

BATH AND NORTH EAST SOMERSET

CABINET

Wednesday, 11th April, 2012

The decisions contained within these minutes may not be implemented until the expiry of the 5 working day call-in period which will run from Fri 13-Apr to Thu 19-Apr. These minutes are draft until confirmed as a correct record at the next meeting.

Present:

Councillor Paul Crossley
Councillor Nathan Hartley

Leader of the Council
Deputy Leader of the Council and Cabinet Member for Early Years, Children and Youth
Cabinet Member for Community Resources
Cabinet Member for Wellbeing
Cabinet Member for Homes and Planning
Cabinet Member for Sustainable Development
Cabinet Member for Neighbourhoods
Cabinet Member for Transport

Councillor David Bellotti

Councillor Simon Allen

Councillor Tim Ball

Councillor Cherry Beath

Councillor David Dixon

Councillor Roger Symonds

187 WELCOME AND INTRODUCTIONS

The Chair was taken by Councillor Paul Crossley, Leader of the Council.

The Chair welcomed everyone to the meeting.

188 EMERGENCY EVACUATION PROCEDURE

The Chair drew attention to the evacuation procedure as set out in the Agenda.

189 APOLOGIES FOR ABSENCE

There were no apologies for absence.

190 DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972

There were none.

191 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

192 QUESTIONS FROM PUBLIC AND COUNCILLORS

There were 12 questions from the following people: Councillors Brian Webber (4), John Bull, Tim Warren, Vic Pritchard, Patrick Anketell-Jones (2), Paul Myers (2), Matthew Blankley.

[Copies of the questions and response, including supplementary questions and responses have been placed on the Minute book as Appendix 1 and are available on the Council's website.]

193 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

There were three registered statements, all of which were made immediately before the item to which they related.

194 MINUTES OF PREVIOUS CABINET MEETING

On a motion from Councillor Paul Crossley, seconded by Councillor Nathan Hartley (and subject to an amendment in Minute item 183 on page 29 to the effect that a date of 22nd May be corrected to 2nd May), it was

RESOLVED that the minutes of the meeting held on Wednesday 14th March 2012 be confirmed as a correct record and signed by the Chair.

195 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

There were none.

196 CONSIDERATION OF MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

There were none.

197 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

The Cabinet agreed to note the report.

198 BATH & NORTH EAST SOMERSET COUNCIL PUBLIC LIBRARY PLAN 2012-15

Councillor Malcolm Veal in an *ad hoc* statement welcomed some elements of the plans, particularly relating to the volunteering, home delivery and the plans for Paulton Library. He felt however that a more strategic vision was required for the future. There had been a 900-signature petition to save the mobile libraries but the report showed that the service was being cut. He urged the Cabinet to take more time to consider the options available before making a decision.

Peter Duppa Miller in an *ad hoc* statement on behalf of Combe Hay Parish Council welcomed the pilot library at Wellow.

Councillor David Dixon, in proposing the item, said that the Council had consulted widely before bringing the Library Plan for approval. A way had been found to avoid cutting both mobile libraries, in addition to retaining all the smaller libraries which would be able to open longer hours as a result of the proposals. The community libraries proposals were exciting, and he had set a target of 3 to be opened by March 2013. The planned library links in post offices and shops was also exciting and would greatly benefit communities where a library building was not viable.

Councillor Paul Crossley seconded the proposal. He explained to Councillor Veal that the plans would ensure the future of local libraries long into the future. He

announced that Ed Vaisey (Minister for Culture) has agreed to visit the opening of the first community library, and invited Peter Duppa Miller to join them on that day.

Councillor Nathan Hartley said that the Cabinet had been determined to invest in the mobile library service, despite the fact that Somerset, Wilts and South Glos were all cutting large amounts from their library services. He noted that opening hours were being extended and the mobile service maintained following the extensive consultation process. He had been delighted to hear about the “friends” groups being set up, and observed that there had been no problem getting volunteers. He warmly welcomed the planned extension to the Home Library Service, which would be a great benefit to vulnerable people.

