

CABINET MEETING 5th March 2008

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

REGISTERED SPEAKERS

There have been 13 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.

- Deborah Porter, Cam Valley Wildlife Group
Re: The Council's Responsibilities under the Natural Environment and Rural Communities Act
- Cllr Ian Gilchrist
Re: Safe crossing on the lower Wells Rd, Bath (and to present a petition to Cabinet)
- Mrs Meryl Stannard
Re: Safe crossing on the lower Wells Rd, Bath
- Cllr Eleanor Jackson
Re: Near Fatal Accidents on Bath Old Road and Frome Road, Radstock
- Scott Morrison, Coordinator, Bath Friends of the Earth
Re: Post Carbon Planning
- Wendy Learoyd
Re: King Bladud's Pigs in Bath - Summer 2008 public art event
- Major Tony Crombie, The Bath Society
Re: Bath Western Riverside Supplementary Planning Document (Agenda Item 14)
- Joanna Robinson, Conservation Officer, Bath Preservation Trust
Re: Bath Western Riverside Supplementary Planning Document (Agenda Item 14)
- James Dodson, Norfolk Cres Green Residents' Association,
Re: Bath Western Riverside Supplementary Planning Document (Agenda Item 14)
- Katarina Connolly, Norfolk Cres Green Residents' Association,
Re: Bath Western Riverside Supplementary Planning Document (Agenda Item 14)
- Jan Brown, Secretary, Norfolk Cres Green Residents' Association,
Re: Bath Western Riverside Supplementary Planning Document (Agenda Item 14)
- Betty Honeybone, Norfolk Cres Green Residents' Association,
Re: Bath Western Riverside Supplementary Planning Document (Agenda Item 14)
- Samantha Elwin, Norfolk Cres Green Residents' Association,
Re: Bath Western Riverside Supplementary Planning Document (Agenda Item 14)

QUESTIONS AND ANSWERS - COUNCILLORS

01 **Question from:** Councillor Adrian Inker

At the meeting of Cabinet on 6 February you claimed that the increases in Home Care charges would only apply to individuals with £21,500 in savings or couples with £43,000. You repeated these claims in letters to the press (e.g. Chronicle, 14 February).

Would you confirm that the increases in Home Care charges will be implemented in line with these claims, or have Cabinet, Council and the public been misled?

Answer from: Councillor Francine Haerberling

The only person attempting to mislead the public is Councillor Inker who in a party political press release dated 19th February stated: "It has always been very clear that the increases would apply to those on low incomes with no savings." The Cabinet has been consistent in stating this is not the case.

In his role as Overview and Scrutiny Panel Chairman, Councillor Inker is well aware of the complexities of the home care charges. Given the number of opportunities he has been presented to clarify his understanding of the new charges, I'm surprised he should continue causing political mischief thus generating uncertainty for elderly and vulnerable people.

A consultation document detailing the full schedule of charge changes to community services has been issued to our clients and the revised charges are clearly itemised. For his reference, Councillor Inker will be sent a copy.

02 **Question from:** Councillor Adrian Inker

At the last meeting of Cabinet on 6 February you claimed that the increases in Home Care charges would only apply to people with £21,500 in savings saying "so they are well able to pay if they choose to do so".

Would you confirm that the increases in Home Care charges will be implemented in line with these claims, or have Cabinet, Council and the public been misled?

Answer from: Councillor Vic Pritchard

I am not at all happy with the underlying implications of the question as it carries a suggestion I have deliberately misled Cabinet, Council and the public. My comments at Cabinet were an abbreviation of what is a particularly complex subject, a point of which Councillor Inker would readily acknowledge.

A fuller briefing was made to all Councillors and was available to press and public. Part of that briefing reads:

"Of the remaining clients (c90), whilst each individual situation is different, they will have been assessed as having more than approx. £160 per week disposable income (after rent, council tax etc) or in

excess of £21,500 cashable savings. They will be affected according to amount of home care hours received (up to the weekly maximum of £320). It should be noted that even those paying the full new hourly charge would still be in receipt of an average public subsidy of approx £4 per hour."

