

BATH AND NORTH EAST SOMERSET

MINUTES OF COUNCIL MEETING

Thursday, 2nd December, 2010

Present:- **Councillors** Simon Allen, Rob Appleyard, Sharon Ball, Tim Ball, Colin Barrett, Gabriel Batt, Cherry Beath, David Bellotti, Loraine Brinkhurst MBE, John Bull, Neil Butters, Bryan Chalker, Anthony Clarke, Victor Clarke, Nicholas Coombes, Chris Cray, Paul Crossley, Gerry Curran, Colin Darracott, Sally Davis, Douglas Deacon, Ian Dewey, David Dixon, Peter Edwards, Andrew Furse, Terry Gazzard, Charles Gerrish, Ian Gilchrist, Francine Haerberling, Alan Hale, Malcolm Hanney, Nathan Hartley, David Hawkins, Lynda Hedges, Steve Hedges, Adrian Inker, Eleanor Jackson, Les Kew, Malcolm Lees, Marie Longstaff, Barry Macrae, Shaun McGall, Bryan Organ, Carol Paradise, Vic Pritchard, Caroline Roberts, Nigel Roberts, Dine Romero, Will Sandry, Brian Simmons, David Speirs, Roger Symonds, Martin Veal, Tim Warren, Chris Watt, Brian Webber, Brook Whelan, John Whittock and Stephen Willcox

Apologies for absence: Councillors Armand Edwards, Richard Maybury, Marian McNeir MBE, Shirley Steel and Gordon Wood

55 EMERGENCY EVACUATION PROCEDURE

The Chairman welcomed everyone to the meeting including members of the public seated in the overflow facility in the Alkmaar Room and drew attention to the emergency evacuation procedure which was read out.

56 DECLARATIONS OF INTEREST

Declarations of Interest were made as follows:

Councillor Malcolm Hanney declared a personal non-prejudicial interest in the agenda motion Every Disabled Child Matters (agenda item 8) as Chair of NHS Bath and North East Somerset Primary Care Trust.

Councillor Charles Gerrish declared a personal non-prejudicial interest in the agenda motion Every Disabled Child Matters (agenda item 8) as the parent of a child with disabilities.

Councillor Gerry Curran declared a personal non-prejudicial interest in the agenda motion Every Disabled Child Matters (agenda item 8) as a foster parent caring for a young person with disabilities and he and his partner were in receipt of monies for carer responsibilities and also because his employer received such funding.

57 ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE

The Chairman:

1. Asked everyone present to turn off their mobile phone or switch it to silent to avoid disrupting the meeting and because there was the possibility that if they remained switched on they might interfere with the sound system or the videolink to the Alkmaar Room.
2. Referred to the agenda item timings on the briefing sheet for this meeting which had been agreed with the Group Leaders and asked Councillors to keep contributions to debate brief and relevant and not repeat what had already been said by colleagues.
3. Indicated that she proposed to waive Council Rule 37 so as not to permit Councillors seconding motions or amendments being able to reserve their right to speak until later in the debate, but to require all seconders if they wished to speak to do so when they second the motion or amendment. The Council indicated its agreement.
4. Informed Council that she had agreed to alter the order of business to take agenda item 9, Statements from Councillors, before agenda item 7 because the one statement submitted related to that item.
5. Reminded Councillors that the next Full Council Meeting would be held on Thursday 20th January 2011.
6. Indicated that she did not propose to announce a comfort break unless the meeting continued beyond 9pm.

58 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There were no items of urgent business for this meeting.

59 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC ABOUT THE BUSINESS OF THE SPECIAL MEETING

There were ten statements from members of the public as indicated below. Copies of the statements provided by the speakers which were circulated at the meeting are held on file in the minute book and published on the Council's website with the draft minutes of this meeting.

(A) Mrs Jane Giddins made a statement on behalf of Newton St Loe Parish Council thanking Bath and North East Somerset Council for listening to local opinion by not including in the draft Core Strategy the proposal for an Urban Extension to the south and west of Bath, which had been included in the Regional Spatial Strategy prepared by the Government Office for the South West. She also asked that the Council should express support for the bid by Newton St Loe, Englishcombe and Combe Hay parishes to be included in the Cotswold Area of Outstanding Natural Beauty.

(B) Mr Leslie Redwood made a statement on behalf of BIGHA (Bath Independent Guesthouses Association) asking that the results of the Council's Visitor Accommodation Study be adopted into the Core Spatial Strategy and the Local Development Framework, to remove the policy of car-free

developments in relation to hotels and to defer any large hotel planning applications until this had been done. In response to a question from Councillor Eleanor Jackson, Mr Redwood said that the reliable surveys indicated 75% occupancy rates in bed and breakfast accommodation in Bath, with much higher occupancy on Friday and Saturday nights than the rest of the week; BIGHA did not consider that Bath needed more bed and breakfast accommodation.

