

BATH AND NORTH EAST SOMERSET

CABINET

These minutes are draft until confirmed as a correct record at the next meeting.

Wednesday, 8th May, 2013

Present:

Councillor Paul Crossley	Leader of the Council
Councillor David Dixon	Deputy Leader and Cabinet Member for Neighbourhoods
Councillor Simon Allen	Cabinet Member for Wellbeing
Councillor Tim Ball	Cabinet Member for Homes and Planning
Councillor David Bellotti	Cabinet Member for Community Resources
Councillor Dine Romero	Cabinet Member for Early Years, Children and Youth
Councillor Roger Symonds	Cabinet Member for Transport

192 WELCOME AND INTRODUCTIONS

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

The Chair welcomed everyone to the meeting.

193 EMERGENCY EVACUATION PROCEDURE

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

194 APOLOGIES FOR ABSENCE

Apologies had been received from Councillor Cherry Beath who was away on holiday.

195 DECLARATIONS OF INTEREST

There were none.

196 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

197 QUESTIONS FROM PUBLIC AND COUNCILLORS

There were 17 questions from the following Councillors: Brian Webber (5), Tim Warren (5), Charles Gerrish, Patrick Anketell-Jones (2), Vic Pritchard, Paul Myers, Geoff Ward (2).

There were no questions from members of the public.

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

198 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

Gillian Risbridger (Transition Transport and Built Environment Group) in a statement *[a copy of which is attached to these Minutes as Appendix 2 and on the Council's website]* asked the Cabinet to make 20mph the default speed limit for all roads in Bath at all times. She pointed out to Cabinet that the adoption of this policy would reduce the amount of signage required and could be achievable with a very small number of Traffic Regulation Orders.

Councillor Roger Symonds asked Gillian whether she knew that in January the Department for Transport had said that 20mph signs could be placed on busy roads or where there was an increasing number of pedestrians. Gillian confirmed that she was aware of that, and hoped that Cabinet would do as she had requested.

Karen Abolkheir (Stanton Wick Action Group) in a statement *[a copy of which is attached to these Minutes as Appendix 3 and on the Council's website]* spoke about the Gypsy Traveller DPD. She observed that she had not received any response to the questions asked at April Cabinet, which caused her some concern. She asked a number of further questions and asked for answers to the questions she had raised.

The Chair apologised to Karen for the apparent lack of response and asked the Divisional Director, Planning and Transport, to arrange for the responses to be resent and to copy him into the email. He also assured Karen that replies to her current statement would be provided as soon as possible.

Clarke Osborne (Stanton Wick Action Group) in a statement *[a copy of which is attached to these Minutes as Appendix 4 and on the Council's website]* spoke about the Needs Assessment report and the DPD. He also observed that he had received no responses to his questions at April Cabinet, and posed a number of new questions about the commissioning and publication process of the report.

The Chair apologised to Clarke and promised that he too would receive answers as soon as possible to his questions.

Matt McCabe (Chew Valley and Wansdyke Broadband Group and a Director of Wansdyke Telecom, a Community Interest Group) in a statement *[a copy of which is attached to these Minutes as Appendix 5 and on the Council's website]* congratulated the Cabinet on the excellent web casts. He told Cabinet that his colleague in rural Cyprus had enjoyed the web casts but regretted that his colleagues in rural north east Somerset could not watch because of their restricted bandwidth. He asked a number of questions relating to the arrangements made with Connecting Devon and Somerset.

The Chair asked Matt whether he would be willing to meet with John Wilkinson, Acting Divisional Director, Skills and Employment, to explore the points he had made.

199 MINUTES OF PREVIOUS CABINET MEETING

On a motion from Councillor Paul Crossley, seconded by Councillor Dine Romero (and subject to a change to reflect more accurately what Councillor Sally Davis had said to Cabinet when she presented the Panel's recommendations relating to Home to School Transport), it was

RESOLVED that the minutes of the meeting held on Wednesday 10th April 2013 be confirmed as a correct record and signed by the Chair.