I need to remind Councillor Inker we needed to engage in this process because of the derisory grant award from your government. All services have been affected and Adult Social Services could not be immune.

03

Question from:	Councillor David Dixon
Will Cabinet member Cllr Vic Pritchard, please provide a response to the petition presented by local residents to the previous Council meeting over their concerns over a housing scheme for 3 and 4 Longacre Buildings?	
Answer from:	Councillor Vic Pritchard
<p><i>It is important that the local community are fully consulted and engaged on this proposed scheme. That is why Somer have embarked upon a wide ranging and detailed consultation exercise with local residents and interested parties. It is also why I, and Graham Sabourn, Housing Group Manager, recently attended the public meeting with residents on the 23 January at the Christian Centre. As such, while disappointed with the content of the petition I am nevertheless pleased that it demonstrates extensive community awareness. Somer Community Housing Trust and the Council will continue to work with local residents to ensure that as far as practicable we fully address their concerns. I would therefore like to remind Cllr Dixon that it is still not too late for him, or his constituents to raise any issues with Somer or the Council about this proposed scheme. In addition, as agreed at the recent public meeting Somer will shortly be displaying the full Architectural Plans in the Fotec Centre on London Road for a period of four weeks.</i></p>	

04

Question from:	Councillor Paul Crossley
Can the Cabinet member assure me that he will not sign any 'expression of interest' with the West of England Waste Partnership later this year that restricts technological solutions for waste treatment to Mass Burn Incinerator technology?	
Answer from:	Councillor Charles Gerrish
<p><i>The Cabinet have already confirmed that any final decision on the Council's position on the Waste Partnership would be subject to full Council involvement. We have also stated we intend to work closely with the West of England Partnership colleagues to achieve our goal of Zero Waste. However we have indicated to our partners the difficulty Bath and North East Somerset Council would have in supporting EFW incineration and, as a result, the associated PFI</i></p>	

Bid. Therefore I, as Cabinet Member, will not be signing an expression of interest in this regard.

05

Question from: Councillor Andy Furse

Questions on paper E1715 - Residents and Controlled Parking:

- a) Residents parking permits for the Central zone affecting both Royal Crescent and Green Park residents will rise from £66 to £85. There is still no recognition that areas such as these have no access to visitors permits - an issue residents have asked for and a plan put together to separate the central zone into North and South putting a focus on the residential north end as compared to the more commercial south end. Will the cabinet member implement a system where central zone visitors can be accommodated?
- b) The paper mentions improvements to the parking arrangements in Lower Lansdown with out giving details of what these are. Is it within zone 7? And in which streets?
- c) Section 7.4.2 states that there have been complaints of abuse with out stating what action has been taken to ensure that abuses do not continue. Can details be supplied?
- d) Section 7.4.3 - Can you confirm that no hotel has more than 15 permits?
- e) What measures are in place to ensure that charging for Blue Badge holders in car parks will not lead to more on street blue badge holder parking? What additional policing and by whom will ensure that on street blue badge parking does not result in blocking of dropped kerbs and other inconsiderate parking?
- f) If DYL are in place to prevent obstructions then why are Blue Badge holders permitted to park on them?
- g) For all residential parking zones there is no shift of the evening end time. Thus with the increase for the car parks from 7pm to 8pm for charging, there will be increased pressure on residential streets. In the past it was argued that the impact of not aligning residents times with the car park charging times was accepted but negligible. Therefore now that the differential will be 2 hours rather than 1 hour the impact felt by residents will be increased, since it will now be more cost effective for car park users to move into residential streets at the stroke of 6pm. Will the cabinet member address this so to rectify problems for residents?
- h) Does the cabinet member agree that the argument used in the past that there would be a commercial impact to the evening economy - cinema and theatre goes no longer holds since the proposals increase both the charge and the charging period for the city car parks?
- i) The consultation section states that Local residents have been consulted. Can the cabinet member release details of this since I do not believe residents parking permit holders have had such consultation neither have all residents groups.
- j) Will the cabinet member make decisions on this subject in public so residents can have their say, rather than in secret?

