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Date: 6th January 2014

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To: All Members of the Planning, Transport and Environment Policy Development and Scrutiny Panel

Councillor Marie Longstaff

Councillor Lisa Brett

Councillor David Martin

Councillor Douglas Nicol

Councillor Liz Richardson

Councillor Roger Symonds

Councillor Les Kew

Cabinet Member for Homes & Planning: Councillor Tim Ball

Cabinet Member for Neighbourhoods: Councillor David Dixon

Cabinet Member for Transport: Councillor Caroline Roberts

Chief Executive and other appropriate officers

Press and Public

Dear Member

Planning, Transport and Environment Policy Development and Scrutiny Panel: Tuesday, 14th January, 2014

You are invited to attend a meeting of the **Planning, Transport and Environment Policy Development and Scrutiny Panel**, to be held on **Tuesday, 14th January, 2014 at 9.30 am** in the **Council Chamber - Guildhall, Bath**.

The agenda is set out overleaf.

Yours sincerely



Mark Durnford
for Chief Executive

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This Agenda and all accompanying reports are printed on recycled paper

NOTES:

- 1. Inspection of Papers:** Any person wishing to inspect minutes, reports, or a list of the background papers relating to any item on this Agenda should contact Mark Durnford who is available by telephoning 01225 394458 or by calling at The Guildhall, Bath (during normal office hours).
- 2. Public Speaking at Meetings:** The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group. Advance notice is required not less than two full working days before the meeting (this means that for meetings held on Wednesdays notice must be received in Democratic Services by 4.30pm the previous Friday)

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

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

Appendices to reports are available for inspection as follows:-

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

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

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

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**Planning, Transport and Environment Policy Development and Scrutiny Panel - Tuesday,
14th January, 2014**

at 9.30 am in the Council Chamber - Guildhall, Bath

A G E N D A

1. WELCOME AND INTRODUCTIONS

2. EMERGENCY EVACUATION PROCEDURE

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

3. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

4. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to indicate:

(a) The agenda item number in which they have an interest to declare.

(b) The nature of their interest.

(c) Whether their interest is **a disclosable pecuniary interest** or an **other interest**, (as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer before the meeting to expedite dealing with the item during the meeting.

5. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

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

At the time of publication no notifications had been received.

7. MINUTES - 20TH NOVEMBER 2013 (Pages 5 - 14)

8. CABINET MEMBER UPDATE

The Cabinet Member(s) will update the Panel on any relevant issues. Panel members may ask questions.

9. BATH TRANSPORT STRATEGY UPDATE

The Group Manager for Planning Policy & Transport will update the Panel verbally at the meeting regarding this item.

10. URBAN GULLS - DRAFT RECOMMENDATIONS (Pages 15 - 42)

The purpose of the review was engaging businesses, residents and visitors, and other public sector agencies, in taking responsibility for the issues and causes of high numbers of urban gulls. This report introduces the findings of the review.

11. CROSS BOUNDARY BUS SERVICES (WILTSHIRE / SOMERSET) (Pages 43 - 54)

The Panel requested a report on cross-boundary bus services to and from Wiltshire and Somerset.

12. FLOOD DRAINAGE MANAGEMENT (Pages 55 - 58)

At the meeting on November 20th 2013 Panel Members received a joint presentation from Kelvin Packer, (Service Manager – Highways) and Ed Lockington (Environment Agency) on the duties placed upon B&NES by recent legislation and the outcome of flooding investigations in Chew Magna and Chew Stoke. The Panel requested that an update be reported to the January Panel meeting. This briefing note sets out the progress and actions undertaken since the original Panel Report.

13. PANEL WORKPLAN (Pages 59 - 62)

This report presents the latest workplan for the Panel.

The Committee Administrator for this meeting is Mark Durnford who can be contacted on 01225 394458.

BATH AND NORTH EAST SOMERSET COUNCIL

PLANNING, TRANSPORT AND ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY PANEL

Wednesday, 20th November, 2013

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

Also in attendance: David Trigwell (Divisional Director - Planning and Transport), Louise Fradd (Strategic Director - Place), Kelvin Packer (Service Manager - Highways & Parking) and Liz Richardson (Policy Development & Scrutiny Lead Officer)

Cabinet Member for Transport: Councillor Caroline Roberts

26 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting.

27 EMERGENCY EVACUATION PROCEDURE

The Chair drew attention to the emergency evacuation procedure.

28 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Councillor Roger Symonds and Councillor Liz Richardson had sent their apologies to the Panel. Councillor Charles Gerrish was present as a substitute for Councillor Richardson for the duration of the meeting.

29 DECLARATIONS OF INTEREST

Councillor Charles Gerrish declared a non-prejudicial interest in agenda item 11 (Flood & Drainage Management) as he is a member of the Wessex Regional Flood and Coastal Committee.

30 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was none.

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

Leonie Robertson made a statement to the Panel and presented a petition on the matter of funding a zebra crossing on Lansdown Road at the junction with Julian

Road and Guinea Lane. A copy of the statement can be found on the Panel's Minute Book.

Councillor Charles Gerrish asked if she had a precise location for where the crossing would be best placed.

Leonie Robertson replied that she felt it would make more sense if it was placed south of the junction, but would be happy to see it installed at either location.

32 MINUTES - 10TH SEPTEMBER 2013

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

33 CABINET MEMBER UPDATE

Councillor Caroline Roberts, Cabinet Member for Transport addressed the Panel. She informed them that some consultant surgeries were due to take place later in the week relating to the Transport Strategy and a public exhibition on the Rossiter Road scheme was planned for the coming weekend.

She stated that the trial of the new bus priority measures in Dorchester Street would begin after the Christmas period.

She said a positive meeting had been held with the Highways Authority regarding road surfacing and signage at the Hartley Bends.

She spoke of a good flood meeting that had been held in the Chew Valley and announced that a consultation meeting would be held soon regarding Saltford station.

Councillor David Martin asked for a timescale in relation to the Transport Strategy.

Councillor Roberts replied that the first draft would be available in January.

Councillor Douglas Nicol asked if it would fit in with the Core Strategy.

Councillor Roberts replied that ideally it would.

Councillor Charles Gerrish asked when Keynsham would become included in the strategy and would there be a programme of public engagement.

Councillor Roberts replied that Keynsham would not be part of this initial draft and that when work relating to Keynsham did commence a programme of public engagement would take place.

Councillor Les Kew commented that he felt the stop/start nature of the trial of bus priority measures in Dorchester Street and works associated with the Widcombe area could become rather confusing for the public.

Councillor Lisa Brett asked how the Panel could be assured that the numerous on-going strategies would all be joined up.

Councillor Roberts replied that as a Directorate (Place) they were aware of the need for integration.

The Chair asked what actions were planned for the Hartley Bends.

The Divisional Director for Planning & Transport replied that additional signage relating to speed and anti-skid surfacing would be introduced.

34 URBAN GULLS - SCRUTINY INQUIRY DAY UPDATE

The Policy Development & Scrutiny Lead Officer introduced this item to the Panel. She highlighted the plans for the day and the actions taken currently by the Council. She added that following the day recommendations would be formed and presented to the Panel in January.

Councillor Charles Gerrish commented that East Devon had already held a similar event and asked if the Council should be made aware of their experiences.

The Policy Development & Scrutiny Lead Officer replied that she was aware that their report was due to be published on November 29th.

Councillor Charles Gerrish asked for the Panel to seek recommendations that would encompass the whole of B&NES.

Councillor Patrick Anketell-Jones asked why no Central Government or recognised bird organisation representative was on the list of attendees for the day.

The Policy Development & Scrutiny Lead Officer replied that both the RSPB and DEFRA had been invited. She added that a representative from the RSPB did intend to attend the January meeting of the Panel and that DEFRA have offered to meet separately outside of the day.

The Chair thanked her for the update.

35 WEST OF ENGLAND JOINT SCRUTINY

Councillor Martin Veal, Chairman of the West of England Joint Scrutiny Committee introduced this item to the Panel. He explained that the Joint Scrutiny Committee had been recently re-established to scrutinise the publically funded aspects of the West of England Local Enterprise Partnership.

He highlighted some of the topics recently discussed at a meeting of the Committee, these included;

- City Region Deal Growth Incentive Scheme
- Update on LEP, City Deal, Enterprise Zone and Enterprise Areas, Going for Growth, bidding for Regional Growth Fund and other LEP bids

- LEP Skills agenda
- Presentation on the key issues for the JTEC and Local Transport Body

He said the Committee was also seen as a successful vehicle for lobby groups to engage with.

Councillor Lisa Brett asked he felt the Committee was adequately supported and resourced.

Councillor Veal replied that he felt the Committee was under resourced, underfunded and underappreciated.

David Redgewell, South West Transport Network was invited to address the Panel. He stated that the existence of this Committee was vital, especially considering the huge cuts being proposed by the Mayor of Bristol which may shut down the local bus network at 9.00pm and have an impact on services to both Keynsham and Whitchurch.

He added that he believed the budget in relation to bus services for the four Local Authorities should be debated at the Committee. He said that Metro West needed to be scrutinised and that bodies such as First and DfT must be held to account. He also called for collective solutions to the transport problems of the Greater Bristol / Bath City region.

He wished to congratulate Councillor Veal in his role as Chairman, but was appalled at the level of resources afforded to the Committee.

The Chair asked that an item relating to a Regional Transport Strategy be added to the workplan of the Panel.

Councillor Lisa Brett suggested that a cost benefit analysis of the Committee be undertaken.

Councillor Charles Gerrish commented that this was a view shared by the Resources Panel. He proposed that the matter be raised at a meeting of the Scrutiny Chairs and Vice-Chairs for them to decide which Panel should lead on it.

Councillor Les Kew asked what influence the Joint Scrutiny Committee had over the Local Enterprise Partnership.

Councillor Veal replied that he felt the depth of questioning from the Committee regarding the Local Enterprise Partnership had been essential and that it did influence their work.

The Chair thanked Councillor Veal for attending the Panel.

36 FLOOD AND DRAINAGE MANAGEMENT

Ed Lockington, Environment Agency and Kelvin Packer, Service Manager for Highways & Parking gave a presentation to the Panel regarding this item. A copy of which will be placed on the Panel's Minute Book, a summary is set out below.

Role of the Regional Flood & Coastal Committee:

- To advise the Environment Agency (Local context)
- Environment Agency required to consult the RFCC on its exercise of flood and coastal risk functions
- Their consent will be required prior to implementation of the Environment Agency's regional programme of works
- They will retain their executive powers in respect of raising and spending the Local Levy
- Their remit is extended to cover coastal erosion as well as flooding

SUDS – Sustainable Urban Drainage System:

- The Act has established a SUDS Approval Body (SAB)
- The SAB will have responsibility for the approval of any proposed drainage system for new developments and redevelopments. Approval must be given BEFORE a developer can commence construction.
- Part of the formal planning process
- The SAB will be responsible for adoption and maintenance of the SUDS that serve more than one property

How is the Local Authority responding to the Act?

