

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

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

Tuesday, 3rd March, 2015

**Present:-** Councillors Marie Longstaff (Chair), Lisa Brett (Vice-Chair), David Martin, Douglas Nicol and Liz Richardson

**Also in attendance:** Sarah Alder (Waste Strategy & Contracts Manager), Richard Howroyd (Acting Procurement Manager), Cathryn Humphries (Health and Environment Manager), Kelvin Packer (Group Manager for Highways and Traffic) and Aled Williams (Environmental Protection Manager)

#### **Cabinet Member for Transport: Councillor Caroline Roberts**

Councillor Eleanor Jackson  
Councillor Patrick Anketell-Jones

#### **70 WELCOME AND INTRODUCTIONS**

The Chair welcomed everyone to the meeting.

#### **71 EMERGENCY EVACUATION PROCEDURE**

The Chair drew attention to the emergency evacuation procedure.

#### **72 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Councillor Les Kew had sent his apologies to the Panel.

#### **73 DECLARATIONS OF INTEREST**

There were none.

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

There was none.

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

Councillor Eleanor Jackson addressed the Panel on the matter of road works and signage in Radstock and disability access. She also spoke of the huge amount of potholes in the area.

She informed the panel that three signs were in place for the A362 and that one sign near to the Fosseway Press was simply a sign to a dead end. She spoke of the hazards that signs were causing by being placed in the middle of the pavement and stated that some had been placed in flowerbeds of the Co-op without prior permission.

She explained that a local elderly man was finding it difficult to move around the area due to the lack of kerbs and water mains that have not been properly sealed.

She expressed her concerns over the proposed TROs (Traffic Regulation Orders) for Saw Close, Bath for a cycle contraflow. She asked that the Guide Dogs for the Blind be consulted on the matter, a Disability Access Audit be undertaken and that the works be monitored effectively.

Councillor Caroline Roberts, Cabinet Member for Transport replied that £417,000 was spent on repairing pot holes last year and that a similar amount was in this year's budget. She added that she was sure that agencies for the Blind had been consulted regarding Saw Close.

The Group Manager for Highways and Traffic confirmed that the RNIB (Royal National Institute for the Blind) had been consulted over the proposals for Saw Close. He added that he would be happy to ask an officer to liaise directly with Councillor Jackson on her concerns.

The Chair asked that the Panel be updated on these matters in June / July.

Mr David Redgewell addressed the Panel. He commented that all Councils have a duty under the Equalities Act 2010 and that he felt that the Council should have its own Equalities Panel. He added that in his opinion through discussions relating to the Local Enterprise Partnership (LEP) that B&NES was lacking on equalities input.

He stated that the bus stops adjacent to Keynsham Railway Station should not be moved simply because of the wishes of the developer of the Somerdale site.

He was pleased to report that Somerset County Council now planned no cuts to their bus services.

He said that a capacity issue was raised at the weekend while the Bath Half Marathon was taking place. He said that members of the public in Keynsham, Saltford, Kelston & Bitton had reported a lack of normal services.

He said that the cleaning of the Bath Bus Station still remained an issue and that the gull bins on site were due to be removed. He informed the Panel that the rent for the café had been dropped to £15,000 per year in the hope of being able to have the site occupied.

He stated that he felt very strongly that the Council should be involved in any discussions on rail devolution for the Greater Bristol & Bath area.

The Chair replied by saying that she felt that equalities should be considered in all matters of projects and policies.

Councillor Lisa Brett said that she would be against a separate Equalities Panel as it should be considered in every aspect of our work.

The Group Manager for Highways and Traffic said that he would pass on Mr Redgewell's comments to officers.

Councillor Caroline Roberts, Cabinet Member for Transport replied that she would be speaking with First later in the day and would raise these matters. She added that within all Council reports an equalities section was present.

Councillor Eleanor Jackson suggested that following the elections the Chairs & Vice-Chairs meet to discuss whether one Panel should have equalities included within its remit.

The Chair thanked them both for their statements on behalf of the Panel.

## **76 MINUTES - 13TH JANUARY 2015**

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

## **77 CABINET MEMBER UPDATE**

Councillor Douglas Nicol asked if funds had been set aside in the budget for a roundabout at the top of Marlborough Buildings.