200 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

There were none.

201 MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

The Chair referred to the draft notes from the Planning, Transportation and Environment PDS Panel [*a copy of which had been placed in the public gallery before the meeting and is attached to these Minutes as appendix 6 and on the Council's website*]. He observed that the Panel, at its meeting on 7th May, had agreed to dismiss the Call-in of the Dorchester Street Bus Priority Measures. The proposals, as agreed at Cabinet on 10th April, would therefore be implemented.

202 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

The Cabinet agreed to note the report.

203 THE COMMUNITY INFRASTRUCTURE LEVY FOR BATH & NORTH EAST SOMERSET

Councillor Geoff Ward in an *ad hoc* statement welcomed the proposals which he said were a big opportunity. He referred to government guidance and asked for an assurance that the proposals were viable. He advised the Cabinet that care should be taken to avoid using the Levy as a policy tool to encourage or discourage certain types of development.

David Redgewell in an *ad hoc* statement *observed that the s106 income had been used to fund some bus services, eg no 20), and Cabinet should not forget this when setting up the CIL.*

Councillor David Laming in an *ad hoc* statement asked Cabinet to bear in mind the need for new homes bonuses to be available for residential moorings. He also emphasised that the social gain benefit must be maximised.

Councillor Tim Ball introduced the item by reminding Cabinet that the Levy would not completely replace the s106 which would be retained for some large scale developments. He assured Cabinet that proposals had been shown to be viable but assured Councillor Ward that this would be revisited. He was pleased that there was cross-party working on the proposals in a number of steering groups. He thanked David Redgewell for his observations and assured him that a steering group would consider his point. He reminded Councillor Laming that the proposals were still work in progress and that his point about residential moorings would be considered.

Councillor Ball explained to Cabinet that he intended that the plans for the Levy would make progress at the same speed as the Placemaking Plan.

He moved the proposals.

Councillor Paul Crossley seconded the proposal. He observed that the proposed Levy would be a much more flexible system and would allow the Council to spread

the infrastructure charges more fairly. He was delighted that it would also enable a meaningful amount to be passed to local neighbourhoods. He reminded Cabinet however that it would be essential to get approval of the Core Strategy if these plans were to succeed.

Councillor Roger Symonds welcomed the plans, which he said would make it clear to developers what they would have to pay. He asked Councillor Ball to explain however why in the previous 10 years the s106 had brought in £20M, while the CIL was projected to bring in only £21M over 15 years.

Councillor Ball explained that there would still be some income from s106 agreements and that this needed to be added to the projected CIL figures.

On a motion from Councillor Tim Ball, seconded by Councillor Paul Crossley, it was

RESOLVED (unanimously)

- (1) To NOTE the work required on preparing a draft CIL Charging Schedule; and
- (2) To AGREE the revised programme for the preparation of the Bath & North East Somerset Community Infrastructure Levy and the consequential amendment to the Local Development Scheme.

204 GRAND PARADE & UNDERCROFT - VIABILITY STUDY

Caroline Kay (Chief Exec, Bath Preservation Trust) in a statement *[a copy of which is attached to these Minutes as Appendix 7 and on the Council's website]* said that the Trust felt that the plans were a potentially exciting step in bringing the Undercroft back into use but reserved judgement on the soundness of the business case because there was not yet enough information available.

Anne Robins (The Empire Owners Association) in a statement *[a copy of which is attached to these Minutes as Appendix 8 and on the Council's website]* said that some development would be welcomed, but there had been no information about phases 2-4 of the plans. She felt that loss of parking should have been listed as an issue, not as an objective in the report. She warned Cabinet that the Empire Owners would strongly object to any night club or casino proposals.