- (C) Mr Ashley Baker made a statement on behalf of BIGHA urging the Council in the Core Strategy to - ensure that new hotel developments will have adequate car parking provision; acknowledge the importance of independent guesthouses and small hotels to the local economy; and in making decisions on the future development of key sites to maximise the potential for innovative buildings to deliver long term economic and cultural benefits. In response to a question from Councillor John Bull, Mr Baker said that the Southgate development demonstrated well how underground car parking could be used to meet the requirements of visitors staying at hotels in the city.
- (D) Ms Deborah Porter made a statement urging the Council to develop as part of the Core Strategy document a strategy for the enhancement of biodiversity and the conservation of the wildlife resource throughout Bath and North East Somerset, particularly with reference to post-industrial land on "brown field" sites.
- (E) Norton Radstock Town Councillor Gary Dando made a statement about the need for the Core Strategy to include proposals to improve the road infrastructure in the Somer Valley and reduce congestion and pollution in Radstock and suggested that restoring the rail link between Radstock and Frome would achieve this and contribute to greater inward economic and tourism investment. In response to a question from Councillor Eleanor Jackson, Councillor Dando said that a rail link would open up better access for visitors to the market towns and countryside in the whole of the Somer Valley. 3,000 people had signed a petition calling for the restoration of the rail link and the Member of Parliament for North East Somerset had expressed his support. In response to a question from Councillor Chris Cray, Councillor Dando said that whilst a certain amount of car parking would be needed to support the rail link he did not agree that it would have to be so vast as to compromise the biodiversity of the local area.
- (F) Mr George Bailey made a statement on behalf of Radstock Action Group urging the Council to include in the Core Strategy support for the reinstatement of the rail link between Radstock and Frome. In response to a question from Councillor Chris Cray, Mr Bailey said that it was important to include it now in the Core Strategy so that it was embedded in the vision for the future of the area though he accepted that the issue of funding the capital investment needed required further work with central government and other agencies.
- (G) Ms Amanda Leon read statement submitted by Ms Heather Chipperfield on behalf of Radstock Action Group which urged the Council to address the

solution of the traffic and environmental problems as part of the commitment to the sustainable development of affordable housing in Radstock.

- (H) Ms Amanda Leon made a statement on behalf of Radstock Action Group which, while welcoming the positive portrait of Radstock in the draft Core Strategy, sought reassurance on the Council's commitment to the protection of Radstock's built environment, its cultural heritage and biodiversity, and its future as a successful business and tourism centre.
- (I) Mr Robert Sawyer, Sawyer Associates made a statement urging that Clutton and Temple Cloud be recognised as 'Focus Settlements' under Policy RA1 in the draft Core Strategy to allow the small scale housing and commercial development necessary to enable these villages to meet the needs of local communities and avoid decline. In response to a question from Councillor John Bull, Mr Sawyer said that the draft Core Strategy did not explain how community support for such developments was assessed which had led to these two villages being omitted from the Policy. In response to a question from Councillor Chris Cray, Mr Sawyer said that he agreed that a steady trickle of housing developments sympathetic to the local environment was needed to allow basic amenities such as small shops, schools and recreation areas to survive in rural villages.
- (J) Mr David Redgewell on behalf of South West Transport Network made a statement urging the Council to strengthen the draft Core Strategy in a number of areas relating to bus and rail transport, cycling and walking in co-operation with neighbouring local authorities to support a more sustainable lifestyle for the people of Bath and North East Somerset and surrounding areas.

The speakers were thanked for their statements which it was decided would be taken into account during consideration of agenda item 7.

60 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS ABOUT THE BUSINESS OF THE SPECIAL MEETING

Councillor Roger Symonds, referring to the section on rail links in the Core Strategy, made a statement about decisions currently under consideration on the electrification of the Great Western Railway and the significant consequences of this for the future of the area. He urged the Cabinet Members to join the local authorities in Bristol, Cardiff and Swindon and seek the support of local Members of Parliament to secure a commitment from the Government to the upgrade of the Swindon to Bristol section of the line running through Bath and Keynsham.

A copy of the statement provided by the speaker which was circulated at the meeting is held on file in the minute book and published on the Council's website with the draft minutes of this meeting.

61 BATH AND NORTH EAST SOMERSET DRAFT CORE STRATEGY - PRE-

SUBMISSION DOCUMENT

The Council considered a report on the proposed arrangements for the publication of the draft Core Strategy which was a key spatial strategy document within the Local Development Framework and in the delivery of the Sustainable Community Strategy for Bath and North East Somerset.

During the debate on the amendment about the Radstock to Frome railway line, Councillor Simon Allen asked for it to be recorded that whilst he supported the reinstatement of the line he would not vote for the amendment because he did not agree that an area needed to be reserved for car parking in the Core Strategy. Councillor Neil Butters said that he supported the concept of preserving rail corridors where practicable but not raising unrealistic expectations given the high capital cost of reinstating the Radstock to Frome link and he considered that discussions should be held with the Association of Train Operating Companies (ATOC) before any change is considered to the wording of the Core Strategy. Councillor Roger Symonds agreed with this view. Councillor Chris Cray said that he had always believed that this rail link would be too expensive to restore and would not help the people of Radstock or Westfield. Councillor Chris Watt said that the widespread support for the principle of preserving the rail corridor should be acknowledged so that at a suitable future time it could be addressed but there was the need to make a viable assessment over a realistic timescale and so he would not support any change to the Core Strategy. In responding to the debate on the amendment, Councillor Charles Gerrish, Cabinet Member for Service Delivery said that, as the Radstock to Frome rail corridor was safeguarded as a sustainable transport route through the adopted Local Plan, this amendment to the Core Strategy was not necessary to achieve that.

