

## CABINET MEETING 12<sup>th</sup> Sep 2012

### QUESTIONS AND ANSWERS - COUNCILLORS

<b>M 01</b>	<b>Question from:</b>	Councillor Eleanor Jackson
<p>What is the cabinet going to do about the half million pounds promised to the people of Radstock by Cllr Bellotti in the 2012-13 Budget for economic regeneration, and which would be most appropriately used to create apprenticeships?</p>		
<b>Answer from:</b>		Councillor Cherry Beath
<p><i>The exact details of the proposals are still to be finalised, but will need to relate to capital expenditure.</i></p> <p><i>In respect of apprenticeships the Council is actively involved in increasing apprenticeship opportunities through the B&amp;NES Learning and Skills partnership, membership of which includes the National Apprenticeships service and both Colleges.</i></p>		
<b>Supplementary Question:</b>		
<p>The Economic Forum is nearly as defunct as the NRR. Will the Cabinet member not agree that an apprenticeship scheme is badly needed?</p>		
<b>Answer from:</b>		Councillor Cherry Beath
<p><i>My reply referred to apprenticeships and I will discuss this with Councillor Jackson after the meeting. The Economic Forum is <u>not</u> defunct.</i></p>		

<b>M 02</b>	<b>Question from:</b>	Councillor Eleanor Jackson
<p>When are effective measures going to be taken to reduce speeding down the Bath Old Road, the Frome Road (A362) and Kilmersdon Road/Haydon Hill? It is now more than six months since Cllr Symonds visited the problem areas, but nothing has been done.</p>		
<b>Answer from:</b>		Councillor Roger Symonds
<p><i>The A362 Frome Road has been considered and the following actions carried out:</i></p> <ol style="list-style-type: none"> <li><i>1. 30mph roundels have been painted on both inbound and outbound carriageways from Radstock centre to Writhlington crossroads.</i></li> <li><i>2. The Safety Camera operators have agreed to enforce on this road. A site has been selected at Mount Pleasant and enforcement has already taken place. Dedicated parking bays on the wide footway at this site are due to be installed in the near</i></li> </ol>		

*future to allow more regular enforcement to be carried out.*

3. *A pole and power for a vehicle activated sign is in place, also at Mount Pleasant. Funding for the sign is not in the current capital programme, however an item will be included in the bid for 2013/14 capital funding.*

*With regard to Kilmersdon Road/Haydon Hill, 30 roundels are in place, and a funding item for a vehicle activated sign will be included in the bid for 2013/14.*

*Although Bath Old Road is known to be used by rat-running traffic trying to avoid queues on the A367 into Radstock, counts have shown that vehicles do not generally contravene the speed limit, therefore no further action is proposed at this location.*

<b>M 03</b>	<b>Question from:</b>	Councillor Eleanor Jackson
When is the NRR going to be held to account for the SWRDA and B&NES funding it has received since 2000 without a single house being built on the former GWR railway lands, Radstock?		
<b>Answer from:</b>	Councillor Paul Crossley	
<i>The Cabinet meet regularly with NRR and their preferred development partner Linden Homes to continue to challenge and support progress towards regeneration. SWRDA's grant was specifically for land purchase which has been completed and therefore meets the conditions of the grant. This investment is secured via a charge on the land.</i>		
<b>Supplementary Question:</b>		
Is the Cabinet member aware that according to Companies House, there is a further mortgage Bellway Homes? What are the implications of this?		
<b>Answer from:</b>	Councillor Paul Crossley	
<b><i>The following response was provided within 5 days of the meeting:</i></b> <i>Yes, I am aware of the Bellway charge over the land. The development cannot start on the site without clearing the Bellway charge. This is responsibility of the landowner and their current development partner.</i>		

<b>M 04</b>	<b>Question from:</b>	Councillor Michael Evans
RE: Designated Public Place Order, Midsomer Norton Midsomer Norton Town Council voted, on 6 August, in favour of a Designated Public Place Order in the town. As in Bath, this order would authorise police to require individuals to give up their alcohol if it is being consumed in the Designated Place. It would not outlaw all alcohol consumption in the area, and already licensed parts of the area such as tables outside pubs are excluded. Police would be unlikely to approach those consuming alcohol in a peaceable and unthreatening way. The local police are in		

favour of such an order. Evidence indicating the need for the order and public support for it is already in place as a result of the survey conducted by the Town Council in support of the Community Alcohol Partnership in Midsomer Norton, which was launched on July 16th.