Councillor Caroline Roberts, Cabinet Member for Transport replied that two potential schemes were being discussed, one solely for a roundabout and one that would include an element of public realm work as well. She added that a decision would be made in due course on the basis of cost and feasibility.

Councillor David Martin asked if while the A36 was closed any traffic counts would take place in relation to HGVs.

The Group Manager for Highways and Traffic replied that he would be happy to arrange this and bring back details to a later meeting.

Councillor David Martin asked if air quality could also be monitored.

The Group Manager for Highways and Traffic replied that he would pass that request to colleagues within Public Protection.

## **78 HIGHWAYS CONTRACTS - DUE DILIGENCE & COMMISSIONING**

The Group Manager for Highways and Traffic introduced this item to the Panel. He explained that all contracts are procured in accordance with the Public Contract Regulations (2006 and 2015) and the Council's Contract Standing Orders.

He informed them that the Highways service procures most works through three main term contracts; Highways Maintenance and Minor Improvements, Street

Lighting Maintenance and Improvements and the Traffic Signals contract. He added that the Traffic Signals contract is a joint contract operated with West of England partners.

He said that around six contracts per year will be procured separately for projects above £250k and that officers are guided by the Procurement Team on these matters. He added that the current accreditation framework was developed with other south west Council's to manage risks relating to construction and civil engineering companies.

He stated that a key challenge for the future was the use of Small / Medium size Enterprises (SME's), but that the Council was keen to maintain this stance.

The Acting Procurement Manager commented that this particular market was tough and that a recent issue had occurred with a contractor. He added that another contractor Atkins had withdrawn from the market. He said that he could only recall two serious issues of receivership whilst working within the Council.

He said that ongoing works at Hinkley will affect the market and that supplier engagement was required to develop the market.

Councillor Lisa Brett said that she did not think that the report had directly addressed the matter and asked for more robust assurances.

Councillor Douglas Nicol commented that he felt the report should have more detail within it.

Councillor Liz Richardson questioned whether the Council could consider paying slightly more to local suppliers.

Councillor David Martin asked for the report to cover due diligence in much more detail.

The Acting Procurement Manager explained that Public Contract Regulations had changed from February and that an overhaul of a lot of current processes would be required. He added that the rules around the use of Pre-Qualification Questionnaires and supplier selection had radically changed at below EU Threshold levels for contracts for goods and services.

The Chair asked for a further report to come back to the Panel in July.

## **79 PUBLIC SPACE PROTECTION ORDERS**

The Environmental Protection Manager gave a brief presentation to the Panel regarding this item. A copy will be attached online as an appendix to these minutes and will also be placed on the Minute Book, a summary is set out below.

### **Public Space Protection Order Consultation**

- Since 2009, over 279 complaints of amplified music

- Unreasonable use of amplification by buskers
- Environmental Protection Act not best suited to deal with problem
- Ban amplification in Abbey Church Yard; Abbey Green and Kingston Parade
- 12 week public consultation period – gather opinions. 1,300 responses since 5 January
- Public Consultation event
- Report to Cabinet Member for Neighbourhoods

### **Consultation Workshop**

- Stakeholders - Residents / Businesses / Buskers / Members / Musicians Union
- Broad brush option raised concern
- Offers of support from the Business Improvement District, Abbey, Musicians Union and Buskers
- Potential review of the buskers guide
- Monthly open buskers meeting

Councillor Liz Richardson asked if a ban would be applied to certain times of the day or days.

The Environmental Protection Manager replied that the Council can set the parameters. He added that most involved now were seeking a quick resolution.

The Health and Environment Manager said that officers would like to report back to a Scrutiny Panel following the consultation, then to Cabinet before seeking a decision from Council in July 2015.

The Environmental Protection Manager said that outside of the Public Space Protection Orders the Community Protection Notices exist. He added that buskers now appear more willing to reduce levels.

Councillor Lisa Brett congratulated the officers on their work so far. She asked if further enforcement was likely following the Anti-Social Behaviour Crime and Policing Act 2014.

The Environmental Protection Manager replied that officers across the South West were in a dialogue to maintain a consistent approach to the matter. He added that Closure Orders were mainly a Police matter.