- Looking to establish the Flood Risk Management Board
- Planning regular meeting between the EA and Council Officers
- Appointing a Flood Manager as part of the Highways restructure and increased resources.
- Creating a single Drainage Team as the Lead Local Flood Authority. This team would co- ordinate all the drainage matters and Flood Risk Management issues.
- Review the relationship with Emergency Planning and set up new working arrangements to reflect our extra duties.

BENEFITS

- Single point of contact – Members of the Public and other departments will be well informed who should be contacted regarding drainage and flood management issues
- The Team will ensure that all the new statutory duties will be fulfilled
- More effective way of working

Chew Magna:

- Predominantly river flooding
- Flood event that has a 1% chance of happening in any given year.
- Public meeting with the Chew Valley Flood Forum (CVFF) and residents.

- EA have improved flood warning system.
- River maintenance work completed including de-silting at Tun Bridge and vegetation management work.
- Working with the CVFF to promote risk awareness and help people to protect their properties.

Chew Magna PLP scheme (Property Level Protection):

- A pilot scheme, limited to certain properties and a financial limit on the amount per property
- 31 properties experienced flood inundation (approximately half of the PLP properties)
- Ownership and maintenance PLP not clear
- Action plan to address the lessons
- EA producing a new model for the river
- Survey of properties affected
- Funding bid for enhanced PLP

Chew Stoke:

- River and surface water flooding
- Intense rainfall caused rapid rise in river levels and saturated ground unable to absorb any more rain.
- Planning a public meeting to review findings
- Council have improved flood warning signs at the Ford
- Flood warning system improved by the EA
- Package of measures to mitigate the risk of surface water flooding.
- Parish Council keen to develop their Community Flood plan

Mike Curtis and Rachel Wilson representing the Chew Valley Flood Forum were present and had prior to the meeting submitted a number of questions to the Panel. Responses to the questions were handed out at the meeting and a copy of them will be placed on the Panel's Minute Book.

The Chair asked if they would like to make an additional statement.

Mike Curtis commented that he believed that there were two other organisations that needed to be approached regarding this matter, Bristol Water and the NFU (National Farmers Union).

The Service Manager for Highways & Parking replied that he was happy to address the NFU and local land owners.

Ed Lockington added that the model work will try out different scenarios based upon residents feedback. He said that the model will include possible changes in the way the reservoir operates.

Rachel Wilson asked for a review of the PLP scheme as a 30% failure rate was not acceptable given the significant investment that was made.

The Chair commented that she was concerned over the timing of this review and that one had not already taken place given the close proximity of the winter months.

The Service Manager for Highways & Parking replied that a review was carried out in the summer and that a number of discussions have taken place with the contractors.

The Chair asked would it be too late to implement any findings for this year.

The Service Manager for Highways & Parking replied that it would depend on the outcomes of the review.

Councillor Charles Gerrish asked if £200,000 had been allocated in the budget for work relating to this matter.

The Service Manager for Highways & Parking replied that he could confirm that.

Councillor Caroline Roberts added that no direct actions had yet been planned.

Councillor Douglas Nicol commented that any work to protect public property must be carried out immediately.

The Service Manager for Highways & Parking replied that it was important to understand the reasons for failure amid allegations that residents had fitted the barriers incorrectly.

Councillor Charles Gerrish commented that a report on the last round of flooding incidents was published in September and he felt concerned that no progress was being made.

He added that the Council was praised for its actions last year and can recall meeting with residents of Chew Stoke and Chew Magna last December, but the dilemma for the public remains and they need to see evidence of action.

The Chair asked for that report to be circulated to the Panel.

Councillor Charles Gerrish said that the department had to work within its resources and that he had passed his concerns to them. He added that he felt they would need to be strong with the NFU.

Councillor Les Kew commented that the delay in direct action was a big concern as the fear to the public was very relevant. He added that he felt that any question relating to who is responsible for the PLP should be addressed after the identified

problems had been fixed. He asked if residents with a river frontage to their property were contacted directly about the responsibility for keeping it clear.

Ed Lockington replied that the responsibility of these properties was made very clear at a recent public meeting – it is riparian responsibility.

Rachel Wilson commented that it was acknowledged by residents of their responsibility. She added that any help regarding base clearance would be appreciated.

Ed Lockington replied that the Environment Agency can provide advice on base clearance but have limited funds available for the actual work.

Councillor Charles Gerrish commented that dredging will not always provide a solution, that misconceptions were given by the provider on what PLP can / can't do and that the property surveys missed certain risk areas.

Councillor Lisa Brett commented that she was concerned over the lack of any printed timescale for these projects.

The Service Manager for Highways & Parking replied that actions relating to Chew Stoke were already taking place.

The Chair asked for the Panel to be made aware as soon as possible of the following points:

- Current preventative measures
- An Action Plan, written in conjunction with the Cabinet Member(s)
- Funding options
- Resources
- Discussions with the NFU
- Relevant maps available to the Panel

Councillor Les Kew requested a progress report also be submitted to the January meeting of the Panel.

Councillor Charles Gerrish commented that he would ask the Democratic Services Officer to circulate his report on flooding to the other members of the Panel.

The Chair agreed that a progress report should be added to the workplan of the Panel for January and thanked everybody for their contributions to the debate.

37 PLACE - MEDIUM TERM PLAN AND 2014/15 BUDGET UPDATE

The Strategic Director for Place introduced this item to the Panel. She wished to highlight certain points from within Appendix 1.

Place Directorate – Key policy context changes:

- To progress the Core Strategy through the further stages of the Examination in Public to Adoption so that the National Planning Policy Framework no longer takes precedence over the Council's own policies.
- Developing the Enterprise Area Master Plan which will focus where future mixed use development opportunities exist that takes into account the Core Strategy requirements and where future expenditure will be targeted, linking in the West of England (WoE) City Deal and other funding opportunities, whilst also ensuring the effective and efficient disposal of land and property.
- Developing the Bath and Keynsham Transport Strategies to support the significant growth in homes and employment that is being promoted through the Core Strategy and further developed in its Placemaking Plan.
- Ensuring the Place Directorate is compliant with the new Council Procurement strategy with a "Think Local" theme.
- Developing the Leisure Strategy to provide direction for the procurement of a leisure provider during 2014, thus ensuring they meet our local needs and priorities.
- Developing an Economic Strategy that will also encompass tourism, arts and cultural activities including key events, as these functions also have a major impact on the local economy.
- Further reducing waste sent to landfill sites by recycling and recovering residual waste.
- Seeking further opportunities to share services including the procurement of shared contracts with other local authorities.

Councillor Lisa Brett commented that she welcomed the approach to integrate strategies. She asked if the Council could afford the new capital projects.

The Strategic Director for Place replied that funding for a lot of them was provided through external grants, with the Enterprise Area being just one example.

Councillor Les Kew commented that he believed the investment made in Heritage Services was key to its recent success.

The Strategic Director for Place replied that the intention was to continue to grow the heritage attraction of the City.

Councillor Charles Gerrish asked for further information on the £1.2m allocated to the Midsomer Norton Business Centre in 2015 / 16.

The Strategic Director for Place replied that income associated with the Business Centre would pay for that figure.

Councillor Charles Gerrish asked why Rossiter Road was absent from the Plan and is the current budget associated with the scheme sufficient.

The Strategic Director for Place replied that the budget is in this year's allocation and the scheme was being prepared in the knowledge of the funds available. The tender process would confirm the final cost.

Councillor David Martin asked how the Council would be achieving its corporate objectives in terms of sustainability.

The Strategic Director for Place replied that it is a key component and for example we are investigating the use of District Heating and potential grant opportunities through the Department of Energy & Climate Change (DECC).

Councillor David Martin commented that the European Union was about to launch a project named Horizon 2020 and suggested that the Council looks at how it can become involved in it.

The Strategic Director for Place thanked him for the information and said involvement in the project would need to be assessed around the priorities of the Council.

The Chair thanked her for the update on behalf of the Panel.

38 PANEL WORKPLAN

The Chair introduced this item to the Panel. She recapped that earlier in the meeting they had agreed to add items to the workplan relating to a Regional Transport Strategy under future items and a further Flood & Drainage Management Update in January 2013.

Councillor Charles Gerrish proposed that the report on Cross Boundary Bus Services be delivered to the January 2013 meeting.

The Panel **RESOLVED** to agree with these proposals.

The meeting ended at 1.00 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

Bath & North East Somerset Council		
MEETING/ DECISION MAKER:	Planning, Transport and Environment Policy Development & Scrutiny Panel	
MEETING/ DECISION DATE:	14 January 2014	<small>EXECUTIVE FORWARD PLAN REFERENCE:</small>
		E 2616
TITLE:	Urban Gulls – a scrutiny inquiry	
WARD:	All	
AN OPEN PUBLIC ITEM		
<p>List of attachments to this report:</p> <p>Scrutiny Inquiry report</p> <p>Appendix one – draft recommendations response table</p>		

1. THE ISSUE

1.1 Numbers of urban gulls in Bath have increased by almost five times since 1998. As a result of public opinion and political interest, a scrutiny review was initiated in July. The purpose of the review was engaging businesses, residents and visitors, and other public sector agencies, in taking responsibility for the issues and causes of high numbers of urban gulls, in particular through:

- educating on the causes, solutions and other relevant information about gulls
- finding short, medium and long-term solutions to tackle the issues of the gulls themselves and the features that attract them
- determining what national Government are doing and could do to assist councils to tackle the problem.

This report introduces the findings of the review, which are outlined in full in the attached report.

2 RECOMMENDATION

This report recommends that PTE PDS panel members:

- **review and discuss the findings of the review and the draft recommendations outlined in section 5.1 of the attached SID report and in Appendix one**
- **agree a final list of recommendations for submission to Cabinet members**
- **continue discussions with Cabinet at the next meeting of PTE PDS on 4 March.**

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

3.1 In preparing the draft recommendations, financial feasibility has been a main consideration alongside potential impact. However, this has not yet been considered in any detail so as not to limit creativity or opportunity in the resulting actions.

3.2 It is recognised that most if not all of the recommendations, if put forward and accepted, would require some level of resource allocation to make it successful. This could include any or a combination of the following:

1. no resource implications as a result being an existing piece of work or able to be delivered within existing staff time and service resources
2. minor changes to how existing staff roles are focused, either on a permanent or temporary basis
3. major changes to staff roles, or appointment of new staff to manage a recommendation or set of recommendations
4. major changes to finances, perhaps requiring additional funding on a one-off or longer-term basis.

3.3 It is envisaged that the majority of proposed actions would sit within the top two options in the list above. It is not envisaged that there are any resource implications in relation to property.

3.4 One of the key considerations for the Cabinet member response is whether the recommendation is financially feasible, now and/or in the future. Their thoughts on this will be provided in their final response to be discussed at the next PDS meeting on 4 March.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

4.1 There are three main pieces of legislation which have informed the approach to the review and the recommendations, including:

- Environmental Protection Act 1990 – which outlines the duty of care to manage waste responsibly and prevent statutory nuisance

- Clean Neighbourhoods and Environment Act 2005 - which makes it illegal for anyone to litter in a public place
- Wildlife and Countryside Act 1981 – which protects all species of bird from unlawful killing or disturbance.

