

CABINET MEETING 11th April 2012

The following Statements and Questions had been registered by the time of publication.

REGISTERED SPEAKERS

There were 3 notices of intention to make a statement at the meeting. Where the intention is to speak about an item on the Agenda, the speaker will be offered the option to speak near the beginning of the meeting or just before the Agenda item.

Re: Agenda Item 13 (20mph Speed Limits)

- Jane Roberts (Resident, Coronation Avenue)

Re: Agenda Item 14 (Promotional Banners)

- Jane Brown (Bath Preservation Trust)

Re: Agenda Item 15 (MoD Concept Statements)

- Jane Brown (Bath Preservation Trust)

QUESTIONS AND ANSWERS - COUNCILLORS

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| M 01 | Question from: | Councillor Brian Webber |
| Have any offers been received from would-be sponsors of the roundabout at the junction of Pulteney Road and Vane Street. If so, when is it hoped that planting would commence? | | |
| | Answer from: | Councillor David Dixon |
| <i>Expressions of interest have been received and letters will be sent out shortly requesting bids for the sponsorship opportunity. The roundabout is being planted with pansies on Tuesday 3 April in the Olympic brand colours.</i> | | |

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| M 02 | Question from: | Councillor Brian Webber |
| In a written reply to a question at the Cabinet meeting on 11 January 2012 Cllr Dixon said that arrangements were being made to post on the Recreation Ground Trust's website a copy of the submission made by the Trust Board to the Charity Commission just before Christmas. On 27 March in an email reply to Mr J Sparrow Cllr Dixon said | | |

the submission would be released when it had been agreed with the Charity Commission. How are these two replies to be reconciled? Are not beneficiaries entitled to know the terms of the proposal for which the Trust Board is seeking the Commission's approval?

Answer from:

Councillor David Dixon

The Trust Board wrote to the Charity Commission in December setting out their proposals to resolve the situation at the Recreation Ground. The proposals are already in the public domain having been widely consulted on. A copy of the consultation report has already been published.

I had anticipated that details of a scheme would be available to publish early in the new year. However this process has taken longer than expected partly due to internal restructuring at the Charity Commission.

Full details of the final scheme will be published as soon as they are available. This will include proposed lease terms and independent land valuations which are currently restricted by confidentiality agreements.

M 03

Question from:

Councillor Brian Webber

There appears to be a short stretch of Upper Hedgemoad Road approaching its junction with Lansdown Road where parking is uncontrolled because it falls into neither the Central Zone nor Zone 15. If so, what is the rationale? Would it be desirable to include this stretch in the Central Zone to ease marginally the shortage of spaces reserved exclusively for residents?

Answer from:

Councillor Roger Symonds

The Highway Engineer who designed the scheme decided to retain the area in question as unrestricted parking for all vehicles, due to the needs of non-residents and visitors.

Changes to Central Zone are currently on the draft forward plan for Quarter 1 in financial Year 2014-15 and this change can be considered at the same time. To change the zone would require a change to the Traffic Regulation order which can take up to an additional 12 months due to statutory processes. However, a review for zone 15 is planned to commence in this quarter and therefore consideration will be given to this request as part of this review – the statutory timeframe for changes will require still require up to 12 months for completion.

M 04

Question from:

Councillor Brian Webber

Would it be desirable and feasible to introduce a 7.5 ton limit on goods vehicles allowed to enter Grove Street and St John's Road, Bath, other than for essential access?

Answer from:

Councillor Roger Symonds

Environmental weight limits are designed to stop heavy vehicles from using inappropriate routes as a short cut. A 7.5 tonne weight limit on Grove Street/St John's Road would be feasible; however it could only be justified if a significant number of heavy vehicles were using this route as a short cut. Traffic surveys would therefore need to be carried out to establish whether this was the case, before introduction of a weight limit could be considered. Any such weight limit would contain an exemption allowing heavy vehicles to enter the limit to load or unload.

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| M 05 | Question from: | Councillor John Bull |
| Is it the case that this Council is levying a £10,000 charge for administering the Community Fund for Keynsham provided under the s.106 agreement by Tesco's? if so, what is the justification for this? | | |
| Answer from: | | Councillor Tim Ball |
| <i>I thank Cllr Bull for bringing this to my attention. I was not aware of the charge and am not happy with it. I start from the assumption that all this money should be invested in community projects so I will work with officers to reduce or if possible remove the charge entirely.</i> | | |

QUESTIONS FROM COUNCILLORS WHICH ARRIVED LATE BUT WHICH THE LEADER OF THE COUNCIL AGREED TO ACCEPT

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| M 06 | Question from: | Councillor Tim Warren |
| Can the Cabinet Member please provide an update on when revised proposals for Dog Control Orders are to be published for public consultation, as this remains an issue of considerable concern to many residents in rural areas. | | |
| Answer from: | | Councillor David Dixon |
| <i>I can confirm that the Dog Control Orders are still going to go ahead in a manner that will provide an avenue of regulation only where necessary. As you will be aware, there were unfortunate issues with the maps and some residents felt that the orders went too far originally. A workshop has been convened with key stakeholders in the first week of May to discuss the principles behind introducing the orders and I have then requested that officers consult with members, Town and Parish Councils before opening the consultation to the wider public. A realistic timescale for the introduction of the Orders with this increased amount of consultation will be the second half of this year.</i> | | |

