

## CABINET MEETING 6<sup>th</sup> May 2009

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

### REGISTERED SPEAKERS

There were 5 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.

- Major Tony Crombie  
Re: Bath Transport Package
- David Redgewell  
Re: Public Realm and Movement Strategy (Agenda Item 12)
- Jan Brown, Norfolk Crescent Green Residents' Association  
Re: Public Realm and Movement Strategy (Agenda Item 12)
- Charlotte Laurence, Norfolk Crescent Green Residents' Association  
Re: Public Realm and Movement Strategy (Agenda Item 12)
- Joan Vaughan, Norfolk Crescent Green Residents' Association  
Re: Public Realm and Movement Strategy (Agenda Item 12)

### QUESTIONS AND ANSWERS - COUNCILLORS

01

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| <b>Question from:</b>  | Councillor John Bull       |
| In the light of the long delays in their scheduling of approved highways works (e.g the pedestrian crossing on Church Street, Paulton, originally scheduled for January this year and now planned for July) is Councillor Gerrish satisfied with the role of Atkins as the Council's contractor?   |                            |
| <b>Answer from:</b>  | Councillor Charles Gerrish |
| <p><i>The crossing on Church Street at Paulton was scheduled for construction in March 2009. The scheme was informally discussed with Atkins in January and, due to their resource availability, the scheme was programmed with them for construction in July 2009.</i></p> <p><i>Resources available to contractors at the end of the financial year are traditionally stretched, and the severe weather conditions experienced during the winter have disrupted Atkins programme of works.</i></p> <p><i>Taking these issues into account I am therefore currently satisfied with Atkins role as the Council's contractor.</i></p> |                            |

02

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| <b>Question from:</b>   | Councillor Ian Gilchrist   |
| <p>It has recently come to my attention that schools in B&amp;NES are treated the same as businesses for the purpose of recycling. This means that they are charged for all paper, cardboard, glass etc. As a result schools find it preferable to consign these materials to landfill, and the opportunity to teach children the value of recycling is lost. My question to the Cabinet member is whether this policy might not be rethought, so as NOT to charge schools for recycling?</p>   |                            |
| <b>Answer from:</b>   | Councillor Charles Gerrish |
| <p><i>This change was prompted by Defra clarifying their interpretation of the Controlled Waste Regulations 1992 and the way that schools waste in particular should be dealt with by local authorities.</i></p> <p><i>In June 2008 we removed the charge for waste disposal for all schools. Schools now only pay to have their waste collected, not disposed of. To encourage schools to continue to recycle the collection charges for recyclable materials are about 35% less than those for residual waste and our standard charges for business waste recycling. For most schools this means that their overall waste management costs are still cheaper and they are making a saving by continuing to recycle.</i></p> <p><i>We have been working to highlight the impact that Defra's interpretation of the legislation has had on the ability to offer free recycling collections and this year Defra have commissioned work to review the impact of the legislation. We are waiting for this review to be completed before recommending any further changes to our policy. During this time our Waste Services education team is working with schools to continue to promote recycling.</i></p> |                            |
| <b>Supplementary Question:</b>  |                            |
| <p>When will the Defra review be published? (Always acknowledging that the Cabinet member might ask how long is a piece of string?)</p>   |                            |
| <b>Answer from:</b>   | Councillor Charles Gerrish |
| <p><i>Councillor Gilchrist has anticipated my response.</i></p>   |                            |

03

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| <b>Question from:</b>  | Councillor Nathan Hartley |
| <p>a) Can the Cabinet Member for Transportation and Highways inform us how much it is costing, from the start of the project to its completion, to build the new bus lane on the A367 – next to the Oddown Park &amp; Ride?</p> <p>b) Is the Cabinet Member aware that, as part of the showcase bus corridor works on the A367, a new raised (bus stop) kerb was built on this stretch of road and then taken away soon after?</p> |                           |

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| c) Can he tell us how much this lack of forward-planning has cost the local taxpayer?   |                            |
| <b>Answer from:</b>   | Councillor Charles Gerrish |
| <p>a) <i>The projected outturn cost for the odd down bus lane is currently £916k</i></p> <p>b) <i>The raised bus stop kerb was installed approximately 5 months prior to being removed for construction of the new bus lane. Whilst only being in place for a relatively short period, the stop is well used by staff at Fullers Earth, therefore the improved safety benefits were considered to justify the relatively small cost. The raised kerbs and bus stop sign have been reinstalled at another site.</i></p> <p>c) <i>This work is being funded from a DfT grant therefore there is no direct cost to the local taxpayer.</i></p> |                            |