Councillor Roger Symonds said that he had at first been concerned about the future of the mobile service in his own ward, but was now pleased with the plans which would ensure improvement into the future.

Councillor David Dixon thanked Councillor Symonds for his involvement in developing the plans. He mentioned that free WiFi was also being extended into libraries.

On a motion from Councillor David Dixon, seconded by Councillor Paul Crossley, it was

RESOLVED (unanimously)

(1) To APPROVE the Library plan and funding options.

199 IMPLEMENTATION OF 20MPH SPEED LIMITS IN BATH & NE SOMERSET

Jane Roberts (a resident of Coronation Avenue) in a statement [*a copy of which is attached to the Minutes as Appendix 2 and on the Council's website*] appealed to the Cabinet to include Coronation Avenue and some neighbouring streets in the 20mph scheme. She presented a petition with 200 signatures and said that more people were signing every day. The main concern had been the school on Coronation Avenue, which had 3 crossing patrol people and would benefit greatly if included.

The Chair referred the statement and petition to Councillor Roger Symonds, for consideration and response in due course.

Councillor Tim Ball asked Jane Roberts whether there had been any near accidents in the vicinity during the crossing patrol periods and whether the imposition of a 20mph zone would improve that. Jane agreed that a 20mph limit would make the children much safer before and after school.

Councillor Charles Gerrish in an *ad hoc* statement referred to paragraph 2.2 of the report and asked Cabinet to take note that the stretch of Charlton Road, between the British Legion and St Ladoc Road, should not be classified as a main road because of the regular close shaves caused by the sudden narrowing of the road. He felt that this stretch must be included in the 20mph zone.

Councillor Tim Warren in an *ad hoc* statement said his Group was mainly in favour of the proposals but had some concerns. He asked how the zones would be policed, and asked for consultation on a ward-by-ward level.

Peter Duppa Miller in an *ad hoc* statement asked that in rural areas the Cabinet should consult very carefully because it would be very important to small communities to maximise safety without imposing a clutter of signage.

Councillor Vic Pritchard in an *ad hoc* statement reminded Cabinet that Ubley Parish Council had once been a keen supporter of such a zone, until it had been implemented because of the ugly signage, particularly in the small roads off the main road.

Councillor Roger Symonds in proposing the item, agreed with Peter Duppa Miller that signage should be minimised. In response to the comment made by Councillor Charles Gerrish, he agreed that the narrow stretch of Charlton Road could be included. He referred to Councillor Tim Warren's question about policing, and agreed that the police were unlikely to police the zones very robustly because of their own stretched resources, but he felt nevertheless that after campaigning for so long that "20 is plenty", now was the time to implement these plans. Lowering speeds from 30mph to 20mph would reduce accidents by up to 70%. He felt that the zones would be mainly self-enforcing.

Councillor Cherry Beath seconded the proposal and said that driving too fast in residential areas was seen by local people as a major issue.

Councillor Tim Ball supported the proposals. He reported that there had been a 20mph scheme in Twerton for 20 years which had never needed enforcing, although he observed that a small minority of "racers" would never observe any speed limit. Only one person had ever objected to the scheme.

Councillor Roger Symonds confirmed that the signage would be surrounded by red circles (not green) and would be enforceable.

On a motion from Councillor Roger Symonds, seconded by Councillor Cherry Beath, it was

RESOLVED (unanimously)

- (1) To AGREE that subject to public consultation and completion of statutory processes, 20mph speed limits are implemented on residential streets in Bath and North East Somerset;
- (2) To EXCLUDE the main traffic routes from 20mph speed limits;
- (3) To APPROVE the 2 year delivery programme;
- (4) To DELEGATE authority to the Divisional Director Planning and Transport Development in consultation with the Cabinet Member for Transport to amend and add to the programme as appropriate;
- (5) To AGREE that informal consultation will be carried out with stakeholders and residents in streets to be included in each 20mph speed limit area prior to the Order being formally advertised; and
- (6) To AGREE that any objections to the Order will be considered by the Cabinet Member for Transport prior to making a Single Member Decision on whether to make the Order.

