

**QUESTIONS TO BE ASKED OF EXECUTIVE  
COUNCILLORS AT THE COUNCIL EXECUTIVE  
MEETING 3<sup>rd</sup> NOVEMBER 2004**

**1. Question from Chris Blagden**

What was the justification, when, at whose instigation, by what process and by whose authority was work abandoned to progress the Lymore Avenue school planning application of 2 October 2003, following its withdrawal on 16 December 2003?

**Answer by Executive Councillor Jonathan Gay**

Officers in consultation with myself decided that, in light of the apparent legal obstacles, no further time and money should be spent on pursuing Lymore Avenue until such time as the position was clear. Further to that decision I asked Officers to identify, if possible, alternative locations for St John's.

**2. Question from Ann Harding**

What are the criteria which enable children to receive home to school transport costs on the grounds of denomination?

For each of the four proposed sites for St John's School, could you please give an estimate of the possible revenue costs for transport of pupils based on the present contingent of pupils.

**Answer by Executive Councillor Jonathan Gay**

Bath & North East Somerset provides transport to the nearest appropriate denominational school, as determined by the Authority in consultation with the local Diocesan Education Authorities, provided that the statutory distance criteria are met and that proof of baptism in the relevant faith is given. For primary schools this applies to Catholic schools only.

Eligibility for assistance applies only to parents who express a first preference for their child to attend a denominational school at the start of the admissions/allocation process.

Transport assistance to denominational schools from outside the agreed catchment area will not be granted if the distance travelled to the nearest school of the relevant denomination exceeds 6 miles or 45 minutes for primary pupils or 10 miles or one hour and 15 minutes for secondary pupils.

To answer Ms Harding's second question with any degree of accuracy is a huge task. Officers will need to work out which pupils qualify on distance grounds and find out if they are baptised in the Catholic faith. Once this is done and the entitled pupils are identified Commercial Services will need to

work out routes, the size of vehicles required and obtain quotes from contractors. This would need to be done for each site. This would take approximately two weeks. At this stage, we do not propose to undertake this work as it is unlikely to be a determining factor

### **3. Question from Ian Oxford**

Given that the Englishcombe Lane Recreation Ground is in the City of Bath Conservation Area is protected by a Bye-Law, is well used by its local community for recreation, is the home of trees that are contemporaneous with the World Heritage Site's buildings, is likely to generate mass local opposition to its selection, and the use of it for building would contravene the draft Local Plan (Planning Policy BH15), does the Executive not consider that proposing to build on this site would be even less likely to meet with success than the original proposal to re-locate St John's School on the Lymore Avenue site?

### **Answer by Executive Councillor Jonathan Gay**

It is acknowledged in the report and has been stated elsewhere that every site under consideration represents a challenge. All sites have been looked at in relation to the general degree of difficulty of developing the site.

### **4. Question from Terry Reakes**

Cllr Sir Elgar Jenkins, Executive member for Transport, agreed to meet me at a "site meeting" on the A362 Frome Road Radstock on Monday 18<sup>th</sup> October 04 to discuss safety issues on the road. It was a worthwhile & constructive meeting, and I thank him for coming to Radstock to help to get things moving, as I have had no support from local Banes members. However, during our discussions I asked if he would be amenable to a safety survey / audit of the Road, as he agreed with me, there are concerns. He indicated in the affirmative, and that he would endeavour to arrange it

From that statement, I would like to ask the following question

Could Sir Elgar say if he has made any progress in arranging a safety survey / audit of the A362 Frome Road Radstock? Although I am aware of the short timescale between the "site meeting and this Executive meeting, it is imperative that the wheels are set in motion for improvements to this road.

### **Answer by Executive Councillor Sir Elgar Jenkins**

I have already asked the Traffic and Safety Team to look at whether it can be justified to install a pedestrian crossing on the Frome Road and I will ask the team to carry out a safety audit.

## **5. Question from Helen Self**

As the Review of Primary Schools is not yet complete, with the South & East Bath review still outstanding, how confident is the Executive that no land which is currently allocated for educational purposes might become surplus to requirements at the end of the Review, and therefore available for St John's relocation? Would it not be better to defer a decision about St John's relocation until after the Executive Meeting of 1 December 2004, when the Executive Members will be deciding the next steps to be taken in South & East Bath?

### **Answer from Executive Councillor Jonathan Gay**

Initial conclusions prepared by Officers give no indication that a suitable area of land will become available as an outcome of the S & E Bath Area Review

## **6. Question from Helen Self**

As the Report acknowledges that once the existing pupils of St John's have moved through the school, the school's intake may well be drawn from its new local community, do Executive Members agree with the Report that the school must be relocated in south-west Bath? As there are already surplus school places in this area, might Executive Members consider it to be more beneficial to relocate St John's in an area where there is a greater demand than can be currently met for denominational school places eg south-east and central Bath, serving Bathwick/ Freshford/ Combe Down?