04

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| <b>Question from:</b>   | Councillor Nathan Hartley |
| <p>a) Since the Homesearch Register was launched in 2007, have any customer satisfaction surveys been carried out amongst users of the service?</p> <p>b) If not, would the Cabinet Member for Housing consider setting up such a survey?</p> <p>c) Can the Cabinet Member for Housing also inform us as to what the current average waiting time is (for an applicant) from joining the Homesearch Register to being allocated a property?</p>   |                           |
| <b>Answer from:</b>   | Councillor Vic Pritchard  |
| <p>a) <i>Housing Services undertake extensive Customer Satisfaction surveys, the results of which are published on the Council's website every six months. The Homesearch Customer Satisfaction survey has been in place in its current format since May 2008. During the periods May 2008 to September 2008 and October 2008 to March 2009 the percentage of applicants who were either "Satisfied" or "Very Satisfied" with the "Overall Service Received" was 93% for both periods.</i></p> <p>b) <i>n/a</i></p> <p>c) <i>While this is a simple question to ask it is harder to answer. Before giving a figure it is important to remember the following points. Firstly, we operate a Choice-Based Lettings Scheme. Hence by definition the time people wait is dependent upon the level of choice they express. Some applicants will bid for all eligible properties advertised, including those properties that some applicants consider to be undesirable. On the other hand some applicants only bid for eligible properties in the more desirable locations and with gardens and parking etc. Clearly those applicants who bid for all properties, no matter how desirable, are housed significantly quicker. Secondly, how long applicants wait is also dependent upon their priority and housing requirements. For example, applicants with higher priority wait less time than applicants with lower priority, applicants requiring sheltered accommodation wait less time than those requiring general needs accommodation, applicants requiring smaller properties wait less time than those requiring large properties (4+ bedrooms) etc. Finally, when calculating</i></p> |                           |

*average times you can only do this on those who have secured a property. Hence this is an average time of those who have been housed and not an average waiting time for those on the register. This is an important difference. However, to give an indication of waiting times, in the last year the average waiting time for those who were housed, and were in Group C, was 53 months for general needs accommodation and 15 months for sheltered accommodation. Having regard to the fact that this is the average time of those housed, and that we have over 6,500 applicants, and increasing, on the list and only around 500 properties becoming available each year it is likely that the average time to be housed once non-housed applicants are taken into account could be twice or three times this figure for general needs applicants.*

05

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| <b>Question from:</b>  | Councillor Armand Edwards  |
| How many parking tickets have been issued in the vicinity of Bathwick Parade since the opening of Tesco in November 2008. Does the cabinet member feel that this addresses the problem of dangerous parking in the area and if not, what response is planned?  |                            |
| <b>Answer from:</b>  | Councillor Charles Gerrish |
| <i>I am aware that there have been complaints about parking at this location, in particular relating to deliveries. Officers have issued five PCNs for contraventions of the 'no waiting at any time' restrictions. There have not been any recorded accidents since the opening of Tescos at Bathwick Parade. In accordance with the accident monitoring regime any change in this situation will be investigated and appropriate action taken.</i> |                            |

06

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| <b>Question from:</b>  | Councillor Nicholas Coombes |
| In November 2007 I asked about the provision of recycling bins in the public realm. What are the results of the trials in Parade Gardens, Victoria Park and other parks? Can we expect recycling bins along-side conventional litter bins in the near future?  |                             |
| <b>Answer from:</b>  | Councillor Charles Gerrish  |
| <p><i>The results of the trials of recycling bins in Parks are:</i></p> <ul style="list-style-type: none"> <li><i>• Parade Gardens - the first ones which were installed approximately 2 years ago have been very well used and further recycling bins were installed 12 months ago. These are also proving very successful.</i></li> <li><i>• Royal Victoria Park Play Area - installed approximately 12 months ago and has been very well used.</i></li> <li><i>• Keynsham Memorial Park - installed approximately 12 months. This has been</i></li> </ul> |                             |

*less successful and has recently been vandalised. It is intended to replace and reposition this with a more robust bin in a different location within the park shortly. Elsewhere in the agenda is a report seeking input to and endorsement of the Public Realm and Movement Strategy (PRMS). This recommends a co-ordinated approach towards the design, procurement and installation of appropriate street furniture products, including waste (and recycling) bins.*

**07**      **Question from:**      Councillor Paul Crossley

In line with the Dept of Health recommendations does our Council have a named team or individual with responsibility for autism and if yes who?