4.2 All proposed recommendations fulfil the requirements of all legal and gull conservation duties.

5 THE REPORT

5.1 On 27 November, the PTE PDS hosted a scrutiny inquiry day focused on urban gulls in the city and across B&NES. The review was established for two main reasons:

- the on-going issue of gulls in the city and other areas across B&NES, particularly during the spring and summer months
- a statement by a member of the public to the PTE PDS panel in July 2013 requesting policy change and action in relation to tackling the gull population.

5.2 The aim of the review was to engage businesses, residents and visitors, and public sector agencies in taking responsibility for the issues and causes of high numbers of urban gulls, in particular through:

- educating on the causes, solutions and other relevant information about gulls
- finding short, medium and long-term solutions to tackle the issues of the gulls themselves and the features that attract them
- determining what national Government are doing and could do to assist councils to tackle the problem.

5.3 The ideas and evidence collated before and during the scrutiny inquiry day have been discussed and used to develop recommendations under six high-level themes, which are:

1. Limit gulls' access to food waste
2. Increase the use of effective intervention methods
3. Carry out effective enforcement against those who break the rules
4. Improve education and engagement with businesses, residents and visitors
5. Undertake further research and utilise shared learning
6. Lobby Government to take more action through the Severn Estuary Gull Action Group.

5.2 There are detailed recommendations under each of these headings which are outlined in section 5.1 of the attached report and appendix one. These recommendations, once agreed by PTE PDS, will be submitted to the cabinet members for their response.

6 RATIONALE

6.1 The recommendations outlined in section 5.1 of the attached report have been developed on the basis that the ideas have:

- a good evidence base and clear rationale
- the potential to make a noticeable impact
- limited financial implications, although this has not been considered in any great detail at this stage
- a good grounding to encourage joint responsibility and action
- short, medium or long-term benefits.

7 OTHER OPTIONS CONSIDERED

7.1 The recommendations put forward have been considered as potential opportunities for improvement and change. This has been an extremely comprehensive process and, as a result, only ideas that were deemed to be unrealistic, illegal or go against the council's existing policies on gulls have been excluded. This is a relatively small number in

comparison to the number of recommendations proposed. No other options have been considered.

8 CONSULTATION

8.1 The following organisations and individuals have been consulted during the scrutiny review and have inputted evidence and/or ideas that have been used to develop the draft recommendations.

- Local people and organisations, including:
 - the Business Improvement District and 91 businesses from across B&NES
 - 30 members of the public, including Kirsten Elliott, who initiated the review
 - the Federation of Bath Residents' Associations
 - the Bath Faith Forum
- B&NES staff and members, including:
 - B&NES environment, waste, recycling and enforcement officers
 - the Planning, Transport and Environment PDS panel
 - the Cabinet member for Neighbourhoods
 - other councillors with an interest in gulls and conservation
- National organisations, including:
 - The Department for Food and Rural Affairs (Defra)
 - the RPSB
- Experts, including:
 - Peter Rock, Ornithologist
 - Pest control organisations
- Other councils, including:
 - Gloucester City Council
 - North Dorset District Council
 - Sedgemoor District Council
 - South Somerset District Council
 - Cardiff Council
 - Tewkesbury Borough Council
 - West Dorset District Council
 - Weymouth and Portland Borough Council
 - Carlisle Council
 - Wiltshire Council
 - Bristol City Council
- Other organisations, including:
 - Avon Fire & Rescue Service
 - local and other universities and colleges, and their students

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the council's decision making risk management guidance.

Contact person	<i>Liz Richardson, liz.richardson2@bathnes.gov.uk, 01225 39(6053)</i>
Background papers	<i>Scrutiny Inquiry Day agenda and papers – available on the 'council and democracy' pages of the website, or by clicking this link</i>
Please contact the report author if you need to access this report in an alternative format	

Urban Gulls: A scrutiny inquiry 27 November 2013

Report and recommendations

Planning, Transport and Environment PDS Members

Cllr Marie Longstaff and Cllr Lisa Brett

Project Officers

Liz Richardson, Cath Humphries, Aled Williams, Sarah Alder and Mark Durnford

E-mail: scrutiny@bathnes.gov.uk

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Introduction

Anyone who spends any time in Bath and the surrounding area cannot help but notice the increasingly high numbers of urban gulls, particularly during the spring and summer months. For most people, gulls are a nuisance. They are the reason some residents cannot sleep past 4am or fully enjoy their gardens, why some businesses have to guard their waste when it is put out for collection, and why some visitors don't want to eat al fresco or park on the top floor of a car park for fear of being attacked.

This issue has been high on the agenda for the council for some time, and we are already taking action to mitigate it. But, we know more can be done and it cannot simply be the council's responsibility. Every local person, building or business owner, visitor and public agency, not to mention our neighbouring councils and central government, have to take action. There is plenty of evidence to show that working together is the only way to resolve the problem in the long term.

This review was initiated in July 2013 following a statement to the Planning, Transport and Environment Policy Development and Scrutiny (PTE PDS) panel by a local Bath resident, Kirsten Elliott. Like us, Kirsten wanted to see real action taken. Undertaking this as a scrutiny inquiry has been a good opportunity for PDS to focus on the gulls as a single topic and bring in a wider range of people. The aim has been to develop a broader understanding through the use of a wide range of expert and non-expert evidence, and come up with ideas for positive ways in which to move forward.

The fundamental principle of our chosen approach going forward is the development of a cohesive plan with short, medium and long term actions, and an evaluation strategy. More details on this are outlined in recommendation 5.1. The plan will recognise the role of the council in leading by example and educating everyone, but also enforce responsibility on every resident, business, landowner and visitor.

The basis for this plan will be the PDS panel's final recommendations, outlined at section 5 of this report. The PTE PDS panel will discuss and the final list will then be submitted to the Cabinet members with the relevant portfolios to respond. We are encouraged by the close involvement of the Cabinet member for Neighbourhoods, Cllr David Dixon, in the review already.

There are existing examples of good practice out there that we want to learn from, but we also recognise that some things don't work. As a proactive authority, we do not just want to repeat what has been done before. That is why some of our recommendations are new, never-been-tested suggestions.

I am very much looking forward to seeing where each of the proposals takes us.



Cllr Marie Longstaff
Chair
Planning, Transport and Environment
PDS panel

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1. Executive Summary

1.1 The review

In 2012, there were an estimated 1,100 breeding pairs of gulls nesting in Bath. Since 1998, the total gull population in the city has increased by 489% from 225 pairs. Based on current trends of an annual increase of 5.8%, it is estimated that the total number of breeding pairs in Bath will reach 1,750 by 2020.

The Urban Gulls scrutiny review was established for two main reasons:

- the on-going issue of gulls in the city and other areas across B&NES, particularly during the spring and summer months
- a statement by a member of the public to the PTE PDS panel in July 2013 requesting policy change and action in relation to tackling the gull population.

1.2 Purpose of this report

Planning, Transport and Environment PDS panel members are asked to:

- **review and discuss the findings of the review and the draft recommendations outlined in section 5.1 and in Appendix one**
- **agree a final list of recommendations for submission to Cabinet members**
- **continue discussions with Cabinet at the next meeting of PTE PDS on 4 March.**

A full timetable of next steps is provided at section 5.3.

1.3 Findings

The inquiry and this report have been informed by a range of sources, including:

- action B&NES council is already taking to control the gull population and its impact, by officers and members of the council
- experiences of other councils, provided by seven councils from the Severn Estuary (Gloucester City Council, North Dorset District Council, Sedgemoor District Council, South Somerset District Council, Tewkesbury Borough Council, West Dorset District Council and Weymouth and Portland Borough Council) and Carlisle Council
- the impact of gulls on local businesses' approaches to waste and recycling, through a survey responded to by 91 businesses from across the district
- information on gulls, conservation law and known related issues, by the RSPB
- the government's current position, by Defra's chief scientific advisor
- experiences of local people, including statements by 11 members of the public.

Full details on the report findings are outlined in section four.

1.4 Recommendations

The ideas and evidence collated beforehand and on the day have been discussed and used to develop recommendations (outlined in detail in section 5.1), under six high-level themes:

1. Limit gulls' access to food waste
2. Increase the use of effective intervention methods
3. Carry out effective enforcement against those who break the rules
4. Improve education and engagement with businesses, residents and visitors
5. Undertake further research and utilise shared learning
6. Work with the Severn Estuary Gull Action Group to lobby government to take more action.

2. What is Policy Development and Scrutiny?

There are two main statutory functions involving elected members within every district, county or unitary council in England – the Executive (Cabinet) and Overview and Scrutiny. Different councils structure this in different ways, but there is a clear division between the roles and responsibilities of these two functions.

The main decision making powers rest on the **Cabinet**. The Cabinet is intended to create clear leadership and clear accountability for service delivery. Here in Bath & North East Somerset Council, these decision-making powers lie with nine councillors, each with a distinctive portfolio of work.

2.1 Overview and Scrutiny

Overview and scrutiny is the name given in legislation to the system of checks and balances implemented by all other councillors as they monitor the activity of the Cabinet and assist them in developing and reviewing policy. In Bath & North East Somerset Council, this is known as Policy Development and Scrutiny. Policy Development and Scrutiny is intended to review the work of the Cabinet and to enhance the performance of services. It is also designed to provide a forum through which policy review and policy development can be extensively examined before consideration and decision by the Cabinet and/or Full Council.

There are six **Policy Development and Scrutiny** Panels which meeting approximately six to seven times a year and oversee a specific area of work, generally matching the Cabinet portfolios. These panels are:

- Early Years, Children and Youth
- Economic and Community Development
- Housing and Major Projects
- Planning, Transport and Environment
- Resources
- Wellbeing

All Policy Development and Scrutiny Panels are led by councillors and have a Chair and Vice Chair. Membership consists of non-executive councillors of all parties, and may also include co-optees from voluntary organisations, and other outside agencies.

In addition to their regular meetings, Policy Development and Scrutiny Panels in Bath & North East Somerset carry out reviews. These involve undertaking a mixture of overview, scrutiny and policy development on a selected subject, which may be a review of a policy, service or an investigation of an issue of local concern.

Policy Development & Scrutiny Panels achieve their impact and initiate change through making recommendations to the Cabinet, Full Council or partners. The formal meetings are open to the public, and always include space on the agenda for public statements. Their agendas and minutes are available to the public via the council's website.

3. Background

3.1 The review

3.1.1 Purpose

The Urban Gulls scrutiny review was established for two main reasons:

- the ongoing issue of gulls in the city and other areas across B&NES, particularly during the spring and summer months
- a statement by a member of the public to the PTE PDS panel in July 2013 requesting support for a conference on gulls that will lead to policy change and action.

The aim of the review was to engage businesses, residents and visitors, and public sector agencies in taking responsibility for the issues and causes of high numbers of urban gulls, in particular through:

- educating on the causes, solutions and other relevant information about gulls
- finding short, medium and long-term solutions to tackle the issues of the gulls themselves and the features that attract them
- determining what central Government are doing and could do to assist councils to tackle the problem.

3.1.2 Approach

The review has been delivered in three parts, which are:

- Part one – information collection and analysis (officers)
- Part two – scrutiny inquiry day (public, with input from officers, councillors and specialists)
- Part three – discussion and agreement of recommendations (councillors)

A summary of each of these stages is outlined below.