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| M 07 | Question from: | Councillor Vic Pritchard |
| <p>Can the Cabinet Member please explain what the Council's process is for introducing new speed limits on non-residential roads, in terms of:</p> <ul style="list-style-type: none"> • Criteria; • Consultation process; • Average speed check before change of speed limit; <p>Also, is the new speed limit, once introduced, reviewed after a period of time to monitor its effectiveness in terms of reducing the number of accidents and reducing the average speed?</p> | | |
| Answer from: | | Councillor Roger Symonds |
| <p><i>Speed limits on all A and B roads in B&NES were recently reviewed as part of a national exercise, and a number of changes recommended. These recommendations will be pursued as and when funding is allocated.</i></p> <p><i>Speed limits can be reviewed on an ad hoc basis, using the existing accident record, existing speeds and local road environment, and in close consultation with the Police. Where a change to the existing speed limit is deemed appropriate, the normal Traffic Regulation Order consultation process is invoked. This includes informal consultations with local interested parties, including Members, Parish Councils and/or residents' associations, followed by a formal consultation including public advertisement of the proposals. The responses to formal consultation (if any) are then considered by the Cabinet Member for Transport, who decides whether the proposal should go forward, be modified, or be withdrawn.</i></p> <p><i>Where speed limit changes are introduced, it is normal practice to monitor vehicle speeds before and after implementation.</i></p> | | |

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| M 08 | Question from: | Councillor Patrick Anketell-Jones |
| <p>Can the Cabinet Member please detail what measures will be put in place to monitor the effectiveness of the planned new 20mph zones, in terms of average speed reduction and reduction in number of accidents?</p> | | |
| Answer from: | | Councillor Roger Symonds |
| <p><i>Before and after speed measurements will be taken on all roads in the proposed area wide 20mph speed limit, other than in those streets judged to be of similar character where speed measurements in a representative street will be taken.</i></p> <p><i>In terms of the reduction in accidents, before road casualty data averaged over 3 years will be used to compare with the average road casualty data 3 years after implementation.</i></p> | | |

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| M 09 | Question from: | Councillor Patrick Anketell-Jones |
| What is the timetable for the conversion of the north wing of the Guildhall to a creative business hub? | | |
| Answer from: | Councillor Cherry Beath | |
| <p><i>The following are the key milestones for delivering The Guild Co-Working Hub:</i></p> <ul style="list-style-type: none"> • 9 May: Cabinet considers the project • July: Initial occupation under license • September: Planning and listed building approval • October: Building works start • Late 2012/early 2013: Final occupation | | |
| Supplementary Question: | | |
| Can the Cabinet member say when the hub will be fully vacated by the Council? | | |
| Answer from: | Councillor Cherry Beath | |
| <i>The milestones show that the premises will be available for occupation in 2-3 months</i> | | |

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| M 10 | Question from: | Councillor Paul Myers |
| Can the Cabinet Member confirm that homes and business not able to get access to superfast broadband due to their close proximity to the local telephone exchange will be given the same priority as other homes and businesses under the rural broadband access project? A case in point is Midsomer Norton telephone exchange where residents in St Chad's Avenue and key businesses in the Island are affected. | | |
| Answer from: | Councillor Cherry Beath | |
| <p><i>St Chad's Avenue, BA3 2HG and The Island BA3 2HA both show up under postcode checkers (SamKnows and Uswitch) as being fully enabled for superfast broadband and the Radstock exchange is fully enabled.</i></p> <p><i>It is possible that the local cabinet has not been enabled yet or that the premises are connected directly to the exchange, in which case they will fall under BT's national project to look at these issues, where they hope a solution will be found in the very near future to resolve it. Alternatively, there is an alternative product called BTnet services which give the speeds required but at greater cost.</i></p> <p><i>It is not legally possible for these areas to be covered by the Connecting Devon and Somerset programme with BDUK funding. This is because the private sector has announced they will deliver in this area. As such State Aid legislation means that public subsidy cannot deliver in this area and it is outside the scope of the BDUK project.</i></p> <p><i>At the deployment stage of the BDUK funded project, the private sector will come under</i></p> | | |

pressure to deliver in areas where they have stated broadband will be available and in the meantime Officers are making enquiries with BT to clarify the situation with those addresses in Midsomer Norton as mentioned and will continue to seek to resolve the issue.

Supplementary Question:

Can the Cabinet member give an indication of when action will be taken and by whom?

Answer from:

Councillor Cherry Beath

We are still collecting data. Areas not served by superfast broadband will be flagged up by that exercise.