Alex Schlesinger (Secretary of Small Business Focus) in an *ad hoc* statement *[a copy of which is attached to these Minutes as Appendix 9 and on the Council's website]* stressed that the report had left many questions unanswered. He explained these in detail and expressed a number of concerns felt by the Guildhall Market Traders.

Councillor Patrick Anketell-Jones in an *ad hoc* statement supported the project which he said would bring benefits to the area and would be attractive. He asked if it would be possible to have a day-time visualisation of the changes, in addition to the evening one in the report. He had been encouraged by the assurances recently given to the Market traders by the Leader of the Council but asked that Cabinet would protect the stall holders' rents from being increased unfairly until the projected increase in footfall had been demonstrated. He asked Councillor David Bellotti to put at rest the minds of the Market traders by sending them the comfort letter he had promised. Finally, he asked the Cabinet to develop a strategy for markets throughout the authority's area.

Councillor David Laming in an *ad hoc* statement asked that the River Regeneration Trust should be involved at an early stage because of the proximity of the river which he felt should be exploited.

Councillor David Bellotti introduced the item by saying that this was one of the most exciting projects for a number of years. The area in question had been neglected for too long. This was an opportunity to restore part of the history of Bath and to benefit the local economy. If adopted, this would be a legacy project with long-term benefits for future generations. He warned Cabinet however not to underestimate the challenges. He had been delighted that already over 15 positive responses had been received from businesses.

Councillor Bellotti assured the Cabinet that Council money would not be risked without having sufficient pre-lets in place to secure confidence in the project. He anticipated that phase 1 would produce a surplus which would be used elsewhere. He referred to the next phase, Market development and said that he felt the replacement of parked cars by market stalls must be a good thing. Phases 1 and 2 would be delivered by December 2014, taking into account the need for detailed planning applications.

He assured the Market traders that it was not his intention to increase rents or to leave them out of the plans. The intention was rather to increase footfall, which would benefit all Market traders. He assured them that the new market operator's brief would safeguard the existing excellent traders. He promised to send the requested comfort letter once the proposals before Cabinet were agreed.

He thanked Caroline Kay for her contribution. He agreed that to make it work, her points must be included in the plans. There were no plans to make any changes to the Victoria Art Gallery. He said that although the present plans did not include the archives, he was mindful of the benefits of upgrading their location.

He assured local residents that they would be fully consulted when phase 3 and 4 proposals were brought forward.

He moved the proposals.

Councillor Paul Crossley seconded the proposal by emphasising the importance of the project. He gave an assurance that nothing would be done which would be to the detriment of the Abbey project. He also assured Caroline Kay that the plans did not involve night clubs. He thanked her for the observation about the archives and agreed with her that the Guildhall basement was not the best location in which to house them.

Councillor Crossley emphasised that the Cabinet's express intention was to preserve a presence in all 3 existing centres – including the Guildhall. He assured the Market traders that the plans would make the market more vibrant and more attractive to shoppers, so that the market would thrive for another 150 years.

Councillor David Dixon read an entry he had seen on twitter in which a local businessman had said that the Undercroft was "a location to die for". He believed strongly that the key to success for the project was to increase footfall between the Guildhall Market and the Undercroft.

Councillor David Bellotti in summing up thanked the Chief Property Officer and his team for the excellent work done so far. He observed that the feedback from residents and shoppers had been very positive.

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

RESOLVED (unanimously)

(1) To NOTE the recommendations to deliver the overall project in phases as described in the attached Viability and Options report;

(2) To APPROVE a capital allocation of £5.29m for Phase 1, to be funded by Service Supported Borrowing;

(3) To DELEGATE the final decision to proceed is delegated to the Chief Property Officer, Leader of the Council, Cabinet Member for Community and Resources and the S151 Officer;

(4) To ASK the Chief Property Officer to submit planning permission for Phase 1 (developing the Colonnades and Empire Colonnades into restaurant space(s), including re-opening of the access routes from Boat stall Lane, Parade Gardens and Slippery Lane);

(5) To CONFIRM that a pre-let shall be agreed for the Phase 1 restaurant space(s) before the Council commits to construction works; and

(6) To AGREE that a licence shall be granted to a specialist market operator for Phase 2 – enhancing Bath Markets, including extending the market into the area of the Guildhall car park, and the possibility of providing planned street markets in High Street, Orange Grove and Grand Parade.