1) Information collection and analysis

Officers collated a range of information from various sources in preparation for the scrutiny inquiry day, including:

- action B&NES council is already taking to control the gull population and its impact, by officers and members of the council
- experiences of other councils, provided by seven councils from the Severn Estuary (Gloucester City Council, North Dorset District Council, Sedgemoor District Council, South Somerset District Council, Tewkesbury Borough Council, West Dorset District Council and Weymouth and Portland Borough Council) and Carlisle Council
- the impact of gulls on local businesses' approaches to waste and recycling, through a survey responded to by 91 businesses from across the district
- information on gulls, conservation law and known related issues, by the RSPB
- the government's current position, by DefRA's chief scientific advisor
- experiences of local people, by 11 members of the public.

This information was provided to councillors, the public and press in advance of and/or on the day of the inquiry. These papers are already publically available as background.

All information has been used alongside the outcomes of the workshop discussions on the day to inform the recommendations put forward alongside this report.

2) Scrutiny inquiry day

A scrutiny inquiry day (SID) is a mechanism for a **short single-topic scrutiny**, used where a formal panel meeting may not be as effective or appropriate. SIDs are more informal, inclusive of individuals with relevant experience or knowledge, and are often open to the public.

There are two main aims of SID which are to:

- enhance understanding of an issue amongst a wide range of organisations and groups
- develop recommendations to Cabinet, another council committee or external body.

The SID was selected as the most appropriate approach for the urban gulls review as it enabled the discussions to be opened to a wider range of people. This inclusiveness was evident in the run up to the SID through the public's engagement via press forums, telephone calls and written statements, and on the day in the discussions and question and answer opportunities. Engagement also continued in the weeks following the SID. See section 4.8 for further information.

The agenda for the day included:

- public statements
- presentations on the current situation from the point of view of:
 - the council, presented by the Cabinet member for Neighbourhoods and the Neighbourhood Environment Manager
 - the gulls, presented by a local Ornithologist
 - the public, presented by a non-executive councillor
 - businesses, presented by the Business Improvement District manager
- experiences of other authorities, presented by Cllr Lisa Brett who shared information provided by Carlisle Council, and Julie Wight from Gloucester City Council who presented on behalf of the Severn Estuary Gull Action Group
- a facilitated workshop that captured ideas for action and improved engagement.

3) Discussion and agreement of recommendations

This report marks the start of the final stage (stage three) of the review. It brings together all the information collated in part one and the ideas put forward in part two, and outlines the proposed recommendations to Cabinet

Planning, Transport and Environment PDS panel members are asked to review and discuss the draft recommendations outlined in section 5.1, and agree a final list for submission to the Cabinet members.

The Cabinet member response will be discussed at the PTE PDS panel on 4 March. This is a shorter time frame than usual. This has been agreed with the Cabinet member to ensure initial action as a result of the day can begin alongside existing plans for the 2014 gull season.

3.2 Context – current action in B&NES

B&NES already has a programme of actions for the mitigation of the impact of gulls. A summary of these actions which have been completed by a range of council teams in 2013 is below.

3.2.1 Communications

The gull webpage had received 409 hits by November 2013. This is a significant increase from the number of hits received to the same page in 2012. A number of actions have been taken to

better inform our customers about what the council is able to do about mitigating the impacts of gulls, including:

- publicity in the local media, including interviews and debates on Radio Bristol and articles in the local print media
- updating the council's webpage with revised FAQs
- the production of a new leaflet to provide advice to the public about proofing buildings against gulls.

3.2.2 Egg replacement service

This is a chargeable service provided by the council's Pest Control team. Real eggs are replaced with plastic 'dummy' eggs which dupe the gull into believing that the eggs are going to hatch. When it is apparent that this is not going to happen, it is too late for the pair to have a second breeding attempt in that season. This is an intervention method that other local authorities have also adopted.

In order for the egg replacement service to have a significant impact on the gull population, a high percentage of all eggs need to be replaced. By replacing a small percentage of eggs, the survival rate of young gulls that do hatch is improved and, therefore, little impact on the gull population is achieved.

The service is advertised on the council's website, but received a poor response during the 2013 breeding season.

3.2.3 Fire gel

Fire gel is a new product being trialled by a number of local authorities including on the roof of the Roman Baths Kitchen by B&NES.

The gel is placed at intervals along parapets of buildings. It has ultra-violet light effects which makes it appear to gulls that it is 'on fire' and so they are deterred from landing on the gel and therefore the building. The Bath trial during the summer appeared successful in reducing the complaints from customers about gulls. However, research undertaken by other local authorities indicates that fire gel has little impact on the gull population over all.

Council teams are considering using this again in the 2014 breeding season and carefully monitoring the impact.

3.2.4 Commercial Waste Enforcement

Enforcement officers have worked within the business community through early morning and late night patrols on initiatives to raise awareness about the need to present waste at the correct collection times to reduce the likelihood of scavenging by animals. During the schemes, known as 'Operation Sunrise and Sunset', the team issued over 100 letters to businesses. This approach and the improvements which have been achieved have received positive feedback

However, food waste is not thought to have a significant impact on the gull population. Gulls are attracted to B&NES, and Bath in particular, due to the volume of safe nesting sites. They will gladly travel further afield for food, for example to the landfill site in Gloucestershire. Nevertheless, the control of food waste is significant in reducing the public nuisance caused by gulls.

3.2.5 Domestic waste enforcement

Enforcement officers have worked proactively with the Waste Campaigns team to identify specific areas where domestic waste is put out too far in advance of collection. Action so far has been through education and encouragement, but there are some areas that are being escalated to include enforcement actions. Results have been very encouraging with the vast majority of residents changing their behaviour as a result of these notices.

3.2.6 Gull-proof, re-usable rubbish sacks

This trial provides householders with a robust sack which prevents scavenging of waste by gulls and other wildlife. The sacks were originally trialled on 1,000 homes in September 2012 and proved popular, with 86% of residents wanting to continue to use them at the end of the trial. The scheme has since been extended to cover almost 2,500 homes in the city.

A pilot has been in operation since September in New King Street where officers from the campaigns and enforcement teams have been working together to engage with the residents and make the use of these bags compulsory. A dramatic improvement has been witnessed in the cleanliness of the street and in the reduction of waste not contained in gull-proof bags through this work.

3.2.7 Solar Compacting Bins in Bath city centre

There are now 55 of these bins in the city centre which are effective in containing waste so that the gulls are prevented from accessing food waste. This helps to prevent scavenging and creating litter. The bins also have the potential to carry promotional messages about not feeding birds and this is being considered for the future.

3.2.8 Other enforcement action

The council is challenging members of the public who are known to be feeding gulls and requesting that they refrain from this practice. The use of statutory nuisance powers is also being considered against premises to oblige the owner or occupier to take preventative action in cases where their premises are clearly and demonstrably contributing to 'gull-related' nuisance to local residents.

4. Review findings

4.1 History of gulls

Gulls are a natural part of our country's wildlife and have always been a feature of coastal towns and villages. Since the 1940s, some species have favoured roofs as predator-free nest sites within warmer towns and cities that have an abundance of accessible edible rubbish and litter.

Of the gull species in the UK, several may be encountered in suburban and urban situations. The two main ones are:

- the Herring Gull - usually nests on house roofs
- the Lesser Black-Backed Gull - usually found breeding in colonies on larger roofs such as warehouses

Populations of both species have increased in urban areas over the past 70 years, in contrast to an overall national decline.

4.2 Gulls and people

The presence of gulls in urban areas sometimes results in some conflicts with people, for example:

- 'dive-bombing' people or pets when they feel their young are threatened
- breaking open plastic rubbish bags in a search for food
- nesting on roof spaces and other building areas
- loud noise, especially early in the morning.

In most cases, the gulls do not come into physical contact with people. Problems of gulls dive-bombing people or pets are restricted to the nesting season which lasts from early May to end of July, and usually occur when unfledged chicks have fallen from their nest to the ground, most common in July.

4.3 Conservation status

Gull numbers are most comprehensively monitored during national seabird surveys. The most recent was Seabird 2000 (1998-2002) which included counts of some inland breeding gulls. The two main species of gull are of national conservation concern, having declined by more than 50% over 25 years.

Herring Gulls are red listed as a species of high conservation concern because of recorded severe declines in their UK breeding and non-breeding populations over the past 25 years.

Lesser black-backed gulls are amber listed as a species of medium conservation concern because breeding birds are localised in the UK and the UK's numbers of this species are of international importance.

The next seabird survey is due to be carried out in 2015-17 when greater coverage of inland breeding gulls is proposed. The RSPB is currently carrying out research to establish the reasons for the national declines in Herring Gulls and regional declines in Lesser Black-Backed Gulls.

4.4 Gulls and the law

All wild birds are protected by law under the Wildlife and Countryside Act 1981.

There are no provisions within current legislation to allow the control of birds for the purpose of relieving nuisance or damage to property. However, there is an established system of licensing to allow for the control of some wild birds.

Natural England has issued a general licence which allows property owners, occupiers or those permitted by them to:

- kill Lesser Black-Backed Gulls
- take or destroy the eggs or nest of the Lesser Black-Backed Gull or Herring Gull.

Property owners, occupiers or those permitted by them do not have to apply for a licence to engage in this form of culling as long as they operate within the terms of the general licence.

In all cases, the license applies only when the action is for the purposes of preserving public health and safety.

4.5 Government position

In the summer of 2013, an evidence statement was drawn together by Defra's chief scientific adviser. This statement is included in the background papers.

This statement highlights a number of practical steps that could be taken to improve what we know about urban gulls and their management, including:

- local authorities collecting data and sharing best practice on the relative effectiveness of different types of deterrent
- encouraging the pest-control commercial sector to undertake the studies appropriate to assessing the effectiveness of the deterrents
- ensuring that the planning system is informed about the structural designs of buildings that are less likely to provide appropriate habitats for gulls
- maintaining current trends towards containerisation of waste within urban environments
- providing information as public notices, both proactively provided (e.g. the council notices in regions where there are particular problems or information to planners and architects) and reactively provided as recommendations for action once problems have been detected
- discussing the impact of urban gulls on insurance premiums and investigating the extent to which incentives can be provided for building owners to use appropriate deterrents
- seeking advice from Natural England if concerned about the effects of gulls.

A government representative was invited to attend the SID to share government views in person. There was no one available to attend, however they submitted a statement in advance which outlines:

“effective long term management requires the elimination or reduction of readily accessible food and roosting/nesting sites. Gulls should not be fed either intentionally or unintentionally and local authorities are able to take steps to prevent this though the introduction of bylaws if they wish”.

4.6 Gulls in Bath

In 2012, there were an estimated 100,000+ breeding pairs of gulls across the UK and Ireland, with 19,000, in a minimum of 78 colonies, in the Severn Estuary region. Cardiff, Gloucester and Bristol have the highest numbers of pairs in the region with 3,300, 2,900 and 2,500 respectively.

At last count, 1,100 pairs were nesting in Bath. Of these:

- 790 were the Lesser Black-Backed Gull

- 310 were the Herring Gull.

Since 1998, the total gull population in the city has increased by 489% from 225 pairs. Although gulls can be found across the city, and in other areas of the district, the main areas of concern are the city centre around the Abbey, Kingsmead and Widcombe areas.