**Answer from:**      Councillor Vic Pritchard

*The lead commissioning responsibility for adults with autism and learning difficulties rests with Mike MacCallam, Commissioning manager. The CLDT (Community Learning Difficulties Team) has responsibility for service provision for adults with autism where people are eligible. A supported housing scheme for 8 young people with autism is currently being developed in partnership with parents/carers and a Housing Association.*

**08**      **Question from:**      Councillor Paul Crossley

Does our Council have a system in place to record the number of adults with autism and if yes what is the current number?

**Answer from:**      Councillor Vic Pritchard

*The Council does not currently specifically record the numbers of adults with autism. There are an estimated 50 - 100 number of adults with autism and LD known to the Community Learning Difficulties team. Work is in progress to develop a more accurate register and system for recording. There is joint work being undertaken between adult and child services to better identify the numbers of young adults who will require services into adulthood, which includes an accurate record of people diagnosed with an ASD. The reports from this work are due to be produced from mid May 2009. National analysis estimates the number of adults with autistic spectrum disorders for Bath and North East Somerset to be in the region of 1,150. This number includes people with Aspergers syndrome who do not have learning difficulties. Many people may not be eligible for services under current Fair Access to Care criteria.*

09

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| <b>Question from:</b>  | Councillor Paul Crossley |
| How has the merger between the PCT and Adult Social Services/Community Care affected services to adults with autism, Aspergers or ASD?   |                          |
| <b>Answer from:</b>  | Councillor Vic Pritchard |
| <i>The merger of the services between the PCT and Adult Social Services/Community Care has had no adverse effect to the services provided to adults with autism, Aspergers or ASD and, as we recommission, should lead to further improvements</i> |                          |

10

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| <b>Question from:</b>   | Councillor Paul Crossley  |
| Is the Cabinet member aware that, whereas some Council commercial tenants are still being faced with unaffordable rent increases of up to 60%, some private landlords are being more flexible and are actually offering rent reductions to their tenants? How does the proposal, within the draft economic resilience action plan, to allow “flexibility where appropriate” in commercial rent reviews for Council properties fit in with these rent increases?   |                           |
| <b>Answer from:</b>   | Councillor Malcolm Hanney |
| <p><i>The Council holds commercial property assets in order to generate income to support Council objectives. During 2008/09 the Commercial Estate produced £13 million in rentals, equivalent to 18% on Council Tax.</i></p> <p><i>The Council seeks to set sustainable rents throughout the city to accord with existing market evidence, the level of demand for units and the current economic climate. Rent increases at any review will reflect market conditions at the date of the rent review and that increase will vary depending upon the previous review date e.g. if the last review was 10 years ago then the increase is likely to be substantially greater than if it was only 12 months ago. Market conditions will also reflect the level of demand, and therefore the rental value of any particular location.</i></p> <p><i>All rentals must be capable of being justified through market evidence to an independent third party, as detailed within the terms of all of the Council’s commercial leases.</i></p> <p><i>All commercial tenants have a named point of contact within Property Services, and all tenants, upon receipt of the rent review notice, are encouraged to contact Property Services to discuss both the level of rent proposed and the avenues open to them for advice in reaching a determination. Property Services encourages tenants to seek independent professional advice to advise them of the market rent and potentially to act on their behalf in negotiations. This is particularly relevant for specialist properties, where the Council often seeks its own independent advice.</i></p> <p><i>Rental increases of the nature quoted are rare. However, even in difficult market conditions there may still evidence to supports those increases.</i></p> <p><i>At the recent Bath Property Owners Forum, within which the Council is</i></p> |                           |

*represented, none of the major landlords were giving consideration to rent reductions at this time. I am, however, aware that some pub companies have given concessions, but again this is a specialist market with unique circumstances surrounding.*