Councillor Lisa Brett commented that she felt that the Council could become more involved.

The Chair said that the matter will be addressed more in the future.

Councillor Patrick Anketell-Jones said that he approved of busking within the City, but that amplification should be banned. He added that consideration should be given to expanding the proposed zone as far as the Mineral Hospital on Upper Borough Walls.

The Chair, on behalf of the Panel thanked the officers for their report and presentation and said that future report would be added to their workplan.

## **80 LOCAL RECYCLING COLLECTION POINTS**

The Waste Strategy & Contracts Manager introduced this item to the Panel. She explained that the Council does not have a statutory duty to provide mini-recycling centres, but does now have a legal duty to collect paper, metal, plastic and glass by way of separate collection where it is “technically, environmentally and economically practicable”. She added that the mini-recycling centre service meets our statutory obligations.

She informed the Panel that communal recycling facilities called Mini Recycling Centres (MRC’s) are provided for people living in flats or similar accommodation as an alternative to the recycling green box service which is not appropriate for this type of accommodation.

She added that MRC’s are provided as part of our kerbside recycling service which is carried out by a contractor, Kier. She said that MRC’s have been provided for over 10 years and there are now 164 sites across the district, with each site usually made up of 6 x 240litre wheeled bins collecting paper, mixed plastic & cans and mixed glass. In December 2010 card collections were also provided to all of the sites.

She stated that the contract with our recycling services provider (Kier) has provision for the installation of up to 10 new MRC sites each year, with an annual contract payment made for each site. Additional sites above 10 can be negotiated if specifically required. Residents and management companies (including CURO) can request a new MRC site; this request is usually made via Council Connect. Initial contact is then followed up by a site visit to agree a suitable location and once appropriate permissions have been given, it is added to the installation schedule.

She said that when the bins are installed, officers from the waste campaigns team carry out door knocking visits to make residents aware of the new facilities and deliver leaflets to all residents. When an MRC is installed, Kier will monitor the usage of the site.

The Chair asked if there was a waiting list for sites.

The Waste Strategy & Contracts Manager replied that there was not one at the moment.

Councillor Liz Richardson asked if any thoughts had been given to Councillor Webber's particular issue of a site / sites within central Bath.

The Waste Strategy & Contracts Manager replied that fly tipping was a historical problem in some central areas and that previous supermarket collection sites were no longer in place. She added that work had been carried out in New King Street to address the times that residents were putting out there rubbish / recycling.

Councillor Douglas Nicol suggested that an MRC could be put in place opposite the Julian House office in New King Street.

Councillor Lisa Brett commented that the timing of recycling being put out for collection is a real issue and posed whether enforcement was necessary.

Councillor Liz Richardson said that if a central site / sites were introduced then it should be monitored by cameras and enforcement action taken if it was abused.

Councillor Douglas Nicol asked what the largest possible fine could be.

The Waste Strategy & Contracts Manager replied that it was £5,000.

The Chair on behalf of the Panel thanked her for her report and asked for consideration to be given to implementing a central site / sites.

## **81 PANEL WORKPLAN**

The Chair introduced this item to the Panel. She reminded them that a number of items had been raised during the meeting.

- Further report on Highways Contracts
- A36 Traffic Study / Air Quality Monitoring
- Public Space Protection Orders – Consultation results

She proposed that the following items be added to the workplan.

- Anti-Social Behaviour Crime and Policing Act 2014 – Impact on Licensing and Enforcement processes
- Local Flood Risk Management Strategy

Councillor Liz Richardson asked if any policy work could be undertaken with regard to Assets of Community Value.

Councillor Lisa Brett replied that she believed these matters were dealt with on a case by case basis.

The Panel agreed that the proposed items be added to the workplan.