Midsomer Norton Town Council has offered to contribute officer time to carry out the necessary administrative work and formal public consultation to bring the order into effect. Would the Cabinet Member commit to supporting the use of the appropriate Bath and North East Somerset officers to enable Bath and North East Somerset Council to make this order?

**Answer from:**

Councillor David Dixon

*Officers of the Public Protection Service and Community Safety Team are already attending the Midsomer Norton Community Alcohol Partnership, which is led by local Councillors. Members of this group include Avon and Somerset Police, Midsomer Norton Town Council and local businesses who, along with officers of this authority are working together with a focus on alcohol related issues.*

*The Community Alcohol Partnership (CAP) has developed its Action Plan which sets out to address the main drivers associated with alcohol related nuisance and anti-social behaviour through a comprehensive partnership approach. A key aim of the CAP is to evidence the level and nature of problems associated with the Night Time Economy of Midsomer Norton and ensure that the action plan reflects actual need.*

*A group of officers together with concerned local residents conducted a night time audit of the town on the evening of Friday 31 August - carrying out a survey of the area, assessing anti- social behaviour, noise and litter etc. Problems and issues highlighted from Friday evening are already being actioned through the Licensing Enforcement Group (LEG.). In addition, based on the observations made during the audit, a range of further actions will be implemented, including provision of specific advice and education to proprietors of fast food venues to reduce dumping of food wrappers and soft drinks containers; also to liaise with providers of local youth services to work with young people to address noise and nuisance in a number of identified hot spot locations.*

*I am delighted to commit the use of appropriate officers from the Community Safety and Public Protection teams to work with partner organisations including Midsomer Norton Town Council to follow the process of consultation and introduction of a Designated Public Place Order in Midsomer Norton."*

**Supplementary Question:**

Thank you for the response. May I assure him that there will be cross-party cooperation on this?

**Answer from:**

Councillor David Dixon

*Yes, that is welcome.*

**M 05**

**Question from:**

Councillor Vic Pritchard

Why is it that hedges and verge cutting on public highways have not maintained to the same level as in previous years? I have witnessed several occasions of an elderly lady walking in the road approaching the two headed man junction due to the fact the footpath was impassable due to overgrowth of brambles and nettles over a considerable distance, which is not conducive to pedestrian safety.

**Answer from:**

Councillor Roger Symonds

*A proposed reduction in the verge maintenance programme for 2012/13 was reported to the PDS Panel on 17 January 2012 and adopted as part the budget approved by full Council on 14 February 2012.*

*An exceptionally wet summer has accelerated the growth of vegetation creating an extra demand for service. To ensure safety for all users of the highway, Extra resources are being deployed to attend to any area deemed to cause a problem, identified by the public or the Highways team.*

*In a number of locations being reported to the Council the problem is due to landowners failing to prevent their trees, hedges and shrubs overhanging the highway. Where appropriate, the Officers will serve formal notice and take action against landowners who create a danger by failing to maintain their verges/hedges.*

**Supplementary Question:**

You admit to cutting the verge programme but excuse yourself by saying that you provided extra resources because the summer had been so wet. But when will we see some action?

**Answer from:**

Councillor Roger Symonds

*I refer Councillor Pritchard to my previous answer. Where long grass becomes a possible safety risk, we cut it immediately.*

**M 06**

**Question from:**

Councillor Mathew Blankley

The Draft Core Strategy states that B&NES "recognises the need for studies to assess the Saltford bypass" and Saltford's Parish Plan makes clear that 70% of respondents want the village bypassed. Given that this Cabinet provided £100,000 for a High Level Option Assessment into the viability of a re-opened station, in June of this year, (and suggests that another £150,000 will be needed over the coming two years), could the Cabinet Member confirm when the Council will initiate a High Level Option Assessment into the bypassing of Saltford?