205 CONNECTING COMMUNITIES: A LOCAL ENGAGEMENT FRAMEWORK FOR BATH & NORTH EAST SOMERSET

Tony Crouch in a statement *[a copy of which is attached to these Minutes as Appendix 10 and on the Council's website]* welcomed the initiative but expressed some reservations. He felt that local communities should be taking the lead albeit with a lot of advice from the Council. He also felt that the phrase “cluster group” might put off some parish and town councils and might be misleading. Finally, he was concerned that Chew Valley and Keynsham were being proposed as separate cluster groups, despite the fact that they currently formed a single Partnership.

Councillor Paul Myers in an *ad hoc* statement said he felt that delivery of the proposals would be problematic, and cited the community asset transfer as an example. He felt that the proposals were short on actual measures to do things. He said that localism could not be imposed from above – it could only come from the community.

Councillor David Laming in an *ad hoc* statement observed the failure of the report to mention the river as an asset. He reported that the Keynsham River Group had been looking at ways to connect Keynsham back to its rivers.

Councillor Paul Crossley introduced the item by thanking Tony Crouch for his contribution and agreeing that cluster boundaries were notoriously difficult to draw; but he acknowledged his point about the Somer Valley Partnership being in 2 separate clusters, and said that the Divisional Director, Policy and Partnerships, would meet with him to discuss his points.

Councillor Crossley advised Councillor Myers that the Council had in fact handed over its first community asset only the day before. He emphasised that assets should only be handed over when they were clearly right for the community. He said that in Councillor Myers' own ward, the Town Hall and the Railway Station were assets which might possibly be transferred.

He referred to the points made by Councillor Laming and said that the proposals before Cabinet were a tool kit, not a geographic map, and so did not contain specific mention of any assets. He was delighted that this was a road map to connect all the local services – there was already good evidence of this happening in a variety of ways and was delighted to move the proposals.

Councillor David Dixon seconded the proposal. He had been the Chair of the Local Engagement Steering Group and was pleased to see the more engaging title Connecting Communities. Communities would be able to tell the Council what they wanted. He hoped that local councillors would be encouraged to act as community leaders.

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

RESOLVED (unanimously)

(1) To ADOPT the “Connecting Communities Framework” set out in Appendix One, along with other public service partners working through the Public Services Board;

(2) To REQUEST officers to begin the implementation of the framework through widely publicising the “Core Offer” set out in the “Connecting Communities Toolkit”;

(3) To DELEGATE authority to the Divisional Director, Policy and Partnerships in consultation with the Council Leader the detailed plans for implementing the “Local Offer” set out in the “Connecting Communities Toolkit”;

(4) To REQUEST the Divisional Director, Policy and Partnerships to work with local groups and communities to keep updated the Connecting Communities Toolkit in order to share good practice in local communities;

(5) To NOTE the Draft Action Plan set out in Appendix Three of the report; and

(6) To REQUEST a further report in 6 months updating on progress in implementing Connecting Communities.

206 PLACEMAKING PLAN LAUNCH DOCUMENT

The Chair referred to the draft notes from the Planning, Transportation and Environment PDS Panel [*copies of which had been placed in the public gallery before the meeting and are attached to these Minutes as Appendix 11 and on the Council's website*]. He asked Cabinet members to take into account the notes from the Panel.

Caroline Kay (Chief Exec, Bath Preservation Trust) in a statement [*a copy of which is attached to these Minutes as Appendix 12 and on the Council's website*] encouraged the Cabinet to ensure that the ambitious deadlines for adoption of the Plan which she reminded them was essential. This would require the allocation of sufficient resource to development of the Plan.