Answer from: Councillor Charles Gerrish

a) The report makes clear why visitor permits are not available in the busy

central zone. The number of parking spaces available is such that it is necessary to restrict the allocation of permits if we are to ensure the continued availability of pay and display spaces which support economic viability in the city. Complaints made by residents (that they are unable to park close to their properties) demonstrate that there is a capacity problem in the area. Any change must be carefully considered in the light of economic and other impacts. We are, however, considering to issue, on a trial basis, a limited number of visitor permits for central zone residents in order to establish what effect they have. We intend to carry out this trial over a period of 6 months during the coming year. From current information we believe residents prefer a central zone rather than North and South sections and in addition, resulting diversions would only serve to increase congestion and impact on air quality.

b) We have used the term "Lower Lansdown" to describe the area from the Vineyards and Paragon westwards to include Queens Parade and from the Circus, Brock St and the Royal Crescent northwards to Julian Rd along the boundary of the central zone. This area is part of the central zone and does not include Zone 7 where residents are already entitled to a permit allocation. The proposals respond to requests made by residents in Lower Lansdown.

c) We have received complaints from hotel guests who have told us that some hotels have charged them for permits, often at rates well in excess of the charge made by the Council to the hotels. Where this has been brought to our attention, we have contacted the hotels in question and informed them that this is a breach of our Terms of Use and should be stopped. I do not intend to provide details which would identify any specific establishments.

d) One hotel currently has more than 15 permits.

e) There will be some increase in more on street parking which is often more convenient for disabled drivers. We are ensuring Parking Attendants enforce and remove inconsiderate and illegal parking. Provision for additional on street disabled spaces has been made.

f) The Traffic Management Act (which comes into force after 1st April 2008) provides additional powers which the Council can use to take enforcement action against any drivers whose parking obstructs dropped kerbs. We will take enforcement action where such parking is the cause of complaint by occupants of adjacent properties, however, our current powers are limited in other areas of on street blue badge. We are discussing with the police joint patrols to tackle abuse of the scheme by some blue badge drivers. They are permitted to park on double yellow lines for up to 3 hours, without causing an obstruction and not near a junction or a bend etc.

g) Until 2002, charging ceased at 6.00pm for both on and off street parking. Consultation carried out at that time established that residents held strong objections to the introduction of a charge for on street parking after 6.00pm as this would also have had the effect of changing the time of single yellow line restrictions to after 6.00pm and it was felt that residents required the availability of these areas for parking from 6.00pm. Car park charges were extended to 7.00pm from 2002 whilst on street charges ceased at 6.00pm. The fact that the times already do not coincide suggests that the concerns expressed in the question are ill founded. We have recommend charging until 8pm in car parks to maintain consistency with other similar cities. We shall monitor and review its effects over coming months.

h) We do not believe that this will have an adverse effect on the evening

economy of the city. Car parks will be patrolled for a further hour each evening, thereby providing improved security to our customers.

i) Consultation has been carried out with the Federation of Bath Residents' Associations, the Bath Independent Guest House Association and Pulteny Gardens Hotels Association - these we have found are the most efficient means of obtaining feedback on such proposals.

j) The local press has carried many articles on the proposals in recent weeks so there has been substantial public debate. They were also subject to at least 2 O&S discussions in public and there were further opportunities for debate at Cabinet and at Council. These have led to a number of changes and supporting comments. Thereafter I have followed the established procedure for making a Single Member Cabinet Decision.

Supplementary Question:

Re: (d), can the Cabinet member say why one hotel has over 15 permits? And re: (i), can he say why, since the Federation of Bath residents associations is accountable for only 4,000 residents how did the Council consult with others in zones outside of central, 1, 2 and 3? or does the FOBRA act for all residents?

Answer from: Councillor Charles Gerrish

I will give a full response within 5 days.

Councillor Gerrish provided the following response on Sat 08-Mar:

There is no one body which represents all residents in Bath except for the Council itself. We consulted 2 O&S panels with our parking proposals, they were debated at Cabinet and Council before the decision paper was published and we therefore allowed all residents to participate in our democratic process.