**Answer from:**

Councillor Roger Symonds

*The reference to a study into a Saltford Bypass is based on the modelling work that was undertaken in developing this Council's Core Strategy and is listed as a possible longer term project in the Joint Local Transport Plan 3. There is no budget to undertake this work. Funds were made available for reviewing the potential to reopen Saltford Station*

*as part of the Greater Bristol Metro project, a priority project in Joint Local Transport Plan 3, and also to take advantage of the opportunities presented by the new Great Western Franchise and the electrification of the main line to London.*

**M 07**

**Question from:**

Councillor Michael Evans

An update report on parking charges was presented to the Planning, Transport and Environment PD&S Panel on the 26th July. In the report, the fact that some car parks outside of Bath are currently free of charge is described as an 'anomaly', and the report states that 'it is generally accepted that the reason for visits to town centres are rarely if ever affected by parking charges and the retail or facilities on offer the biggest issue for the public choosing to or not to visit.' However, no reference is made in the report as to who it is that this assertion is 'generally accepted' by.

Given the support free parking has amongst local businesses, can the Cabinet Member please justify this claim and explain by whom 'it is generally accepted that the reason for visits to town centres are rarely if ever affected by parking charges', and provide any evidence to support this?

**Answer from:**

Councillor Roger Symonds

*The view quoted is informed by a number of sources as cited later in this response. Parking is not free. The costs for running, maintaining and, if necessary enforcing the car parks are paid from the general fund and therefore fall on all residents, including those who do not have a car through choice or economic circumstances. Unrestricted car parking does not on the whole generate a level of vehicle turnover necessary to support the economic viability of destinations as the parking spaces are usually taken up by commuters, workers and other long stay parking and this can reduce accessibility for those wanting to visit. Within the studies, accessibility is one of the key requests and has more impact on behaviours than parking charges – as does the cost of fuel. Parking management, including the use of charges, can therefore benefit the retail trade within a location by encouraging visitor turnover, resulting in more footfall. Implementing charges in some locations and not others of similar size or facilities is not consistent and might be considered an anomaly in strategy.*

*The Association of Town Centre Managers study indicates that there is no clear correlation between parking charges and retail performance and further work is being undertaken on this issue with results expected shortly. The Europe wide Cost 342 study also found little evidence of correlation but did indicate that public reaction to increased parking charges is usually short term. Parking demand falls for a period and then reverts to normal. There is also some evidence that a sharp reduction in parking charges if in place does not result in a proportionate increase in car park use. When the public have been questioned, the retail offer is usually the main reason for a decision to visit one location over another when shoppers are questioned with parking charges much lower down the list. Additionally, the Audit Commission has historically found no correlation between the offer of free parking and choice of destination.*

*Amongst others, the following reports, studies and documents were used when informing the view although this is not a comprehensive list of all research and information available to officers:*

- *Public Experiences of and Attitudes Towards Parking, DfT, 2009*
- *Parking Measures and Policies Research Review, TRL for the DfT May 2010*

- *Europe Wide Study 342, 2005*
- *You pay for what you get: How parking fees relate to the quality of a city centre: Sjoerd Stienstra (Grontmij Parkconsult, Netherlands) Ian Betts (Betts Consulting UK)*
- *Parking Strategies and Management, Institute of Highways and Transportation, 2005*
- *Traffic and parking in town centres, Association of Town Centre Managers, 2005*
- *The Portas Review of High Streets, Mary Portas, 2011*
- *Spaced Out – Perspectives on Parking, RAC Foundation, 2012*

**Supplementary Question:**

Is the Cabinet member aware of the difference between a city and a market town? The Portas review recommends free parking, so how can he quote her report in support of his own argument?