200 PLANNING POLICY ON TEMPORARY FESTIVAL BANNERS AND PROMOTIONAL MATERIAL

Jane Brown (Bath Preservation Trust) in a statement [*a copy of which is attached to the Minutes as Appendix 3 and on the Council's website*] welcomed the Council's intention to manage banner displays, but felt that option 3 would be too heavy-handed and expensive. She asked Cabinet to approve option 2. The Trust was willing to work with Cabinet to produce suitable guidance.

Councillor Tim Ball thanked Jane Brown for her statement. He agreed to involve the Bath Preservation Trust in the plans and said he would ask officers to prepare a stakeholders engagement schedule. He confirmed however that he believed that option 3 was the right way ahead and moved the recommendation to progress Option 3.

Councillor David Dixon seconded the proposal. He observed that a recent international conference on digital media had been held in Bath, but no one had known because there was no public signage. More recently, the Bath Literary Festival had been held but there had also been no public signage. He felt that the city should celebrate the many events which are held in the city and that properly managed signage was one way to do this. He emphasised the importance of good design and proper lamppost fixings to ensure that the best impression is given to visitors to the city.

Councillor Cherry Beath was very pleased that the issue was at last being addressed. She agreed that the Bath Preservation Trust should be involved in preparing the guidance notes.

Councillor Tim Ball confirmed that he would engage with the Trust at an early stage.

On a motion from Councillor Tim Ball, seconded by Councillor Cherry Beath, it was

RESOLVED (unanimously)

(1) To PROGRESS the process outlined in Option 3: Maximise Control and Corporate Management; and

(2) To ASK that a further report is brought to Cabinet following completion of the stages A-E so that Cabinet can consider the submission of a planning application; agree the implementation process; and agree any necessary additional funding to cover additional costs.

201 CONCEPT STATEMENTS FOR MOD SITES IN BATH

Jane Brown (Bath Preservation Trust) in a statement [*a copy of which is attached to the Minutes as Appendix 4 and on the Council's website*] welcomed the publication of the draft statements and supported the consultation and communication approach outlined in the proposals. She asked that the Trust be consulted on the development of the guidance documents.

Councillor Charles Gerrish in an *ad hoc* statement welcomed the principle but expressed considerable disappointment that the issue had been brought to Cabinet before any discussion with the Local Development Fund Steering Group. He observed that the Ensleigh proposals mentioned the view “from Beckfords Tower” but not the view “of Beckfords Tower”. This was a significant omission and he felt it must be remedied.

Councillor Patrick Anketell-Jones in an *ad hoc* statement said that he felt the Ensleigh proposals would struggle to exist in their own right, if in competition with Fox Hill. He asked Cabinet to ensure its viability.

Councillor Tim Ball in proposing the item, said that the documents were still draft, and that a consultation period was starting. He acknowledged that although the formal consultation process would end on 31st of May, but agreed with Councillor Gerrish that the LDF Steering Group would be fully consulted before the end of the period. He made a promise to Councillor Patrick Anketell-Jones that full consideration would be given to his comments about the Ensleigh proposals.

Councillor Ball moved the recommendations, but with one amendment, the effect of which would be to confirm that the consultation responses would be used to amend the documents before they were launched.

Councillor Nathan Hartley seconded the proposal. He observed that the proposals were about more than building houses – they needed to be about building communities. He said that integration into the existing communities must be ensured, and reminded Cabinet of the lost opportunity in Peasedown St John where the failure to build a link road between the old and the new had led to social division.

Councillor Roger Symonds said that the proposals were very good. They would include 20mph speed limits from the start. He observed that plans had gone ahead very quickly, and asked how people would be kept informed. He suggested that, in order to ensure good consultation with the 3 existing communities, a leaflet drop should be arranged.