Based on current trends of an annual increase of 5.8%, it is estimated that the total number of breeding pairs in Bath will reach 1,750 by 2020.

4.7 Tackling the gulls

There are a multitude of known gull deterrents, with varying degrees of success. In some cases, a deterrent which is successful in one location is extremely unsuccessful in another. The reasons for this are unknown, but could be because of variations such as:

- what sort of building or street they are being tested on
- for how long they are being tested
- the competence or experience of the person using the deterrent
- how many gulls there are to be deterred.

4.7.1 Action against the gulls

Lethal deterrents

As outlined in section 4.4, gulls are protected in law and are only permitted to be controlled using lethal methods under license.

A) Lethal control can only be used where:

- there is a proven risk to public health and safety.
- it will not adversely affect the conservation status of the species.

The RSPB believes that destruction of eggs and nests is unlikely to be effective unless measures are used immediately to prevent the adults re-nesting.

B) Non-lethal deterrents

The RSPB believe that gull problems in an urban environment are best tackled by reducing the availability of food and nest sites because, if the features that attract gulls remain, any 'vacancies' created by controlling existing gulls will simply be filled by other gulls moving in. They recommend action by local authorities and individuals to reduce the volume of food available to gulls in urban areas, including:

- limiting the availability of nesting sites
- reducing the amount of food waste sent to landfill
- not putting rubbish out until the day of collection
- putting food waste out in gull-proof containers
- reducing the amount of 'edible litter' on streets, particularly arising from fast food outlets
- providing 'gull-proof' public litter bins
- enacting bylaws if necessary to prevent people from deliberately feeding gulls in public spaces such as parks and harbours.

4.7.2 Case Studies

We received input from eight authorities on their own experiences in support of the SID. The councils provided this information via:

- a bespoke survey of the Severn Estuary Gull Action Group, responded to by Gloucester, North Dorset, Sedgemoor, South Somerset, Tewkesbury, West Dorset and Weymouth and Portland councils
- a detailed briefing note provided by Carlisle City Council
- a presentation at the SID the role of the Severn Estuary Gull Action Group, by Gloucester City Council.

Case study one - experiences of three Severn Estuary region authorities

Gloucester City Council uses a bi-annual breeding survey to monitor numbers and identify nesting hot spots. They have used different interventions at a cost of approx. £20,000 per year, including reducing food waste through new recycling schemes. The council has also tried egg replacement, oiling and removal. Areas with significant nesting are showing reductions. Whilst there is no reported reduction in the breeding population, the rate of increase has slowed and feedback from local businesses has been positive.

Sedgemoor District Council manually collects data on the number of nests and eggs taken over the mating season and compares to that collected over the last three years to monitor increase or decline. Complaints from local people are also recorded. The council has tried a variety of interventions including egg replacement, food waste education and pamphlets to retailers, stickers encouraging people not to feed gulls and some work around clean-up times. The egg replacement programme across a very small section of the town centre, has been the most successful. Egg oiling has had limited success and has been heavy on resources such as man power and money.

Tewkesbury Borough Council monitors complaints and an environmental health technician makes site visits to carry out visual inspections. They do not use any intervention methods, nor have they done in recent years.

Case study two: experiences of Carlisle City Council

Carlisle has experienced an increase in the number of complaints about gulls over a four year period. In 2010/11, there was only two complaints. In 2012/13 this has increased to 44. For the 2013/14 period to date, 55 complaints have been received. It is believed that 90% of gulls in Carlisle are Lesser Black Backed Gulls.

Action taken since 2012 has included:

- encouraging businesses and property owners to cull Lesser Black-Back gulls and Herring Gulls under general licence
- regular press communications and a leaflet aimed at the public
- visits to properties identified as having gull issues
- serving of abatement notices for premises with significant nesting issues and who have failed to put in adequate controls
- toughened waste bin bags for those without wheelie bins
- fire gel trial, which showed the gel to not be an effective long-term solution
- enforcement blitzes of town centre littering, including bird feeding
- encouragement of fitting spikes on council street lights and buildings.

Having reviewed the success of the actions, the council has renewed its policy on gulls which now states the council's priorities for this area of work include:

- dissuading the public from feeding birds in the town centre
- encouraging land owners and occupiers to take action to proof their buildings against nesting gulls, including the council's own buildings and streetlights

- encouraging and advising land owners and occupiers to employ competent persons to control gull populations on their land
- using advice and legal powers to ensure the satisfactory storage of food waste
- maintaining a high quality street cleaning service
- continuing to observe complaints received regarding gulls.

The experiences of Carlisle have highlighted a number of issues and points to note, including:

- there are significant costs and legal implications regarding employing contractors to control gull populations - around £40 per two people for 30 minutes
- there are some circumstances (e.g. fragile roofs) where egg replacement or pricking is difficult or dangerous
- gull control is the responsibility of the landowner, not the council
- culling can be emotive and the council therefore prefers to use the phrase 'gull control'
- complaints about gulls are likely to increase as the public become more aware of the council's actions
- the council's legal team have agreed use of Statutory Nuisance and/or Section 81 of the Environmental Protection Act 1990 powers can be used in circumstances where landowners make no effort to reduce numbers of gulls nesting on their land.

4.8 Public engagement

Public engagement has been one of the main aims of the review in order to encourage joint responsibility for the resulting actions. This has been achieved in several ways, including:

- ensuring the SID was accessible by the public and promoted through various means, including in the local press, on social media and through various networks
- seeking the opinion of local business owners on the impact of gulls on their businesses
- engaging with other councils on how public opinion has changed in their areas
- promoting when the recommendations will be discussed publically
- reviewing opinion and comment on the press web forums, telephone calls to the office and other means.

The SID included various opportunities for councillors and the public to have their say on ideas for tackling the gull problem, including:

- advanced submission of public statements
- verbal public statements on the day
- question and answer sessions after each presentation
- a workshop to discuss ideas for action and improved engagement.

Other councils were asked whether the authority had received any negative attention during the last 12 months regarding urban gull population from residents, business owners, visitors, other public services and / or the press. The responses showed that 43% have received negative attention as frequently as in previous years; 29% have received negative attention, but less frequently than previous years; 14% have not received any negative attention; and no councils reported an increase in negative attention received.

Businesses were asked for their initial comments about the management of urban gulls in Bath. The most common responses included:

- gulls put people off coming into Bath and thus affect business trade, mostly as a result of:
 - aggressive behaviour, which scares children and adults alike
 - noise, which can be deafening especially first thing in the morning
- the council needs to take responsibility for reducing gulls' opportunities to nest
- people dropping food waste on the ground are as much to blame as businesses, and those that do should be penalised more often.

In the two weeks leading up to and following the SID, the level of engagement by the public with the council or through local social media forums on the subject of gulls increased rapidly. Whilst this has since reduced again, the interest shown was likely as a result of the press coverage. Therefore, this is recognised as a useful means for sharing information in the future to promote joint responsibility and ownership.

4.9 Partnership working

Another main aim of the review has been improving partnership working to solve the problem. We had good engagement from other authorities in the lead up to the SID and want to continue to build on this

In preparation for the day, we asked councils to indicate how well local public services and other organisations take joint responsibility and work together to tackle the problem of gulls in their area. 29% indicated stakeholders are taking joint ownership for reducing the gull population through preventative action.

Councils were also asked to name the three stakeholders they believe should be doing more to help prevent an increase in the local gull population. The four most popular are:

- owners of food establishments
- local residents, tourists and business owners of non-food establishments
- commercial developers
- environmental organisations such as the RSPB and Natural England.

These results fit well with feedback received from local people in B&NES. Partnership working is a challenge in a subject such as this, which is so often seen as solely the responsibility of the council. A number of the recommendations reflect this challenge and the need to overcome it for long-term success.

5. Recommendations

5.1 Draft recommendations

The recommendations have been developed on the basis that the ideas have:

- a good evidence base and clear rationale
- the potential to make a noticeable impact
- limited financial implications, although this has not been considered in any great detail at this stage
- a good grounding to encourage joint responsibility and action

The ideas put forward have been discussed alongside the information provided. These have been collated in six high-level recommendations, with proposed actions outlined under each one:

1. Limit gulls' access to food waste
2. Increase the use of effective gull intervention methods
3. Carry out effective enforcement against those who break the rules
4. Improve education and engagement with businesses, residents and visitors
5. Undertake further research and utilise shared learning
6. Work with the Severn Estuary Gull Action Group to lobby Government to take more action

1. Limit gulls' access to food waste

- 1.1 Encourage all businesses to take responsibility for adequately containing food waste through the use of gull-proof sacks and cooperating with waste collection times
- 1.2 Further educate residents on waste and recycling procedures and obligations, including asserting the use of food caddies or galvanised bins in all cases
- 1.3 Investigate the feasibility of night-time refuse collections to limit the length of time food waste is left on the street
- 1.4 Pilot red plastic refuse sacks to ascertain whether this discourages gulls from accessing waste. If successful, consider the feasibility of rolling out to appropriate city residents.
- 1.5 Work with owners of guest houses and self-catering holiday apartments to encourage more accessible and better information for visitors about correct disposal of food waste
- 1.6 Work in partnership with the Business Improvement District (BID) to campaign:
 - a) commercial waste collectors to supply gull-proof sacks to businesses
 - b) businesses to commission commercial waste collection through responsible collectors.

2. Increase the use of effective gull intervention methods

- 2.1 Encourage owner-occupier egg replacement action through the provision of free replacement eggs and relevant information and advice to any business which wishes to pursue this approach
- 2.2 Promote gull-proofing of new buildings through the B&NES planning application process and planning guidance

- 2.3 Treat the council's own buildings with appropriate intervention methods to lead by example and share good practice
- 2.4 Further explore the 'Australia' model of developing nesting areas outside of the city centre, with a view to developing a pilot site if viable. These sites include nesting platforms to encourage nesting in locations where it is easier to oil/prick eggs.

3. Carry out effective enforcement against those who break the rules

- 3.1 Broaden use by the enforcement team of online communications tools to recognise responsible businesses, highlight the number of penalties issued and monitor trends
- 3.2 Actively share performance information on penalties and convictions through the local media and council's website to broadcast a strong message to the public on enforcement against persistent offenders
- 3.3 Carry out effective enforcement for littering in identified 'hot spots' such as parks, car parks and around seating area.

4. Improve education and engagement with businesses, residents and visitors

- 4.1 Develop an improved and consistent communications campaign to educate the public on what action the council is already taking to limit gull numbers, success rates and future plans
- 4.2 Provide clear and consistent guidance on what can and cannot be done, through:
- a) a 'one-for-all' leaflet with top 10 tips for how best to lessen your personal impact on gulls
 - b) specific guidance for residents, businesses and visitors using the notion of 'respect our city' which outlines the details of their responsibilities
- 4.3 Train food safety officers on the preferred and successful approaches for dealing with gulls to share with business owners when visiting on routine inspections
- 4.4 Recognise excellence through new gull champions – those who are passionate about the need to work together to tackle the gull problem and lead by example.