**Answer from:** Councillor Roger Symonds

*Yes, I am aware of the difference between a city and a market town. But there is no such thing as free parking.*

**M 08** **Question from:** Councillor David Martin

Will the Leader of the Council support the Energy Bill Revolution national campaign to reduce fuel bills through improved energy efficiency? Almost 10,000 households in B&NES are in fuel poverty, facing high energy costs, and living in dwellings that are energy inefficient. Cold homes damage the health of vulnerable people and the NHS has to bear the costs of illnesses caused by lack of adequate warmth. Over the next 15 years the Government will raise an average of £4B/year in carbon taxes. Recycling this revenue back into households to improve insulation, install modern heating systems and other energy efficiency measures will help bring people out of fuel poverty, create jobs and cut carbon emissions. This campaign calls on the Government to recycle revenues from carbon taxes into improving the energy efficiency of UK homes.

**Answer from:** Councillor Paul Crossley

*I support the Energy Bill Revolution campaign to accelerate improved home energy efficiency across the UK using the money raised through carbon taxes on business. We have around one in six of our households in Bath and North East Somerset that meet the definition of fuel poverty and require huge numbers of better insulated homes and renewable energy installations to meet our carbon reduction targets. Enabling more residents to make their own homes super energy efficient improves health and wellbeing, reduces health care costs and aligns with the Council aim of helping everyone reach their potential.*

**M 09** **Question from:** Councillor Vic Pritchard

At the time of the budget, concern was expressed over the likelihood of delivering an envisaged £1.6 million savings from the commissioning of residential care provision over the course of this financial year. Can the Cabinet Member please provide an update on progress with realising these envisaged savings?

**Answer from:**

Councillor Simon Allen

*The 2012/13 £1.6 million savings target against a reduction in the unit cost & number of residential care placements and packages represented one element of an ambitious 3-year programme, which started in 2010, across all care groups to deliver efficiency savings from adult social care purchasing budgets through a combination of: a) achieving below inflation provider fee 'uplifts'; b) negotiating efficiency savings with providers; c) targeted re-procurements; d) ensuring the tight application of the Placement & Packages Policy & Procedure and e) increasing (lower cost) alternatives to high cost placement/packages.*

*In respect of placements and packages for adults with a learning disability, it is anticipated that the £800,000 savings target will be achieved. A number of high-cost packages have been re-negotiated at revised rates. Lower than inflation fee uplifts have also been negotiated with some providers. Savings have also been made from transferring responsibility for out-of-area placements to the appropriate LA/PCT.*

*In respect of the £800,000 savings target for other client groups, primarily older people, including those with dementia; negotiations with providers have resulted in "freezing" rates. However, this has been offset by the impacts of demographic growth and an increasing complexity/acuity of need for these service user groups, which is reflected in the overall cost of meeting that need as people with more complex/acute health and social care needs tend to require higher/ more skilled staffing, which is reflected in the overall unit cost.*

*In the Adult Social Care Financial Plan for 2012/13, these financial pressures arising from demographic change were planned for and recognised with planned mitigation through the application of a proportion of Section 256 funding to these budgets. This is in line with Department of Health guidance on the use of this funding.*

*The adult social care financial forecast for the financial year 2012/13 is currently on target.*

**M 10**

**Question from:**

Councillor Vic Pritchard

The £1.8m committed in the budget to the provision of transit gypsy and traveller sites has not yet been called upon, or likely to be in this financial year. Recognising the difficulties in establishing authorised gypsy and traveller sites and the budgetary constraints facing the Council, does the Cabinet Member believe it necessary to commit such a significant sum in the forthcoming Council budget?

**Answer from:**

Councillors Tim Ball and Simon Allen

Yes

**Supplementary Question:**

£1.8M is a large sum. You say you are prepared to commit that again, in next year's budget. But the affordable housing waiting list has grown from 9,000 to 12,000. Will he not agree to allocate some of it to affordable housing? Has any of the £1.8M been committed yet?

**Answer from:**

Councillor Tim Ball

*I will be giving details later this evening on how some of the £1.8M is to be allocated*

## QUESTIONS AND ANSWERS - PUBLIC

**P 01**

**Question from:**

Rae Harris

### **Adoption Draft Neighbourhood Planning Protocol**

What will Walcot Street Trust have to do to become the lead community organisation as regards Neighbourhood Planning for the Walcot Street area, and what help and advice can the Council provide?

