agency Roads

B&NES casualty figures include those occurring on Highways Agency Roads, even though the Council has no jurisdiction over these roads. On average, 34 casualties per year (7% of the B&NES total) occur on HA roads, split equally between the A36

and A46. The HA's local agent Atkins-Skanska, are responsible for addressing accident problems on the Trunk Road network. They are currently investigating accident clusters at Hartley Bends on the A46, and the Branch Road/A36 junction at Hinton Charterhouse.

The Team Leader for Traffic and Safety introduced Viki Horvath and Ton Hummel who were present on behalf of Atkins-Skanska.

Viki Horvath stated that it was part of their role to analyse and monitor the data received regarding the road network. She said that the main problem associated with the Hartley Bends were cars travelling at excessive speed as it was not feasible to drive through the bends at 50mph. She added that speed activated signs had been introduced in the area and that they were considering further bend warning signs and chevrons.

The Chairman welcomed their attendance at the meeting and for having this information available to the public. She asked if further information on incidents involving pedestrians and an incident breakdown over the last three years could be sent to the Panel.

The Team Leader for Traffic and Safety said that he would provide the Panel with that information.

Councillor Liz Richardson asked if they received details of all accidents that take place. She also suggested that the Panel receive a breakdown of rural / urban incidents.

The Team Leader for Traffic and Safety replied that he was aware of an element of under reporting of incidents involving single vehicles as well as cyclists. He added that they received information from the Police only when injuries occurred.

Viki Horvath commented that the Highways Agency plans to look at the section of the A36 between Bath and the Beckington roundabout over the next few years.

Councillor Lisa Brett asked if the Panel could receive information on how our figures compare to other Local Authorities and nationally. She also asked why it took so long for improvements to be implemented.

Ton Hummel replied that a number of procedures existed within the Highways Agency. He added that a study of an area of road would take place, followed by a design scheme which would be assessed as to its value for money and culminating in implementation. He said that on average this was a three year process.

The Team Leader for Traffic and Safety commented that he would supply all of the requested data to the Panel as soon as possible.

The Chairman thanked him for the report and the Highways Agency officers for their attendance.

### 13 PANEL WORKPLAN

The Chairman introduced this item to the Panel. She proposed no changes to the September agenda at this stage and suggested that reports relating to Rossiter Road and Urban Gulls be added to the agenda for the November 2013 meeting.

The Panel agreed with these proposals.

The meeting ended at 12.20 pm

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**