### **Answer from Executive Councillor Jonathan Gay**

The location of the school in the south of the City is necessary as a location in the north would place the school too close to the other Catholic primary school in Bath & North East Somerset. It is the case that the largest number of children live within the south west quadrant of the City. However, it can be seen that the Council has attempted to identify sites outside the south west area in an attempt to provide as many options as possible.

There are a large number of church places in the North & Central area of Bath. However, these are at Church of England schools.

## **7. Question from Patrick Self**

With no formal visit yet undertaken to the four sites by Executive Members and with the limited information available in the report, is the Executive confident that it is adequately informed about the sites, and confident it can now make a decision that will stand the further scrutiny of planning control, wider public consultation and so on?

### **Answer from Executive Councillor Jonathan Gay**

The Executive are confident that sufficient information is available within the report and within the responses from members of the public to allow a decision to be made on whether to consult in detail on one or more sites.

#### **8. Question from Rob Goodwin**

St Martins Hospital is currently available for sale. This brownfield site is large enough yet has not been included in the proposal for the Executives review. My understanding is the primary reason for this is the immediate cost. How will the Council defend this short termism to both the the Planning Authorities and the electorate who value the parks and open spaces in Bath?

#### **Answer from Executive Councillor Jonathan Gay**

The cost of the site was a factor on the grounds that the absence of funding for land acquisition makes the site effectively undeliverable.

Of greater importance was the fact that the development of this site for a new school would be contrary to the Local Plan allocation and existing planning permission and would lead to a reduction in the numbers of residential units and commercial use on this site.

The St Martin's site is designated in the emerging Local Plan as a General Development Site with the existing open space (cricket ground) shown as protected open space, which would need to be addressed in any proposals. The treatment of listed buildings would clearly also be of importance. The policy requires a comprehensive mixed use scheme here and as such any proposals for a school could be seen to be contrary to this aim.

The site is in third party ownership and it is not certain that the Council could secure ownership through negotiation. In the absence of an agreed purchase, compulsory purchase would be required. This creates uncertainties and delays on the bringing forward of the site.

All this, combined with the question of the costs of acquisition, meant that the site was not taken forward for further consultation.

#### **9. Question from Rob Goodwin**

The site selection process appears to be similar to that in 2001. What safeguards are there to prevent a further £135,000 of taxpayers money being wasted if the Lymore site is not selected?

#### **Answer from Executive Councillor Jonathan Gay**

The site selection process has been robust. However, development of any site chosen as an outcome of the current process cannot be guaranteed and

therefore there can be no assurances that any further amounts spent on developing a scheme may not eventually become abortive. We are at a very early stage in the process, however, and it is possible that factors, as yet unknown, will prevent the eventual development of any preferred site.

#### **10. Question from Christopher Denes**

The Englishcombe Lane site is within the Conservation Area: it is a green field site of distinctive appearance and character, containing many magnificent, very mature, trees. A school on the site will require buildings; will require enhanced access road; will require safe walkways for children; parking area for staff and access for delivery vehicles. It will generate a significant amount of extra traffic onto and through the site. It will require significant landscape engineering to provide sufficient level or only gently sloping areas for buildings, playing fields and the road and vehicle access enhancements needed. In short it will change greatly the appearance and character of the site. Please would the Council Executive Committee explain how this is compatible with Policy C3 and Policy C4 (iv) of the Adopted Bath Local Plan, which says the Council will “**pay special attention to the desirability of preserving or enhancing the character or appearance of all or part of the Conservation area**”; and that “**particular consideration will be given to the need to protect existing trees and landscape which contribute to the character or appearance of the conservation area**” and with C3.36 and C3.37 of the Revised Deposit Draft 2003 Local Plan which say “**the Council has included policies in the Local Plan to safeguard Conservation Areas from any changes that may have a detrimental impact on their character or appearance and to encourage only such changes which complement or enhance existing character**”; and “**Development should either make a positive contribution to the character or appearance of the Conservation Area or leave its character or appearance unharmed.**” ?

#### **Answer from Executive Councillors Jonathan Gay and Rosemary Todd**

As is stated in the report all sites come into conflict with the Local Plan. All the issues identified in the question would need to be addressed during the process of seeking planning permission possibly through the undertaking of a full Environmental Impact Assessment.

#### **11. Question from Christopher Denes**

Please would the Council Executive Committee explain the logic of having two junior schools immediately adjacent, which would be the case if the Englishcombe Lane site is used?