5. Undertake further research and utilise shared learning

- 5.1 Develop a cohesive gull strategy that includes:
- defined roles and responsibilities for the council, public and businesses
 - the short, medium and long term vision
 - an overview of what is already being done
 - themed objectives and actions for improvement
 - defined benchmarks for success
 - timetable for evaluation and review
 - approval of Natural England
- 5.2 Build on the existing link to the Severn Estuary Gull Action Group and shared learning to date to build knowledge on best practice and work across boundaries for a more joined up approach

5.3 Discuss the impact of landfill with other local councils and the opportunities to limit gulls' access to food at these sites.

6. Work with the Severn Estuary Gull Action Group to lobby Government to take more action

6.1 Lobby Government, via the LGA, to tackle urban gull issues at national level by providing advice and support to councils, informed by a national study of good practice

6.2 Lobby for clearer definitions in law on littering, in particular in relation to food waste, and better defined rules on offender enforcement within the Anti-Social Behaviour Bill

6.3 Campaign for a further reduction of food waste to landfill, with the specific aim of closing exposed landfill sites and reducing the food source for gulls

5.2 Recommendation to PTE PDS

Planning, Transport and Environment PDS panel members are asked to:

- **review and discuss the findings of the review and the draft recommendations outlined in section 5.1 and in Appendix one**
- **agree a final list of recommendations for submission to Cabinet members**
- **continue discussions with Cabinet at the next meeting of PTE PDS on 4 March.**

Full information for consideration by the panel is outlined in the recommendations table at Appendix two.

5.3 Timetable of next steps

The timetable below outlines work completed to date and the next steps in the review process.

2013

16 July Initial proposal for gulls conference

27 November Scrutiny Inquiry Day

2014

7 January Draft recommendations published

14 January Agree final recommendations PTE PDS

17 January Cabinet receive recommendations

14 February Deadline for Cabinet response

4 March Discuss Cabinet response PTE PDS

Review Title: Urban Gulls
Policy Development & Scrutiny Panel: Planning, Transport and Environment
Panel Chair and Vice Chair: Cllr Longstaff and Cllr Brett
Policy Development & Scrutiny Project Lead Officer: Liz Richardson
Supporting Service Officer: Cathryn Humphries, Aled Williams and Sarah Alder

Process for Tracking PD&S Recommendations - Guidance note for Cabinet Members

The enclosed table outlines all the recommendations arising from the Urban Gulls Policy Development & Scrutiny review. Individual recommendations are referred to the relevant named Cabinet Members (or whole Cabinet in the case of a whole Cabinet referral) as listed in the ‘**Cabinet Member**’ column of the table. Cabinet members are requested to seek help from your relevant service officers within your portfolio to help complete the rationale for your response. Full details of the review have been shared with the relevant officers and they should be in touch to support you to respond. the named member(s) are asked to complete the last three columns of the table as follows:

Decision Response

The Cabinet member(s) has the following options:

- **Accept** the panel’s recommendation
- **Reject** the panel’s recommendation
- **Defer** a decision on the recommendation because a response cannot be given at this time. This could be because the recommendation needs to be considered in light of a future cabinet decision, imminent legislation, relevant strategy development or budget consideration.

Implementation Date

- For an ‘accept’ response, give the date that the recommendation will be implemented
- For a ‘defer’ response, give the date that the recommendation will be reconsidered
- For a ‘reject’ response this is not applicable so write n/a.

Rationale

Use this space to explain the rationale for your response and implementation date. For accepted recommendations, please give details of how they will be implemented.

Urban Gulls: a scrutiny inquiry

Recommendations of the PTE PDS panel to the relevant Cabinet members for consideration

Recommendation	Cabinet member	Decision response	Implement. date	Rationale
<p>1. Limit gulls’ access to food waste</p> <p>1.1 Encourage all businesses to take responsibility for adequately containing food waste through the use of gull-proof sacks and cooperating with waste collection times</p> <p>1.2 Further educate residents on waste and recycling procedures and obligations, including asserting the use of food caddies or galvanised bins in all cases</p> <p>1.3 Introduce night-time refuse collections to limit the length of time food waste is left on the street</p> <p>1.4 Pilot red plastic refuse sacks to ascertain whether this discourages gulls from attempting to get waste and, if successful, roll out to all city residents if successful</p> <p>1.5 Work with owners of guest houses and self-catering holiday apartments to encourage more accessible and better information for visitors about correct disposal of food waste</p>	<p>Cllr Dixon</p> <p>Cllr Dixon</p> <p>Cllr Dixon</p> <p>Cllr Dixon</p> <p>Cllr Dixon</p>			

Appendix one – Urban Gulls recommendations response table

DRAFT for discussion

Recommendation	Cabinet member	Decision response	Implement. date	Rationale
1.6 Work in partnership with the Business Improvement District (BID) to campaign: <ul style="list-style-type: none"> a) commercial waste collectors to supply gull-proof sacks to businesses b) businesses to commission commercial waste collection through responsible collectors. 	Cllr Dixon			
2. Increase use of effective gull intervention methods <ul style="list-style-type: none"> 2.1 Encourage owner-occupier egg replacement action through the provision of free replacement eggs and relevant information and advice to any business which wishes to pursue this approach 2.2 Promote gull-proofing of new buildings through the B&NES planning application process and planning guidance 2.3 Treat the council’s own buildings with appropriate intervention methods to lead by example and share good practice 2.4 Further explore the ‘Australia’ model of developing nesting areas outside of the city centre, with a view to developing a pilot site if viable. These sites include nesting platforms to encourage nesting in locations where it is easier to oil/prick eggs. 	Cllr Dixon Cllr Stevens / Cllr Ball Cllr Dixon / Cllr Bellotti Cllr Dixon			

Appendix one – Urban Gulls recommendations response table

DRAFT for discussion

Recommendation	Cabinet member	Decision response	Implement. date	Rationale
<p>3. Carry out effective enforcement against those who break the rules</p> <p>3.1 Broaden use by the enforcement team of online communications tools to recognise responsible businesses, highlight the number of penalties issued and monitor trends</p> <p>3.2 Actively share performance information on penalties and convictions through the local media and council’s website to broadcast a strong message to the public on enforcement against persistent offenders</p> <p>3.3 Carry out effective enforcement for littering in identified ‘hot spots’ such as parks, car parks and around seating area.</p>	<p>Cllr Dixon</p> <p>Cllr Dixon / Cllr Bellotti</p> <p>Cllr Dixon</p>			
<p>4. Improve education and engagement with businesses, residents and visitors</p> <p>4.1 Develop an improved and consistent communications campaign to educate the public on what action the council is already taking to limit gull numbers, success rates and future plans</p> <p>4.2 Provide clear and consistent guidance on what can and cannot be done, through:</p> <ul style="list-style-type: none"> a) a ‘one-for-all’ leaflet with top 10 tips for how to lessen your impact on gulls b) specific guidance for residents, 	<p>Cllr Dixon</p> <p>Cllr Dixon</p>			

Appendix one – Urban Gulls recommendations response table

DRAFT for discussion

Recommendation	Cabinet member	Decision response	Implement. date	Rationale
<p>businesses and visitors using the notion of ‘respect our city’</p> <p>4.3 Train food safety officers on the preferred and successful approaches for dealing with gulls to share with business owners when visiting on routine inspections</p> <p>4.4 Recognise excellence through new gull champions – those who are passionate about the need to work together to tackle the gull problem and lead by example.</p>	<p>Cllr Dixon</p> <p>Cllr Dixon</p>			
<p>5. Undertake further research and utilise shared learning</p> <p>5.1 Develop a cohesive gull strategy that includes:</p> <ul style="list-style-type: none"> • defined roles and responsibilities for the council, public and businesses • the short, medium and long term vision • an overview of what is already being done • themed objectives and actions for improvement • defined benchmarks for success • timetable for evaluation and review • approval of Natural England <p>5.2 Build on the existing link to the Severn Estuary Gull Action Group and shared learning to date to build knowledge on best practice and work across boundaries for a more joined up approach</p>	<p>Cllr Dixon</p> <p>Cllr Dixon</p>			

Appendix one – Urban Gulls recommendations response table

DRAFT for discussion

Recommendation	Cabinet member	Decision response	Implement. date	Rationale
5.3 Discuss the impact of landfill with other local councils and the opportunities to limit gulls' access to food at these sites.	Cllr Dixon			
<p>6. Work with the Severn Estuary Gull Action Group to lobby Government to take more action</p> <p>6.1 Lobby Government, via the LGA, to tackle urban gull issues at national level by providing advice and support to councils, informed by a national study of good practice</p> <p>6.2 Lobby for clearer definitions in law on littering, in particular in relation to food waste, and better defined rules on offender enforcement within the Anti-Social Behaviour Bill</p> <p>6.3 Campaign for a further reduction of food waste to landfill, with the specific aim of closing exposed landfill sites and reducing the food source for gulls</p>	<p>Cllr Dixon</p> <p>Cllr Dixon</p> <p>Cllr Dixon</p>			

Bath & North East Somerset Council	
MEETING	Planning, Transport & Environment Policy Development & Scrutiny Panel
MEETING DATE:	14 January 2014
TITLE:	Cross boundary bus services (Wiltshire/Somerset)
WARD:	All
AN OPEN PUBLIC ITEM	
List of attachments to this report:	
Appendix 1 – Summary of cross-boundary bus services to and from Wiltshire and Somerset	

1 THE ISSUE

- 1.1 The Panel has asked for a Report on cross-boundary bus services to and from Wiltshire and Somerset.

2 RECOMMENDATIONS

- 2.1 That the Panel note this Report.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 In 2013/4, the Council is contributing £47,511 towards non-commercial bus services that operate across the boundary into Wiltshire, including £44,704 towards contracts held by Wiltshire Council. Following the award of new contracts by Wiltshire Council in July 2013, the annualised values are now £50,073 and £47,265 respectively.
- 3.2 In 2013/4, the Council is contributing £39,174 towards non-commercial bus services that operate across the boundary into Somerset.
- 3.3 There are no resource implications arising from this Report.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 The Sustainable Community Strategy contains the ambition “to lead Bath & North East Somerset to an environmentally sustainable, low carbon and climate-resilient future.” The provision of a good network of public transport services is a key part of that ambition.

5 THE REPORT

- 5.1 The current network of bus services that run across the boundary of Bath & North East Somerset into Wiltshire and Somerset is summarised in Appendix 1.
- 5.2 Bus services developed during the first half of the twentieth century as commercial ventures to meet the needs of an increasingly mobile population. In the area that is now Bath & North East Somerset, a network evolved that linked most communities with nearby towns and cities, regardless of local authority boundaries.
- 5.3 There are long-established bus services linking Bath with towns and cities in Wiltshire (such as Salisbury, Melksham, Chippenham and Trowbridge) and Somerset (such as Wells and Frome). These principal services operate on a commercial basis at most times. Three inter-urban corridors are sufficiently viable to sustain competition between rival bus companies.
- 5.4 Some of the principal cross-boundary bus services are not commercially viable during the evenings or on Sundays and Public Holidays. Also, there are many bus services – particularly in rural areas – that are not viable as commercial operations. Local authorities can procure services through a competitive tender process to fill any such gaps in the commercial network.
- 5.5 The apportionment of costs for revenue support of contracted bus services that cross local authority boundaries can be made by means of:
- (i) the proportion of the route mileage in each area,
 - (ii) the proportion of passengers using the service that are resident in each area,
 - (iii) an assessment of the economic benefit of the service to each area or
 - (iv) a combination of these factors.
- 5.6 In recent years, pressures on spending have caused Wiltshire Council and Somerset County Council to reduce their revenue support for local bus services, including some that run into Bath & North East Somerset. Each cross-boundary service at risk has been considered by this Council on its merits and retained if it provides a demonstrable benefit to our residents or to the economic well-being of the area – provided that it offers good value for money and that funding is available within the budget.
- 5.7 At the same time, the growth in economic activity on Sundays has meant that a number of bus services that formerly needed revenue support on Sundays are now viable as commercial operations, including cross-boundary services such as

267 Bath – Frome (since April 2009), 173 Bath – Wells and 376 Bristol – Wells (since April 2011), and 264 Bath – Trowbridge (since July 2013).