#### **Background information:**

I tried to explore this at the PT&E PD&S meeting on 23rd August, and undertook to ask the question more formally at Cabinet. It soon became clear that the Constitution of the charitable company would be the first of many hurdles, and I would therefore like to start the ball rolling with the following quote from the Trust's Mem & Arts:

'The objects of the Charity are (1) to preserve for the benefit of the people of Bath and of the Nation, the historical, architectural, and constructional heritage that may exist in and around Walcot Street in buildings (including any structure or erection, and any part of a building as so defined) of particular beauty or historical, architectural or constructional interest, and to promote the conservation, protection and improvement of the physical and natural environment in the locality, (2) to promote and develop arts, crafts and educational facilities and activities for the benefit of the local and wider community ("the Objects")'

As confirmation of the Trust's local credentials and capabilities, I have lived (and been apolitically active) in the Walcot Street area for over 20 years, and the Trust's Chair - who is fully supportive of this request - is Chief Executive of the YMCA (with exceptional business and community skills and experience to add to his local knowledge). Trustees have also invited Bath Preservation Trust to a meeting in the next few days to outline the Trust's intentions.

**Answer from:**

Councillor Tim Ball

*The Neighbourhood Planning Protocol has been produced to explain exactly how local groups can become involved in neighbourhood planning in Bath & North East Somerset, including how local groups can become a Neighbourhood Forum.*

*As outlined in the Neighbourhood Planning section (chapter 5), any interested party*



would first be encouraged to make contact with the local planning authority to discuss their options and the Neighbourhood Plan process. Should they wish to produce a Neighbourhood Plan, in non-parished areas (i.e. within the City of Bath), the group will first need to apply to the Council to be designated as a Neighbourhood Forum. A B&NES specific Neighbourhood Forum application form is to be published alongside the adopted Neighbourhood Planning Protocol for this purpose. Any applications made will be considered by the Council and a decision will be made whether to accept the application in accordance with the criteria specified in the NPP.

National criteria (as specified in the Localism Act and Neighbourhood Planning Regulations 2012) must be met, in order to qualify for consideration as a Neighbourhood Forum. For example, the prospective Forum must include a minimum of 21 individuals who live and/or work within the proposed area, there must be a formal constitution, the membership of the group must be open etc. Additional local criteria must also be addressed. The applicant must also put the case to the Council as to why they would like to develop a Neighbourhood Plan and outline in brief how this will “promote or improve the social, economic and environmental wellbeing of the area”. Full details of the criteria are included in Figure 11 of the Neighbourhood Planning Protocol (page 35 onwards) and are replicated in the application form.

Once established, the Council has a duty to support Neighbourhood Forums in undertaking Neighbourhood Planning. While the onus is on the Forum to lead the project the Council can provide key support– the exact nature of this assistance is outlined on pages 34-43 and is highlighted in blue text under the titles “Council’s Role” for each stage in a Neighbourhood Plan process. The Council support consists of providing guidance and information as well as playing a formal role in validating the plan and undertaking statutory procedures such as administering and funding the examination and referendum on the Neighbourhood Plan.

National support packages (both financial and in-kind) are also available for Neighbourhood Planning and many local groups in B&NES have successfully accessed these - further information about these additional resources are available on the Council’s dedicated Neighbourhood Planning support page on the web at [www.bathnes.gov.uk/neighbourhoodplanning](http://www.bathnes.gov.uk/neighbourhoodplanning)

Officers within the Planning Policy team would welcome discussion with the Walcot Street Trust on the issue of Neighbourhood Planning and can be contacted by email at [planning\\_policy@bathnes.gov.uk](mailto:planning_policy@bathnes.gov.uk) or by phone 01225 477617.

<b>P 02</b>	<b>Question from:</b>	Rae Harris
<p>I am actively involved in trying to make the bus-gate area in Bath more pedestrian-friendly, and would like to ask the following:</p> <ul style="list-style-type: none"><li>• Do the bus-gate cameras contain useful information on traffic flows, and if they do, how can one access this (and if not, how can they be modified to provide it)?</li><li>• The area concerned has serious physical constraints, and I am wondering whether the Council-owned Cattle Market site may need to come into play to relieve this, particularly as regards the position of the entrance to the Podium multi-storey car-park. Who in Highways can I discuss this with (and maybe other similar questions, perhaps including the above traffic flows)? And could I also have precise information on the various freehold ownerships and leasehold agreements with the Council that would affect not only any minor changes to the existing entrance and exit to the car-</li></ul>		

park, but also the possibility of new ones? Or again, who can I talk to about this?