#### **Answer from Executive Councillor Jonathan Gay**

Ideally, schools would not be located immediately next to each other. Nevertheless, Englishcombe Lane emerged as a site worthy of further

consideration and Officers were bound to present this for further public discussion and to the Executive for decision.

**12. Question from Christopher Denes**

What will be done to replace the current Children's playground on the Englishcombe Lane site if that site is chosen and will the Council Executive Committee include the cost of this replacement action in their comparative costing of the sites?

**Answer from Executive Councillor Jonathan Gay**

The precise details of any work at any site have not yet been worked out in detail. However, the expectation is that any facilities that are displaced by a development would be replaced

**13. Question from Christopher Denes**

The Bath Chronicle of 28 October reported that a change in byelaw would be required for use of the Englishcombe Lane site. Is this correct? and if so, is there any significant difference between the difficulty of making this change and the byelaw change that would be required for use of the Lymore Avenue, or Brickfields, site?

**Answer from Executive Councillor Jonathan Gay**

Yes, this is correct. The report refers to this in Section 4.45. There is no significant difference in the process of repealing one byelaw or another.

**14. Question from Christopher Denes**

In discussing the Oldfield Lane site the consultation document talks of the existing Church, Hall and Presbytery buildings. It says, reasonably, that demolition is unlikely to be considered, but goes on to say that "the area on which they stand cannot really be considered part of the school." Why has consideration not been given to their incorporation into design of a school, which would then allow use of that site: as would be in accordance with Government and Local Plan policy?

**Answer from Executive Councillor Jonathan Gay**

Buildings that are not constructed as schools are, almost always, unsuitable for use as school buildings.

**15. Question from Christopher Denes**

Why cannot some land on the 'Clarks Site' be used as playing fields to replace those lost by Culverhay School and the Old Culverhaysians, should the Glasshouse Site be used? The new playing fields would then be much closer to Culverhay School. Perhaps some of the cost could be offset by the funds realised from the current school's sites?

**Answer from Executive Councillor Jonathan Gay**

Planning permission for housing and commercial development exists for the Clarks/CIC Ralphs site. The prospect of creating playing fields to replace the Glasshouse site has not yet been examined. The Executive may consider asking Officers for a further opinion on this matter should the Glasshouse site be selected.

On the second point, no funds will be available to the Council, the Governors or the Diocese if the current sites are relinquished as they are not owned by the Council, Governors or Diocese.

**16. Question from Christopher Denes**

A key factor in site selection is the amount of land required and that is based upon 315 pupils. Since this number is greater than the existing school's rolocall and in view of current demographic trends suggesting decrease in younger population, what evidence has the Council Executive Committee that 315 is a valid assumption?

**Answer from Executive Councillor Jonathan Gay**

The current capacity of the school is 392. The school has an admission number of 56. A school of 315 places will actually remove surplus places. At September 2004 the school has 255 children on roll. As recently as April 2003 the school had 308 children on roll and the Council and Diocese consider this to be a more accurate reflection of the demand for places at the school. The fall in numbers is attributed partly to the fact that there are fewer children generally but principally to the uncertainty regarding the future of the school and the current configuration of the buildings.

**17. Question from Councillor David Hawkins (read by Councillor Colin Barrett)**

Following discussions with the Council's representative on the Bristol International Airport Committee, I wish to ask the following question.

Continental Airlines are planning a flight service from Bristol International Airport to New York from May 2005. This provides additional opportunities for Bath to increase the number of visitors to the city.

*Question to both the Executive Member for Transportation and Highways and Tourism, Culture, and Leisure*

- a) To make the most of the opportunities presented by the flight service, what is currently being done to establish a bus link between Bristol Airport and Bath?

*Question to the Executive Member for Tourism, Culture, and Leisure*

- b) What is the Executive Member currently doing, in co-ordination with Bath Tourism Plus, to prepare City attractions for a possible increase in tourist numbers?
- c) Will the Executive Member also be doing her best to promote attractions in the north east Somerset area?

**Answer by Executive Councillors Sir Elgar Jenkins and Nicole O'Flaherty**

Answer to part a) from Councillor Sir Elgar Jenkins

The Council would wish to encourage operators to run a direct bus service between Bath and Bristol airport because it would not only be convenient to residents in and around Bath but also to residents to the East of Bath. It would also help to relieve car pressure on the villages between Bath and the airport. The Transportation and Highways Department officers will write to all operators drawing their attention to the expanded services from Bristol Airport.