The meeting ended at 11.10 am

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

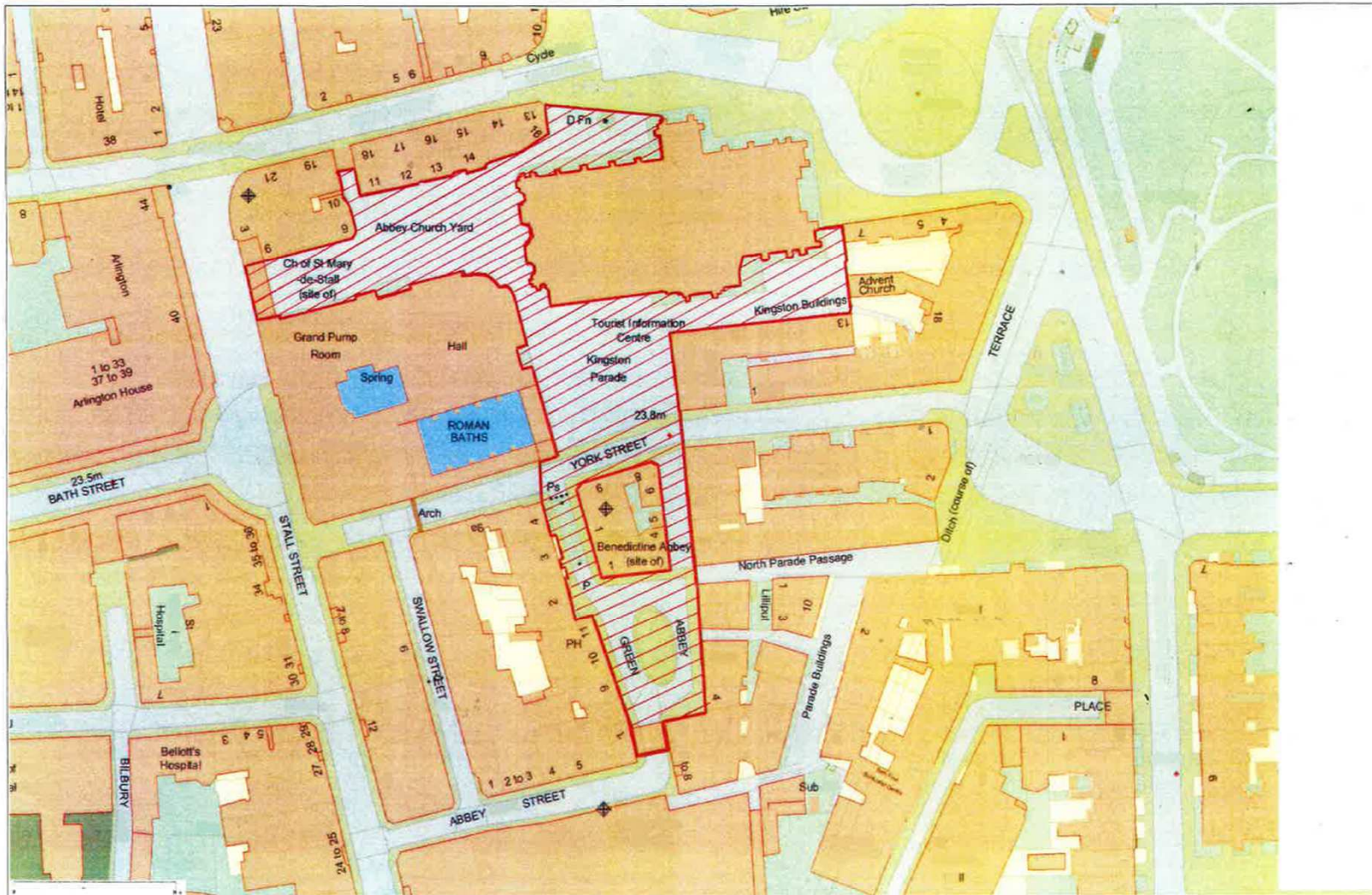


# Public Space Protection Order consultation

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# Public Space Protection Order consultation

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Abbey Green and Kingston Parade
- » 12 week public consultation period – gather  
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- » 1300 responses since 5 January
- » Public Consultation event
- » Report to Cabinet Member for Neighbourhoods



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# Consultation Workshop

- » Stakeholders
  - » Residents
  - » Businesses
  - » Buskers
  - » Members
  - » Musicians Union
- » Presentations provided perspective
- » Broad brush option raised concern
- » Offers of support from the Business Improvement District, Abbey, Musicians Union and Buskers
- » Potential review of the buskers guide
- » Monthly open buskers meeting