*From the perspective of the Commercial Estate, the Council has a duty to protect its future integrity and we have in place commercial management procedures in relation to the income stream, outstanding debt, the reduction in the number of void properties and the investment in the fabric of the assets. The Council will continue to operate commercially whilst, at the same time being sensitive to tenant issues and economic conditions.*

*We are flexible where appropriate, and will continue to engage in constructive discussions with tenants who face difficulties. The Council cannot, however, be seen to be inappropriately subsidising commercial businesses at the expense of the local Council Tax payer.*

**11**      **Question from:**      Councillor Caroline Roberts

I refer the Cabinet member to my statement to Cabinet on 3 September 2008 and to questions tabled at various times on the issue of "20 is Plenty": now that the Government has announced that it will be encouraging Councils to reduce residential speed limits to 20 mph, will the cabinet member be backing Liberal Democrat plans for 20mph limits on our residential streets?

**Answer from:**      Councillor Charles Gerrish

*The Government has recently announced its road safety strategy beyond 2010 for consultation, to reduce the number of killed and serious injured by 33% by 2020.*

*The government proposes to amend its guidance on speed limits, recommending that highway authorities, over time, introduce 20 mph zones or limits into streets that are primarily residential in nature, or other areas where pedestrian and cyclist movements are high (for example around schools or markets) and which are not part of any major through route.*

*I look forward to receiving the amended guidance and particularly their advice on how the 20mph speed limits will be enforced. Without effective enforcement my concern is that signs alone will not be sufficient to prevent inappropriate speeding on residential streets. We also plan to contact Portsmouth to learn from their experiences of introducing 20mph limits and will liaise with Avon and Somerset Constabulary to understand their views on enforcement.*

**12**      **Question from:**      Councillor Sharon Ball

Could the Cabinet Member state, on a scale of one to ten, how confident he is that negotiations on the Bath Western Riverside development will be completed to allow work to start this year on the first phase?

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| <b>Answer from:</b>   | Councillor Terry Gazzard |
| <p><i>I am confident that the Council, together with the Homes and Communities Agency and Crest Nicholson Regeneration Ltd. are doing all they can to bring forward an initial phase as soon as possible although it would be inappropriate to specify a commencement date due to adverse market conditions.</i></p> <p><i>My view is based upon the positive dialogue with both Crest and the HCA despite prevailing economic conditions affecting developments across the UK.</i></p> |                          |

## QUESTIONS AND ANSWERS - PUBLIC

13

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| <b>Question from:</b>  | Peter Sas                       |
| <p>In a welcome move, the government is organising cabinet meetings outside of London (Birmingham, Glasgow, etc). Please can B&amp;NES cabinet let me know:</p> <p>a) When was the last time, if ever, B&amp;NES cabinet (or executive) met in the Norton-Radstock area?</p> <p>b) What plans do the cabinet have to hold meetings in other urban areas outside Bath?</p>  |                                 |
| <b>Answer from:</b>  | Councillor Francine Haerberling |
| <p><i>The Council Executive previously held meetings around the Bath &amp; NE Somerset area. The last time a Council Executive meeting was held in the Norton-Radstock area was on 1<sup>st</sup> September 2004.</i></p> <p><i>However, the trial of holding meetings in varying locations was deemed unsuccessful. It proved very costly with hardly any members of the public attending the meetings. There is no point in making costly and meaningless gestures that do not result in real public engagement.</i></p> |                                 |

14

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| <b>Question from:</b>  | Terry Reakes |
| <p>a) Is Cllr Gerrish aware of my request in 2004 for the then executive member for highways Cllr Sir Elgar Jenkins to install a pedestrian crossing adjacent the Mells Road junction on the A367 Frome Road Writhlington. He refused, despite the fact that the engineer surveying the site expressed the view, the traffic speed was excessive.</p> <p>b) Is Cllr Gerrish aware the latest reason rejecting such a pedestrian crossing was 'inadequate sightlines'? Before it was 'not enough people crossing the road to warrant a crossing' Therefore due to the ambiguity of these reasons alone, does not he agree the time has come for the issue to be revisited.</p> <p>c) Is Cllr Gerrish also aware that have been requests to implement improvements (widening and resurfacing) to the pavement between, 40 / 62 Frome Road,</p> |              |