I would point out that the Bristol Flyer has only fairly recently been upgraded, it was every 30 mins, now its every 20 mins and I've heard that the usage is also very strong and the vehicles (coaches) have ample luggage carrying capacity. With Bath to Temple Meads rail frequency and travel times of about 15 minutes, Bath residents already have good public transport access to the Airport by changing at Temple Meads.

Answer to part b) from Councillor Nicole O'Flaherty

Bath Tourism Plus is working in close partnership with the Tourism Bureau who are leading the Continental Airlines/NY marketing initiative on behalf of the South West Region.

A brochure has been produced featuring Bath and an initial visit was undertaken to New York by the Tourism Bureau in early October. During the visit, the representatives from the Tourism Bureau attended a travel trade event and meetings were held with US outbound tour operators.

As you will know, for this Authority, at peak times demand for accommodation often exceeds supply so it is not anticipated that the growth of Bristol International Airport will lead to a significant impact. But, in anticipation, we have developed a strategy to address and better match patterns of supply and



demand; one example being the publicity aimed at attracting people for the Christmas market.

Answer to part c) from Councillor Nicole O'Flaherty

Our current marketing plan includes delivery of a new satellite TIC in Midsomer Norton, and improved visitor information boards (in existing sites). To go with the current trend, we are moving away from the experience of 'place' to the experience of a type of holiday so we have developed 5 themes;

Sport & the Great Outdoors (spectator and participative)  
Romance (intimate and atmospheric venues, weddings etc)  
Food & Drink  
Wellbeing  
Arts, Festivals and Culture

As you see, these brands will attract more people away from the City to the rest of our countryside.

Finally, Visitbritain will be launching its Annual Report on British Tourism tomorrow and we will be studying it so as to ensure that we develop strategies which hopefully will be matched by extra funding from government.

**Supplementary question from Councillor Colin Barrett**

This was a long answer from Councillor O'Flaherty and does not suggest a joined-up approach with Councillor Sir Elgar Jenkins.

**Answer from Executive Councillor Nicole O'Flaherty**

Sir Elgar and myself liaise closely.

**18. Question from Cllr Betty Perry**

With regard to the Overview and Scrutiny panel that was held at Gullicks Tynning, Midsomer Norton on Wed 22<sup>nd</sup> Sept. At that meeting, it was unanimously agreed by the panel to recommend that:

1. the Council Property and Legal Officers expedite the process of arranging a new lease for Norton Radstock Town Council at the Victoria Hall.
2. they requested the Council Executive to review the function of the Victoria Hall and consider making significant provision within the 2005 budget to bring the building to the required standards in consultation with the Norton Radstock Town Council.

I would like Colin Darracott, who is the Executive Member responsible, to indicate how far they have proceeded with these requests.

### **Answer from Executive Councillor Colin Darracott**

I have started discussions with officers and Members for a list of options; which I will need to have in time to feed into the service and financial planning process.

### **Supplementary question from Councillor Betty Perry**

Why has no consultant been appointed, or no contact been made with the Clerk to the Town Council? Could Councillor Darracott agree with a comment he made at the Overview and Scrutiny Panel?

### **Answer from Executive Councillor Colin Darracott**

I am not sure yet whether officers have met with the Town Council but this will be shared with them and others. With regard to the comment you attributed to me, I said no such thing.

### **19. Question from Councillor Colin Barrett**

Trade at the Guildhall Market is one of Bath's most oldest and proudest traditions. It gives this city the character and residents and visitors a sense of our history.

Therefore, it is very disturbing to read in the newspapers about the uncertainty surrounding the future of leases.

I would like to ask:

a) When is the Executive Member anticipating the report from his Department on the issue being published?

b) Would the Executive Member give a full statement on the Council's future intentions for the Guildhall Market, or at least enough of a statement to remove the uncertainty being experienced by local traders as reported by the local press?

### **Answer from Executive Councillor Colin Darracott**

- a) We anticipate that the report will be published before the end of the year.
- b) Whilst the report, which considers a range of options for the future of the Market is being considered, any tenant who occupies their stall on a lease for a term of years, will not be offered a new term beyond the end of March 2009 **as a temporary measure only**. The traders have been advised accordingly.

**Supplementary question from Councillor Colin Barrett**

This uncertainty is not helpful for the Traders, who need a definitive answer.

**Response from Councillor Colin Darracott**

I hear what you're saying.

**20. Question from Terry Reakes**

(This is a summary of the question as the full text was not supplied to Democratic Services)

Is Bath & North East Somerset Council in a position to comply fully with the Freedom of Information Act?

**Response from Councillor Paul Crossley**

There is a project team in place and we have had a final discussion. I will ensure that a full report is brought to the Executive at the earliest possible opportunity. [*Note; This is on the agenda for the Executive of December 1<sup>st</sup>*]