**Answer from:**

Councillor Roger Symonds

*The cameras in use on the bus gates do not capture traffic flows. The cameras require approval by the DfT and cannot be modified to capture traffic flows. The Council uses a combination of automated counters and manual traffic counts to gather flow data.*

*The Council's Public Realm and Movement Project covers the area in question and the project considers the land use, street scene, user needs and traffic issues. Any proposal to alter the access arrangements for the Podium and amend land use in the vicinity would involve multiple stakeholders.*

*Any queries relating to traffic flows and highway space layouts should be directed to Adrian Clarke, Transportation Planning Manager.*

*Any requests for publically information about leaseholds and freeholds of Council owned properties should be directed to Tom McBain, Divisional Director- Property.*

**P 03**

**Question from:**

Ian Barclay

Under the MoD Concept Statement Public Consultation, on May 28 I submitted a comment concerning the retention of one Admiralty/MoD Building (at Foxhill) which would, inter alia, "Tell the Story of the Admiralty/MoD in Bath from its evacuation from London in 1939 until the closure of the three sites." This Story to be told in situ.

The retained building could be adapted for Community use as, eg, a Local Library, Meeting Room or similar.

My submission also put forward the safeguarding of Hanginglands Lane, adjacent to the western Site boundary, as an ancient route and boundary.

These proposals were acknowledged on 7 August but were not regarded as "key issues" in the MoD Concept Statement paper to Cabinet on 11 July 2012.

Will the Council's Final MoD Concept Statement contain any reference to the historic significance of the Admiralty/MoD presence in Bath for over 70 years, to the retaining of one of the historic hutments (at Foxhill) and to safeguarding Hanginglands Lane?

**Answer from:**

Councillor Tim Ball

*1. Hanginglands Lane (or Pope's Walk as it is sometimes referred to) is already mentioned and safeguarded in the Concept Statements as an important historic route into the city.*

*2. The retention of an existing hutment to tell the story of the MoD on the site needs to be balanced against any potential conflict with the delivery of other elements within the Concept Statement and hence cannot be recommended, however there are benefits to this objective and Officers will seek to negotiate a legacy to the MoD's presence in Bath once more detailed discussions with developers take place.*

**P 04**

**Question from:**

Simon Whittle

With respect to the Gypsies, Traveller's and Travelling Showpeople DPD, could you please confirm whether you will be updating the Scoring Matrix to correct errors highlighted during the consultation process?

Although Council Officers have recommended that an alternative approach should be followed (an item for consideration during the 12-Sep Cabinet Meeting), at previous Cabinet Meetings, Scrutiny Panel Meetings and at the Special Council Meeting, Cabinet members were adamant that the process should be followed through and completed prior to review at the 12-Sept Cabinet Meeting. If this is the case, then surely the current scoring matrix, which will form part of the public record, should be as accurate as possible?

With respect to Site GT2 (Old Colliery, Stanton Wick), my comments on errors were submitted to Mr Trigwell and copied to Cllr. Ball on 27-Aug and although the letter was acknowledged by Cllr Ball, no formal response has been received by Mr Trigwell or Cllr. Ball. Allowing for these corrections the Old Colliery site would not have a sum of scores of 10 as concluded in the Preferred Options Report, but a score of -7.

**Answer from:**

Councillor Tim Ball

*In the Cabinet report to be considered by Cabinet on the 12th September it sets out that the work on the Gypsy & Travellers work should continue and the stock take described in the report is underway. The site selection process is being reviewed because it is acknowledged that the previous methodology resulted in some confusion. Instead of the scoring matrix, the proposed approach will be more analytical and discursive in nature and will assess sites against identified criteria, drawing from national and local planning policy. Because the matrix is being discontinued, it would be inappropriate and confusing to update and re-publish it.*