Writhlington Radstock. Further-more, is he aware that school children and the elderly frequently use the pavement?

d) Does Cllr Gerrish agree that it is inappropriate for pedestrians to suffer the dangers of walking on a narrow, badly surfaced footpath and denied a pedestrian crossing on a major road, and therefore the issue also should be revisited?

e) Is Cllr Gerrish aware despite the installation of a flashing 30 MPH speed warning sign, many cars travel the highway at an alarming speed? Would he therefore consider the installing of static speed cameras on the A362?

f) Could Cllr Gerrish inform one when the last detailed safety audit on the A362 Frome Road took place, and was it made public? In addition, would Cllr Gerrish in the interest of highway arrange a 'site visit' and see for himself the safety problems on the A362? (As did his predecessor Sir Elgar Jenkins when he was executive member for Highways & Transport)?

(The information below is to assist Cllr Gerrish in his deliberations, to show him that I have waged a long campaign to improve safety on the A362 Writhlington with limited success):

From: terry reakes [mailto:terry.reakes@tesco.net]

Sent: 28 May 2006 17:51

To: 'Transportation@bathnes.gov.uk'; 'Street\_Lighting@bathnes.gov.uk'

Subject: Safety on the A362 Frome Road Radstock

Importance: High

Hi All

The A362 Frome Road Writhlington Radstock is in a highly dangerous state, I have constantly campaigned for over four years for the pavement to be upgraded, but to no avail, note the street lamp pole rusting away, another sign of abject neglect.

Bath & North East Somerset Council has a prime duty as Highway Authority to reasonably maintain and repair the highway, ensuring it is free from obstruction, not the case in this instance.

I again informed Norton Radstock Town Councillors at the Annual Town meeting 15 May 2006 of the situation. Nevertheless, it seems that senior local Radstock councillors are indifferent to this problem. Furthermore, Banes executive member for sustainability and the environment Cllr Sir Elgar Jenkins is also aware of the situation, he visited the site with Cllr Chris Cray & Cllr Allan Hall and myself an eon ago.

Some time ago an elderly man fell on the pavement at night, in the most appalling weather. He could not get up as the surface of the pavement was crumbling from under him. My wife and I tried to get him up, however it took trained ambulance personal to lift him, and give medical attention. My belief is that he tripped over the pavement. no doubt due to the horrendous state of the pavement.

Sincerely

Terry Reakes

Extract from:-

Minutes of Meeting held on Thursday 20th January 2005

Mr Terry Reakes made a statement urging the Executive Member for Transport and Highways to reconsider his decision not to approve a road crossing on Frome Road, Writhlington, Radstock following which he answered factual questions from Councillors Sir Elgar Jenkins, Hattie Ajderian and Chris Cray.

Mr Reakes was thanked for his contribution which the Council agreed to refer to the Executive Member for Transport and Highways for further consideration.

**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 18th 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.

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| <b>Answer from:</b> | Councillor Charles Gerrish |
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a) No.

b) *Traffic counts have shown that very few people cross the road in the vicinity of the junction with Mells Road, therefore it is not possible to justify a formal crossing at this point.*

c) *It is accepted that the footway in this location is of a substandard width, however the carriageway is also of a minimal width, and there is physically no room to widen the footway.*

d) *These points are addressed above.*

e) *Static and/or mobile speed cameras can only be justified where there is a significant existing injury accident record, as specified in the Safecam Operations Protocol, an agreement between the Safety Camera Operators and the West of England Authorities. Records show that only 4 slight injury accidents have occurred on the Frome Road between Mill Lane and Mount Pleasant in the last 3 years, a level which does not fulfil the site criteria in the Protocol. The police are responsible for enforcing speed limits and I will write to them to make them aware of your concerns.*

f) *Safety Audits are only carried out on new road designs, or on newly opened or modified roads, to identify any possible hazards which could cause accidents once the road is in use. With existing roads, the hazards/issues are normally known, or are highlighted by a series of accidents. In the case of Frome Road, it is accepted that footway widths are substandard; however it is not feasible to widen them due to limited road widths. Investigations have been made into the installation of a formal crossing; however existing pedestrian flows do not justify a crossing. Furthermore, there have been no pedestrian accidents on the length of road under consideration, in the last 3 years.*

*I am always happy to visit a ward to discuss issues when invited by the local members*