M 11

Question from:

Councillor Paul Myers

In the light of the following references to the Alcan site, does the cabinet member agree that the £445,000 arising from the Alcan Section 106 agreement should be spent on project(s) in Midsomer Norton and that the equivalent of a sequential test should be applied to consider all possible sites in Midsomer Norton first before other sites are considered?

- The existence of an approved Cabinet paper entitled Midsomer Norton Town Centre Economic Regeneration Delivery Plan - spring 2011 which details the regeneration and job creation aims of the Council in Midsomer Norton;
- The email sent by B&NES Officer Gwilym Jones dated 15th March 2012 giving details of the Alcan Section 106 agreement reported to the Development Control Committee, which said: 'The purpose of the clause/payment is to provide employment space to replace the 220 jobs that were provided on the Alcan site and the draft agreement refers to the developer using reasonable endeavours to provide this space 'within the area of Midsomer Norton or in such other location as shall be agreed in writing between the Owner and the Council'.

Answer from:

Councillor Cherry Beath

Background

As part of a package of measures to provide replacement local employment to offset the jobs lost when the factory on the Alcan site closed Linden Homes (the applicant for the development of the site) has agreed to either fund the provision (capped at £445,000) of off-site employment space in the local area in the form of a Business Hub for small and medium size enterprises and start-ups or, if no suitable site is found, then make a financial contribution to the Council of £445,000 for the provision of off-site employment space.

This provision also helps to meet the aims of the Midsomer Norton Town Centre Economic Regeneration Delivery Plan which states, in relation to the Alcan site, "development of the site for a mix of uses could contribute towards achieving the regeneration objectives for the Somer Valley by facilitating the provision of new modern

business space focused on office based business services & knowledge, employment which can replace the jobs that were lost when the factory closed whilst helping to restructure the local economy”.

Draft s.106 Agreement

To meet the tests for planning obligations set out in the recently published National Planning Policy Framework (NPPF) as well as being necessary to make the development acceptable in planning terms the provision of the employment space needs to be directly related to, and fairly and reasonably related in scale and kind to, the development.

The draft s.106 agreement refers to the provision of the space being ‘within the area of Midsomer Norton or in such other location as shall be agreed in writing between the Owner and the Council.’ The reference to the ‘area of Midsomer Norton’ is not defined by Ward or Parish boundaries.

In terms of the purpose for which the financial contribution is used this would need to be for the provision of employment space rather than other unspecified ‘project(s)’.

Site Search

At the moment no building/site has been identified and the provision of the space might involve the conversion of an existing building or be new build

The process for finding a site is not specified in the s.106 however the focus should be on the provision of space that maximises employment opportunities as well as ensuring that the money is used effectively. Accordingly it is appropriate that the area of search is reasonably broad to ensure a range of suitable options are considered.

In planning terms, there is nothing that would necessarily exclude any particular site within the Midsomer Norton / Westfield / Radstock area from being considered. Whilst the criteria on which sites are to be evaluated and site selected need to be agreed, it is considered that applying a sequential test that first considers all possible sites in Midsomer Norton area before any other sites are considered may exclude other more suitable sites within the local area.

Supplementary Question:

Would the Cabinet member please reconsider her response in the light of the existence of an approved Cabinet paper entitled Midsomer Norton Town Centre Economic Regeneration Delivery Plan - spring 2011 which states:
"surrounding the town centre, we need to maximise the potential of nearby development sites to complement and support the High Street" and; "to seek to deliver the ERDP objectives for MSN town centre and the wider Somer Valley area five key development opportunities have been identified" (Site 4 Alcan).

Answer from:

Councillor Cherry Beath

My previous answer is clear enough – what was agreed through the s.106 agreement.

M 12

Question from:

Councillor Matthew Blankley

Recent reports that Saltford Station has been included in the Greater Bristol Metro project by the West of England authorities is very welcome. If the DfT agrees to include

a Salford Station stop in its tender for the Great Western franchise, can the Cabinet Member please explain the process for the re-opening/building of a new Salford Station, the expected timescale for the reopening, the anticipated cost and who would most likely fund the work? Also, has any discussion so far been held with the nearby residents who currently rent parking spaces at the former station site?

Answer from:

Councillor Roger Symonds

*The Salford Station proposal is a priority for the Greater Bristol Metro Project included in Phase 2 of the project programmed for 2019-2023, subject to a business case. (See link ** below).*

The process for reopening a station is both lengthy and complex, but a feasibility study will first be needed to assess the impact of a new station on the rail network, amongst other factors. The estimated capital costs are £5.5m-£6.5m excluding highway works, however it is too early to say at this stage who will fund the work or hold discussions with residents who rent spaces on the former station site.

**** See the link at:**

www.westofengland.org/media/239804/item%2010%20rail%20update%20great%20western%20franchise.pdf

QUESTIONS AND ANSWERS - PUBLIC

There were none.