We consulted with the FoBRA because they represent all the RAs in Bath and if Cllr Furse has any practical suggestions as to how we might make our processes more robust, we would be happy to consider these

QUESTIONS AND ANSWERS - PUBLIC

06

Question from: Councillor Keith Kirwan (Keynsham Town Council)

Will the Cabinet member for customer Services honour Cllr Colin Darracott's commitment, made to Full Council, that the Council would reprovide the public amenity land that will be sold off for housing on the edge of Keynsham?

Answer from: Councillor Charles Gerrish

Although the question does not relate to my portfolio, I have obtained the following answer from Property Services: "We have not been able to find any evidence of such a commitment or statement by Cllr Darracott at Council."

07

Question from:	Gail Coleshill
<p>I am dismayed that the Council's financial contribution to the Forest of Avon is to be a victim of the Cabinet budget cuts. The Forest of Avon manages tree planting schemes and woodlands in an area which includes almost the whole of North East Somerset and over to the far side of Bath. Their work includes carbon offset schemes and co-ordination of a number of environmental organisations and projects to combat the effects of climate change. Assuming that there will be further cuts to environmental bodies that the Council supports e.g. the AONBs, what plans are there to improve the Council's efforts to combat climate change and provide alternative carbon offset schemes in Bath and North East Somerset?</p>	
Answer from:	Councillor Charles Gerrish
<p><i>The council continues its support of a range of environmental projects, including financial support to the Cotswold and Mendip Areas of Outstanding Natural Beauty, the Kennet and Avon Canal partnership, the Avon Frome Partnership and the Bristol Environmental Records Centre. 21 environmental groups are supported through voluntary sector grant funding and the Council's Bio-diversity Action plan continues to be delivered through the Wildthings Partnership. Local Nature Reserves are included in Local Area Agreement targets designed to bring forward increased funding, and projects with the Heritage Lottery Fund are ongoing. The proposal to reduce the support to the Forest of Avon was debated at Overview & Scrutiny Committee on at least 2 occasions and was not opposed when Cabinet and Council debated the final budget. The Countryside Agency (now called Natural England) have in addition removed funding in March 2005 and the Forestry Commission has also ceased.</i></p> <p><i>Tackling the causes and effects of climate change is now a Corporate Improvement Priority. The Council has set itself a 2% a year reduction in carbon emissions from 2007 to 2017. We are now half-way through a project called Our Big Energy Challenge, which is being run across the public and voluntary sectors of the Local Strategic Partnership to reduce energy consumption (and thus costs and carbon emissions) in buildings by at least 10% by the end of the project in 2010. The project is helping all partners to improve energy management systems and to change the behaviour of staff across these organisations at home and at work. Further planning is underway that will build on this work to cut carbon emissions further and across all operations. The Council's work towards the aspiration of zero waste will also contribute to reducing carbon emissions. Climate change is a key cross-cutting theme in our Local Area Agreement and in the draft Core Strategy of the Local Development Framework.</i></p>	

08

Question from:	Gitte Dawson
<p>You will have heard about King Bladud's Pigs in Bath - the public art event happening in Bath this summer which will see Bath and surroundings invaded by</p>	

fantasy life-size model pigs in unexpected places – in parks, on pavements, on parapets, in squares and green spaces. All to pay homage to the legend of King Bladud and his swine, who discovered the healing properties of the hot springs and founded the City of Bath, some 3000 years ago.

There has been great public enthusiasm for the project - which is being mounted almost entirely by voluntary effort. We are delighted that we have been allowed to place a prototype sculpture in the Guildhall, so that people can see what is actually involved.

We would be really pleased if the Cabinet - on behalf of the Council - could sponsor one of our sculptures - thus expressing your support for this project. It could look great in the Guildhall lobby or in our near one of the many other Council buildings. There are lots of interesting / amusing / attractive ways in which it could be painted - we have some 40 artists keen to do this for you!

Our question therefore: Will the Cabinet please sponsor a pig? I attach our standard invitation to sponsor which spells out the financial details. Please also visit www.kingbladudspigs.org for more information.

Answer from:	Councillor Charles Gerrish
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The Cabinet intends to support the project and has earmarked funds for 2 pigs near the Royal Victoria Park skate park so that we engage young people in consultation with the Council's Youth Service. An application can be submitted to the Arts Development Office.