- 5.8 Somerset County Council proposes to make further reductions in revenue support for bus services in 2014 and the implications of these will be considered when bus operators have had an opportunity to assess whether they will continue any services without revenue support.

6 RATIONALE

- 6.1 In considering the implications of reductions by neighbouring councils in revenue support for non-commercial cross-boundary bus services and in making recommendations to the Cabinet for the award of new contracts for such services, officers and the Cabinet Member for Transport consider the needs of the residents of Bath & North East Somerset and the local economy.
- 6.2 Bath & North East Somerset Council has been able to broadly maintain its network of bus services whilst bringing down the cost to taxpayers by means of regular review of contracts, constructive dialogue with bus operators, encouragement of competition and support for community transport initiatives.

7 OTHER OPTIONS CONSIDERED

- 7.1 None

8 CONSULTATION

- 8.1 The Finance Officer was consulted electronically and given the opportunity to comment on this Report.
- 8.2 No other consultation has been carried out in the preparation of this report apart from telephone conversations with officers of Wiltshire Council and Somerset County Council.
- 8.3 Routine consultation with officers of Wiltshire Council and Somerset County Council on cross-boundary bus services takes place as and when necessary.
- 8.4 Surveys of service users are carried out on supported bus services as part of the process of contract review.
- 8.5 Consultation with parish and town councils, bus user groups, bus operators and other stakeholders takes place as part of the process of contract review.

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	Andy Strong, Public Transport Manager - 01225 394201
Background papers	None
Please contact the report author if you need to access this report in an alternative format	

APPENDIX 1 – Cross boundary bus services to and from Wiltshire and Somerset

Wiltshire

SERVICE NUMBER	OPERATOR	ROUTE, DAYS OF OPERATION AND FREQUENCY	FINANCIAL SUPPORT FROM B&NES (£ pa)	AVERAGE COST TO B&NES PER PASSENGER JOURNEY (£ pa)	COMMENTS
64	Wiltshire Buses	Hilperton – Bath via Bradford-on-Avon F – 1 return journey	-	-	Operates under contract to Wiltshire Council. No contribution from B&NES.
76	Coachstyle	Malmesbury – Bath via Marshfield W – 1 return journey	-	-	Operates under contract to Wiltshire Council. No contribution from B&NES.
76A	Coachstyle	Stanton St Quinton – Bath via Marshfield W – 1 return journey	-	-	Operates under contract to Wiltshire Council. No contribution from B&NES.
86	Beeline	Semington – Bath via Farleigh Wick W – 1 return journey	-	-	Operates under contract to Wiltshire Council. No contribution from B&NES.
94	Libra Travel	Bath – Trowbridge via Freshford and Westwood MS daytime – every 2 hours	£27,900	£0.85	Operates under contract to Wiltshire Council with contribution from B&NES. B&NES contribution was increased from £21,740 pa in July 2013 following a competitive tender. 52% of passenger journeys are made by residents of B&NES
114	Faresaver	Malmesbury – Bath (King Edward’s School) via Tormarton SD – 1 return journey	-	-	Commercial service.
185	Somerbus	Paulton – Trowbridge via Radstock and Midsomer Norton Th – 1 return journey	£2,808	£0.69	Operates under contract to B&NES. No contribution from Somerset or Wiltshire.

SERVICE NUMBER	OPERATOR	ROUTE, DAYS OF OPERATION AND FREQUENCY	FINANCIAL SUPPORT FROM B&NES (£ pa)	AVERAGE COST TO B&NES PER PASSENGER JOURNEY (£ pa)	COMMENTS
228	Faresaver	Bath – Colerne via Batheaston MS daytime – 4 return journeys (plus one additional ex Bath on MF)	£8,445	£0.43	Partly commercial service. Remainder operates under contract to Wiltshire Council with contribution from B&NES. 28% of passenger journeys are made by residents of B&NES
231	First	Bath – Chippenham via Box and Corsham MS daytime – every 30 minutes MS evening – 3 return journeys SP – every 2 hours	-	-	Mainly commercial service. Operates under contract to Wiltshire Council during Monday to Saturday evenings and all day on Sundays & Public Holidays. No contribution from B&NES.
232	Faresaver	Melksham – Bath (Royal High School) via Corsham SD – 1 return journey	-	-	Commercial service.

SERVICE NUMBER	OPERATOR	ROUTE, DAYS OF OPERATION AND FREQUENCY	FINANCIAL SUPPORT FROM B&NES (£ pa)	AVERAGE COST TO B&NES PER PASSENGER JOURNEY (£ pa)	COMMENTS
264	First	Bath – Warminster via Bradford-on-Avon and Trowbridge MS daytime – hourly MS evening – every 2 hours SP – hourly between Bath and Trowbridge and every 2 hours between Trowbridge and Warminster	£10,920	£1.01	Mainly commercial service. Financial support is for the daily evening service, which operates under contract to Wiltshire Council with a contribution from B&NES. B&NES contribution was reduced from £14,518 pa in July 2013 22% of passenger journeys during the evenings are made by B&NES residents. Buses towards Warminster operate via Bathampton village during Monday to Saturday evenings and all day on Sundays & Public Holidays. From 2 February 2014, Service 264 will be combined with 265.
265	First	Bath – Salisbury via Trowbridge and Warminster MS daytime - hourly	-	-	Commercial service.
271	First	Bath – Urchfont via Melksham and Devizes MS evening – 3 return journeys SP – every 2 hours	-	-	Operates under contract to Wiltshire Council. No contribution from B&NES.
272	First	Bath – Bowerhill via Batheaston, Box and Melksham MS daytime - hourly	-	-	Commercial service.

SERVICE NUMBER	OPERATOR	ROUTE, DAYS OF OPERATION AND FREQUENCY	FINANCIAL SUPPORT FROM B&NES (£ pa)	AVERAGE COST TO B&NES PER PASSENGER JOURNEY (£ pa)	COMMENTS
U70	Urchfont Community Bus	Urchfont – Bath 1 return journey on third Tuesday each month	-	-	Community bus service.
X31	Faresaver	Bath – Chippenham via Box and Corsham MS daytime – every 30 minutes	-	-	Commercial service.
X72	Faresaver	Bath – Urchfont via Melksham and Devizes MS daytime - hourly	-	-	Commercial service.
X76	Wiltshire Buses	Marlborough – Royal United Hospital via Melksham MF – 1 return journey	-	-	Operates under contract to Wiltshire Council. No contribution from B&NES.
X80	Shaftesbury & District	Frome – Bath via Limpley Stoke (limited stop) Sa – 2 return journeys	-	-	Commercial service.
X83	Faresaver	Bath – Lackham College via Box CD – 1 return journey	-	-	Operates under contract to Wiltshire Council. No contribution from B&NES.
X86	Faresaver	Broughton Gifford – Bath via Batheaston MF – 1 journey towards Bath SD – 1 journey from Ralph Allen School to Bathford	-	-	Mainly commercial service. Morning journey operates under contract to Wiltshire Council. No contribution from B&NES.
X88	Wiltshire Buses	Chitterne – Bath via Hilperton W – 1 return journey	-	-	Operates under contract to Wiltshire Council. No contribution from B&NES.

Somerset

SERVICE NUMBER	OPERATOR	ROUTE, DAYS OF OPERATION AND FREQUENCY	FINANCIAL SUPPORT FROM B&NES (£ pa)	AVERAGE COST TO B&NES PER PASSENGER JOURNEY (£ pa)	COMMENTS
173	First	Bath – Wells via Radstock and Midsomer Norton MS daytime – hourly SP – every 90 minutes	£1,789	£0.97	Mainly commercial service. Financial support is for the service on Public Holidays, which operates under contract to B&NES and is funded by a Section 106 agreement. No contribution from Somerset.
184	First	Bath – Frome via Radstock and Midsomer Norton MS daytime – hourly	-	-	Mainly commercial service. One return peak journey and alternate journeys between Midsomer Norton and Frome are funded by Somerset County Council but Somerset has given notice that it may cease this support in 2014.
185	Somerbus	Paulton – Trowbridge via Radstock and Midsomer Norton Th – I return journey	£2,808	£0.69	Operates under contract to B&NES. No contribution from Somerset or Wiltshire.
267	Faresaver	Bath – Frome via Midford MF daytime - hourly	-	-	Commercial service.
267	First	Bath – Frome via Midford MS daytime – hourly MS evening – every 2 hours SP – 4 return journeys	£16,919	£1.08	Mainly commercial service. Financial support is for the evening service on Mondays to Saturdays, which operates under contract to B&NES. No contribution from Somerset.

SERVICE NUMBER	OPERATOR	ROUTE, DAYS OF OPERATION AND FREQUENCY	FINANCIAL SUPPORT FROM B&NES (£ pa)	AVERAGE COST TO B&NES PER PASSENGER JOURNEY (£ pa)	COMMENTS
376	First	Bristol – Wells via Whitchurch and Clutton MS daytime – every 30 minutes MS evening – every 2 hours SP – hourly	£9,625 (MS eves) £3,883 (SP eves)	£0.72 (MS eves) £2.26 (SP eves)	<p>Mainly commercial service. Financial support is for the daily late evening service, which operates under contract to B&NES with a contribution from Bristol City Council on Mondays to Saturdays. No contribution from Somerset.</p> <p>At present, buses continue beyond Wells to Bridgwater (as Service 375) or Yeovil (as Service 377). From 2 February 2014, Service 376 will run between Bristol and Street.</p> <p>Bristol City Council has given notice that this will cease its contribution to this service in March 2015.</p>
379	First	Bristol – Shepton Mallet via Whitchurch, Midsomer Norton and Radstock MS daytime – hourly between Bristol and Radstock. One MF peak return journey extended to/from Shepton Mallet	See comments	See comments	<p>Partly commercial service. B&NES provides funding from a Section 106 agreement and the Local Sustainable Transport Fund to support the off-peak service between Bristol and Radstock.</p> <p>From 2 February 2014, Service 379 will be withdrawn between Radstock and Shepton Mallet and re-routed to Bath instead.</p>

SERVICE NUMBER	OPERATOR	ROUTE, DAYS OF OPERATION AND FREQUENCY	FINANCIAL SUPPORT FROM B&NES (£ pa)	AVERAGE COST TO B&NES PER PASSENGER JOURNEY (£ pa)	COMMENTS
404	CT Coaches	Haydon – Writhlington School via Kilmersdon SD – 1 return journey	-	-	Commercial service. Somerset County Council buys places for entitled scholars living in Kilmersdon. No contribution from B&NES.
414, 424	Frome Minibuses	Midsomer Norton – Frome via Radstock, Haydon and Writhlington MS daytime – every 2 hours	-	-	Operates under contract to Somerset County Council. No contribution from B&NES.
683	Bugler Coaches	Keynsham – Wells via Chew Magna and Blagdon Tu – 1 return journey	£4,150	£1.87	Operates under contract to B&NES. No contribution from Somerset.
776	Hatch Green Coaches	Midsomer Norton – Shepton Mallet via Holcombe MS daytime – every 2 hours	-	-	Operates under contract to Somerset County Council. No contribution from B&NES.
777	Somerbus	Radstock – Midsomer Norton via Chilcompton M – 1 return journey	-	-	Commercial service.
X80	Shaftesbury & District	Frome – Bath via Limpley Stoke (limited stop) Sa – 2 return journeys	-	-	Commercial service.