Councillor Cherry Beath said that she welcomed Councillor Ball's amended wording, which she felt would underline that the Cabinet wished to listen.

Councillor Tim Ball thanked all contributors. He agreed with Councillor Symonds that a leaflet drop would be arranged on all 3 sites.

On a motion from Councillor Tim Ball, seconded by Councillor Nathan Hartley, it was **RESOLVED** (unanimously)

- 1) To APPROVE the draft Concepts Statements for the MoD sites at Ensleigh, Foxhill, and Warminster Road for public consultation;
- (2) To DELEGATE authority to the Divisional Director of Planning & Transport, in consultation with the Cabinet Member for Homes and Planning, to make minor textual amendments prior to publication of the draft Concepts Statements for public consultation;
- (3) To APPROVE the public consultation strategy; and
- (4) To CONSIDER the comments received and revise the concept statements before their endorsement and launch.

202 PROPOSALS FOR A COMMUNITY INFRASTRUCTURE LEVY FOR BATH & NORTH EAST SOMERSET

Councillor Tim Ball in proposing the item, said that the levy would be a tax on building, which would cover the infrastructure costs which presently were covered by s.106 agreements. The levy would essentially replace s.106 although some s.106 agreements might still exist.

Councillor David Bellotti, in seconding the proposal, asked Councillor Ball to agree to an amendment to table 2 in section 4.21 of the Draft Schedule document (and reproduced in section 5.7 of the report), the effect of which would be to amend the "Office" row in the table from *nil* to £30 per m². He suggested this because he felt that offices have workers, who use the local infrastructure. In explaining his thinking, he pointed out that he disagreed with a sentence in table 1 of section 3.20 of the Draft Schedule which stated "although there is an adequate demand for space, this has not generated rents that would be high enough to support new development". He reminded Councillor Ball that the charge could be reconsidered each year.

Councillor Tim Ball accepted the amendment although with some reservations that the proposals might not prove to be acceptable to developers. In summing up, he

said that it would be illegal to impose any tax which prevented development, so it would be necessary to pay attention to what the market said about the proposals.

On a motion from Councillor Tim Ball, seconded by Councillor David Bellotti, it was

RESOLVED (unanimously)

(1) To AGREE that the draft charging schedule be amended so that in Table 2 of paragraph 4.21, the CIL Rate for Offices be amended from *nil* to £30 per m²;

(2) To APPROVE the preliminary draft charging schedule for a public consultation in April – June 2012;

(3) To DELEGATE responsibility to the Divisional Director of Planning & Transport, in consultation with the Cabinet Member for Homes & Planning, to make minor textual amendments prior to publication of the CIL Preliminary Draft Charging Schedule for public consultation;

(4) To AGREE that a procedure be established to monitor annually and review the CIL to ensure rates remain appropriate and effective; and

(5) To ASK that following consultation on the preliminary draft charging schedule a further report is brought to Cabinet on the draft charging schedule.

[Clause 1 above was included as a result of an amendment suggested by the seconder and accepted by the proposer of the motion].

203 SCHOOL TERM AND HOLIDAY DATES 2013-14 ACADEMIC YEAR

Councillor Nathan Hartley in proposing the item, observed that the proposed dates were the same as those already announced by neighbouring authorities. There had been consultation with teachers unions about the proposals.

Councillor David Bellotti seconded the proposal. He observed however that the consultation had not listed parents, and asked that this be corrected for future years. He also observed that because of in service training days, neighbouring schools might still have different days of opening despite the Council's advertised dates. He referred to paragraph 2.2 of the report and said that he felt parents should be allowed to take their children on holidays during term time, although he recognised that this was a minority view.

Councillor Hartley, summing up, replied to the points made by Councillor Bellotti. He acknowledged that many schools did not consult directly with parents on term dates and agreed to take account of the point about parental consultation. He also acknowledged that Head Teachers should have some discretion about whether to agree to term-time holidays if there were major socio-economic or other factors involved for the family.