David Redgewell in an *ad hoc* statement asked the Cabinet to remember that places are for people. The Cabinet's recent proposals for bus priority in Dorchester Street were an example that they appreciated this.

Councillor Geoff Ward in an *ad hoc* statement acknowledged the very ambitious timetable but emphasised the urgent need to protect the city's heritage and views. More emphasis should be given to keeping traffic moving. The plans gave some cause for hope but there was some concern about neighbourhood plans.

Councillor David Laming in an *ad hoc* statement noted that the report expressed an intention to consult widely on the river corridor. He would watch closely to ensure that was done.

Councillor Tim Ball introduced the item by saying that this was the most important document brought for agreement for decades. He intended to continue the work by giving local people their say. He acknowledged the resource issues raised by Caroline Kay but said that the Planning Department was determined to deliver the Plan on time.

He moved the proposals.

Councillor Simon Allen in seconding the proposal noted the link between this item and the previous one. He emphasised the need from consensus and cross-party working to deliver the right policies in the time available.

Councillor Roger Symonds referred to the proposals for 3000 new homes on the South Stoke plateau and 1000 new homes on Combe Down. He said that local people were keen to know more about the plans. He reminded Cabinet that most journeys across the city were by bus. He favoured plans to introduce a flat fare in the city to make it viable for people to get into the city.

Councillor Tim Ball confirmed to Councillor Symonds that the local community would be consulted about the plans to provide new homes in South Stoke and Combe Down.

On a motion from Councillor Tim Ball, seconded by Councillor Simon Allen, it was

RESOLVED (unanimously)

(1) To AGREE the Placemaking Plan Launch document for publication as a basis for discussion;

(2) To ASK that the Placemaking Plan will return to Cabinet for consideration at subsequent stages in its preparation;

(3) To AGREE the broad programme of activity and actions contained in the introduction of the Launch Document; and

(4) To DELEGATE authority to the Divisional Director for Planning and Transport Development to make minor changes to the Launch Document in consultation with Cabinet Member for Planning and Homes to ensure clarity, consistency and accuracy across the document.

207 TRANSPORT IMPROVEMENT CAPITAL PROGRAMME 2013/14

Councillor David Laming in an *ad hoc* statement reminded Cabinet that the river taxis from Lambridge could stop at the Colonnades which might substantially increase footfall.

David Redgewell in an *ad hoc* statement welcomed the programme. He reminded Cabinet that the Bath Transport Package must be fully delivered and called for the improvement of local rail stations. He supported the suggestion made by Councillor Laming about water taxis.

Councillor Roger Symonds introduced the item. He observed that the programme was intended to deal with the day to day maintenance of the transport infrastructure and was not about major development. He introduced a number of items listed in the report. He was particularly pleased to report that the station ramp would be completed, now that the hitches had been overcome, with £400K of government funding. The proposal to contribute £70K towards the £200K cost of linking the northern end of the two tunnels to the railway path was also very exciting. He moved the proposals.

Councillor Dine Romero seconded the proposal. She welcomed the wide range of projects to improve safety, particularly those outside schools.

Councillor Paul Crossley said the list of projects would address the needs of all modes of transport in the Council's area. He was delighted to see the extension from the Two Tunnels and reminded the Cabinet that the route was very well used by pedestrians as well as cyclists.

On a motion from Councillor Roger Symonds, seconded by Councillor Dine Romero, it was

RESOLVED (unanimously)

- (1) To APPROVE the Transport Improvement Capital Programme for 2013/14; and
- (2) To DELEGATE authority to the Group Manager, Transport and Planning Policy, in consultation with the Cabinet Member for Customer Services, to alter the programme as may prove necessary within the overall budget allocation.

The meeting ended at 8.40 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services