Key to days of operation:

CD	- College days only	Sa	- Saturdays only
F	- Fridays only	SD	- school days only
M	- Mondays only	SP	- Sundays & Public Holidays
MF	- Mondays to Fridays	Th	- Thursdays only
MS	- Mondays to Saturdays	Tu	- Tuesdays only
MTh	- Mondays to Thursdays	W	- Wednesdays only

Full timetable information is available at www.traveline.info

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PLANNING, TRANSPORT AND ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY PANEL

14 January 2014

Update on Flood and Drainage Management Briefing Note.

Introduction

At the PDS meeting on 20 November 2013 Panel Members received a joint presentation from Kelvin Packer, (Service Manager – Highways) and Ed Lockington (Environment Agency) on the duties placed upon B&NES by recent legislation and the outcome of flooding investigations in Chew Magna and Chew Stoke.

The Panel requested that an update is reported to the January 14 Panel meeting. This briefing note sets out the progress and actions undertaken since the original Panel Report.

Actions taken

The November presentation contained a slide showing how the Authority is responding. The Panel requested that the Authority's response was updated with progress and timescales. This is set out in the table below:

Action	Progress	Completion date
Establish a flood risk Board	Meeting with EA on 6 January to agree the format of the Board	First formal Flood Risk Board meeting to take place in March 14
Undertake regular Meetings with the EA	Meetings arranged by Flood Risk Manager	Completed- First meeting January 2014
Appoint Flood Risk Manager	Jim Collings appointed to role in December 13	Completed – December 2013
Create a single Drainage Team dealing with both highway and Land drainage team	Combined team created and reporting to Craig Jackson (Highway Maintenance and Drainage Manager. Now recruiting to vacant posts	Appointment to remaining posts by April 2014
Review the relationship with Emergency Planning and formally set up new working arrangements	Initial discussions completed. Further review meetings planned to finalise any changes to working arrangements	Complete review by April 2014*

* As a result of previous flooding incidents and the very heavy rainfall around Christmas 2013 the Highways team and Emergency Planning have already established arrangements to create a joint incident management control, which has proven to be very effective in co-ordinating the response to flood risk.

Chew Magna Flooding and Property level Protection (PLP)

Following the November Panel Meeting, Kelvin Packer and the representatives of the Chew Valley Flood Forum agreed to compile a list of residents' concerns regarding any defective equipment in order that this could be discussed with the suppliers at a meeting in December 2013.

The Chew Valley Flood forum received 35 returns from the 69 properties canvassed and of those, 20 properties identified defects. The CVFF recognises that a number of the defects reported have resulted from poor equipment storage or storm related damage caused during use.

The CVFF continues to work with officers and is proactively endeavouring to obtain a return from the remaining properties to establish a complete picture.

In December 2013 a constructive meeting was held with the supplier of the flood barriers to discuss the extent of, and costs of any remedial works, as well as providing a maintenance scheme for residents.

In addition the supplier has agreed to a joint review of their records along with the survey results from the CVFF (once available). This will enable the next steps to be agreed. It is anticipated that a further meeting will take place in February 2014.

The supplier has offered an open invite to the Panel to visit their premises and see first-hand, the products in test and the systems in place to ensure quality control for their customers.

Further Works

It was reported in November that the Council was planning to undertake an independent survey of the PLP measures and to inform what further flood mitigation works may be undertaken. JBA consultants have been formally appointed through the Environment Agency's framework to complete this survey. At the time of drafting the briefing note Officers await confirmation the survey commencement date.

Now that the Council has a Flood Risk Manager in post, across summer 2014 officers will be working through the previously published Chew Magna flood investigation report and implementing appropriate actions.

Chew Stoke Flooding

At the November Panel meeting it was reported that a public meeting with the residents of Chew Stoke was required in order to brief the community on the outcome of the flood investigation. This meeting took place in December 2013 and was attended by Jim Collings, Flood Risk Manager.

A survey of the sources of surface water flooding and a number of improvement works to the highway drainage system have been identified and

as a result a works order for improvements has been issued to our Contractor. These works will be completed prior to 31 March 2014.

Officers have also reviewed the Food Warning signage and produced a report on a range of improvements/changes that could be implemented. However, these are not widely supported by the community as they are potentially visually intrusive. Therefore, the officers' findings will be discussed with the Cabinet Member for Transport, prior to seeking agreement to include any works in the 2014/15 works programme.

Concern was expressed by the CVFF that surface water run-off from farm land was a contributory factor to flooding and Panel requested officers to contact the NFU to discuss whether contour ploughing etc. could make a difference.

In order for a meaningful dialogue with the NFU officers have reviewed the impact of farming on flooding, as well as the flood investigation results for Chew Stoke. It has been concluded that farming had a negligible impact on the flooding due to the degree of ground saturation present, intensity of the storms and rapid response nature of the catchment. However, drainage staff is planning to hold a meeting with the NFU to discuss farming and land management issues in February 2014.

As with the Chew Magna investigation, the Flood Risk Manager will be working through the previously published report and implementing appropriate actions across summer 2014.

Resources

Since the report to the November PDS panel a Flood Risk Manager has been appointed, A Senior Engineer has returned from maternity leave and a Drainage Graduate trainee has been appointed to the team, who is, in part funded by the Environment Agency.

A permanent appointment has also been made to the Engineer Post in Highways, who will also be working on highway drainage issues.

There are three vacant posts in the drainage team (Senior Engineer, Engineer and Senior Technical Officer). It is planned to advertise these vacancies in February 2014.

Action Plan

Officers are meeting with the Environment Agency on 6 January 2014 to review the actions to be included in the Action Plan. A meeting has also been scheduled with Cllr Charles Gerrish, the Council's representative on the Wessex Flood Defence Committee, to review the proposed actions for inclusion in the operational Highways and Drainage Service Plan 2014/15. There is already a proposal for an additional £200k investment planned for flood mitigation/enhanced PLP. Officers will brief the relevant Cabinet Members once the action plan is formed and any required funding will be sought through the normal budget approval process.

PLANNING, TRANSPORT AND ENVIRONMENT PDS FORWARD PLAN

This Forward Plan lists all the items coming to the Panel over the next few months.

Inevitably, some of the published information may change; Government guidance recognises that the plan is a best assessment, at the time of publication, of anticipated decision making. The online Forward Plan is updated regularly and can be seen on the Council's website at:

<http://democracy.bathnes.gov.uk/mgPlansHome.aspx?bcr=1>

The Forward Plan demonstrates the Council's commitment to openness and participation in decision making. It assists the Panel in planning their input to policy formulation and development, and in reviewing the work of the Cabinet.

Should you wish to make representations, please contact the report author or Mark Durnford, Democratic Services (01225 394458). A formal agenda will be issued 5 clear working days before the meeting.

Agenda papers can be inspected on the Council's website and at the Guildhall (Bath), Hollies (Midsomer Norton), Riverside (Keynsham) and at Bath Central, Keynsham and Midsomer Norton public libraries.

Planning, Transport and Environment PDS Forward Plan

Bath & North East Somerset Council
Anticipated business at future Panel meetings

Ref Date	Decision Maker/s	Title	Report Author Contact	Strategic Director Lead
PLANNING, TRANSPORT AND ENVIRONMENT POLICY DEVELOPMENT & SCRUTINY PANEL - 14TH JANUARY 2014				
14 Jan 2014	PTE PDS	Bath Transport Strategy	Peter Dawson Tel: 01225 395181	Louise Fradd
14 Jan 2014 February 2014	PTE PDS Cllr Ben Stevens, Cllr David Dixon	Urban Gulls	Cathryn Humphries, Liz Richardson Tel: 01225 477645, Tel: 01225 396053	Louise Fradd
14 Jan 2014	PTE PDS	Flood and Drainage Management - Action Plan	Matthew Smith, Kelvin Packer Tel: 01225 396888, Tel: 01225 394339	Louise Fradd
14 Jan 2014	PTE PDS	Cross Boundary Bus Services (Wiltshire / Somerset)	Andy Strong Tel: 01225 394201	Louise Fradd
PLANNING, TRANSPORT AND ENVIRONMENT POLICY DEVELOPMENT & SCRUTINY PANEL - 4TH MARCH 2014				
4 Mar 2014	PTE PDS	Cabinet Response to the Urban Gulls Scrutiny Inquiry Day Recommendations	Liz Richardson Tel: 01225 396053	Louise Fradd
PLANNING, TRANSPORT AND ENVIRONMENT POLICY DEVELOPMENT & SCRUTINY PANEL - 6TH MAY 2014				
PLANNING, TRANSPORT AND ENVIRONMENT POLICY DEVELOPMENT & SCRUTINY PANEL - 8TH JULY 2014				

Ref Date	Decision Maker/s	Title	Report Author Contact	Strategic Director Lead
FUTURE ITEMS				
10 Jul 2014	PTE PDS Council	Council's Statement of Principles (Licensing Policy)	Andrew Jones Tel: 01225 477557	Louise Fradd
10 Apr 2013 July 2014 E2439	Cabinet PTE PDS	Bus Priority Measures in Dorchester St, Manvers St and Pierrepoint St., Bath	Adrian Clarke Tel: 01225 395223	Louise Fradd
Page 61	PTE PDS	Allotments Management Plan / Draft Strategy	John Crowther, Graham Evans Tel: 01225 39 6878, Tel: 01225 396873	Louise Fradd
	PTE PDS	Alcohol Harm Scrutiny Inquiry Day - Recommendations Review	Emma Bagley Tel: 01225 396410	Louise Fradd
	PTE PDS	Street Cleansing - Outside the City of Bath	Matthew Smith Tel: 01225 396888	Louise Fradd
14 May 2013 Not before 1st Jul 2013	HMP PDS PTE PDS	Core Strategy Update	Simon De Beer, David Trigwell Tel: 01225 477616, Tel: 01225 394125	Louise Fradd

Ref Date	Decision Maker/s	Title	Report Author Contact	Strategic Director Lead
The Forward Plan is administered by DEMOCRATIC SERVICES : Mark Durnford 01225 394458 Democratic_Services@bathnes.gov.uk				