On a motion from Councillor Nathan Hartley, seconded by Councillor David Bellotti, it was

RESOLVED (unanimously)

(1) To ADOPT the School Term and Holiday dates recommended for the 2013-14 academic year;

(2) To AGREE the importance of good school attendance and the link with good outcomes for children and young people; and

(3) To SUPPORT schools in encouraging parents to take holidays out of term time.

204 ALCOHOL HARM REDUCTION STRATEGY (RECOMMENDED FROM PARTNERSHIP BOARD FOR HEALTH AND WELLBEING)

Councillor Simon Allen in proposing the item emphasised the social, health and economic harm suffered because of alcohol dependency.

Councillor David Dixon seconded the proposal and referred to the major problem of cheap alcohol drunk at home before going out.

Councillor Tim Ball said that alcohol destroyed families; and cheap alcohol destroyed children's lives. He felt that the government must move to reduce the alcohol levels in drinks.

Councillor Simon Allen thanked the Public Health Team for their hard work and the Cabinet for their support over the issue.

On a motion from Councillor Simon Allen, seconded by Councillor David Dixon, it was

RESOLVED (unanimously)

(1) To ADOPT the Refreshed Alcohol Harm Reduction Strategy for B&NES; and

(2) To AGREE the key priorities.

205 HIGHWAY STRUCTURAL MAINTENANCE CAPITAL PROGRAMME FOR 2012/2013

Peter Duppa Miller in an *ad hoc* statement emphasised that rural areas sought an assurance that interconnecting roads would be maintained and repaired, as well as main roads. He mentioned some roads he was aware of which were already in a state of disrepair and in need of quite urgent attention.

Councillor Charles Gerrish in an *ad hoc* statement warned the Cabinet that concrete-based roads, such as Ashmead down, could not be repaired by simply resurfacing because the base was breaking up in places and would not hold. Roads such as this needed to be rebuilt.

Councillor Roger Symonds asked Councillor Gerrish to email him with the details of the roads he had in mind. He assured Peter Duppa Miller that he would do all he could to maintain connecting roads, but observed that there was only so much budget available. He moved the proposals.

Councillor Paul Crossley seconded the proposal.

Councillor Nathan Hartley welcomed the capital programme and its investment in rural areas.

Councillor Roger Symonds observed that micro asphaltting could work over concrete roads, but agreed that there could be problems if the road was heavily used.

On a motion from Councillor Roger Symonds, seconded by Councillor Paul Crossley, it was

RESOLVED (unanimously)

(1) To AGREE the Highway Structural Maintenance Programme for 2012/13; and

(2) To DELEGATE authority to the Divisional Director, Environmental Services and the Service Manager, Highways to alter the programme, in consultation with the

Cabinet Member for Transport, as may prove necessary during 2012/13 within the overall budget allocation.

206 CAPITAL PROJECT APPROVALS AND UPDATES TO THE CAPITAL PROGRAMME

Councillor Charles Gerrish in an *ad hoc* statement referred to paragraph 3.2 of the report, and observed that the reference to 2012 should read 2011.

Councillor David Bellotti moved the recommendations, saying that he believed all 3 of the funding proposals would be very welcome to his Cabinet colleagues.

Councillor Paul Crossley seconded the proposal.

On a motion from Councillor David Bellotti, seconded by Councillor Paul Crossley, it was

RESOLVED (unanimously)

(1) To APPROVE Capital Project – Lansdown Tuition Centre Dilapidations for inclusion in the 2012/13 Capital Programme;

(2) To APPROVE Capital Project – Culverhay School Co Educational Adaptations for inclusion in the Capital Programme, subject to full project plan which has been presented to Project Initiation & Deliverability Group and Capital Strategy Group; and

(3) To APPROVE Capital Project – Adult Personal Social Services Capital Grant for inclusion in the Capital Programme, subject to full project plan and business case which has been presented to Project Initiation & Deliverability Group and Capital Strategy Group.

The meeting ended at 8.07 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services