During the debate on the Core Strategy, Councillors Alan Hale and Adrian Inker welcomed the clarification on the vehicular accesses to the K2 site in Keynsham which had been circulated with a number of other textual and diagrammatic amendments identified since the draft document was circulated to Councillors. Councillor Inker also referred to the challenges of the regeneration of Keynsham town centre, the future of the Somerdale site and traffic management for the town. Councillor Brian Webber invited all members of the public to contribute to the debate on the future use of the Recreation Ground in Bath and also referred to the need for improvements to the London Road, Walcot shopping area. Councillor Victor Clarke supported the building of social housing in rural areas to meet genuine local need as long as Green Belt or agricultural land was not developed. Councillor Malcolm Hanney said that he was confident that in the villages in his Ward there had been adequate consultation on assessing the local community support for development. Councillor Stephen Willcox supported the need for a steady trickle of development in rural areas to provide affordable housing and stop villages from decline. Councillor Barry Macrae said that he and his Ward colleague Councillor Shirley Steel welcomed the positive consultation carried out by officers with a variety of local groups in Midsomer Norton during the preparation of the draft Core Strategy.

Councillor Chris Cray expressed concern that too much housing development was being concentrated in the south of the area and it needed to be more widely shared; he also believed that the Council should press more proactively for Government funding to tackle the carbon footprint.

Councillor John Bull appealed for a cross-party consensus to be developed to address the urgent problem of making more affordable housing for families and young people throughout the area. On behalf of the Labour Group he requested a report on how the £3M set aside for affordable housing in the last budget is being used.

Councillor Paul Crossley said that the Liberal Democrat Group had reservations about aspects of the document which they would highlight in the debate so they would be abstaining on the vote but wished to make it clear that they supported the publication of the Core Strategy for consultation as recommended. Liberal Democrat Councillors highlighted issues for further examination as follows:

Councillor Paul Crossley – stronger links needed with external partners and neighbouring local authorities (e.g. Wiltshire Council on reopening of Corsham Station).

Councillor Nigel Roberts – impact on local traffic management and parking of proposed new supermarket at Odd Down.

Councillor David Bellotti – Need for infrastructure improvements to be costed on Early Years, Primary and Secondary Education and Play Areas in new housing developments; Policy CP11 to be amended to remove the constraint imposed on identifying a travellers site by requiring a residential use to be incorporated.

Councillor Will Sandry – lack of ambition on regulating university numbers; requirement to cater for demand for homes in multiple occupation required by students, young professionals and migrant workers; need to link Oldfield Park railway station to future Western Riverside development in Section F.

Councillor Shaun McGall - the need to plan carefully for the future requirements of all higher education providers in the area (not only the universities) and to scrutinise that accommodation provision for students is not sacrificed to protecting teaching space; the importance of the Moorland Road shopping area and the impact of potential retail developments at Western Riverside and former Bath Press site; the need to retain green spaces whilst accommodating significant new developments in Bath.

Councillor Loraine Morgan-Brinkhurst – concerns of Ward Councillors and local residents about proposals in B1 for rapid transit link in Newbridge and Kingsmead and extension of Newbridge park and ride; more consultation and information needed on proposals for development of the riverside in the Twerton and Newbridge areas.

Councillor Cherry Beath – importance of “brown field” sites for biodiversity; careful consideration to be given to impact on local traders of supermarket growth.

Councillor Roger Symonds – requests that Local Development Framework Member Working Group reviews responses to the consultation; requests rewording of section 6.93 on the highway network.

Councillor Andrew Furse – Draws attention to need for provision for sports to be more clearly addressed and not so site specific in some cases; reminder that any redevelopment of Bath Quays / Avon Street is obliged to make provision for car parking for users of multiplex complex in James Street West; concerned about reference to possible redevelopment in Rosewell Court area.

Councillor Neil Butters – welcomes abandonment of the Urban Extension; signalling upgrade soon to be completed will enhance rail services to Keynsham and Bristol by September 2011; emphasises that Freshford Station is in Somerset not Wiltshire so boundary map needs correction.

On a motion from Councillor Charles Gerrish seconded by Councillor Francine Haeberling it was **RESOLVED** that the Council:

1. Approves the draft Core Strategy for public consultation as set out in Appendix 3 to this report and incorporating the textual and diagrammatic amendments listed in the briefing note circulated at the meeting.
2. Agrees that the consultation period should run from 16th December 2010 to 3rd February 2011.
3. Approves the approach to affordable housing site thresholds set out in Option 2 in Appendix 1 to the report.
4. Grants delegated authority to the Divisional Director for Planning and Transport, in consultation with the Cabinet Member for Service Delivery and the Group Leaders, and having sought advice from the Local Development Framework Steering Group, to:
 - a. Agree responses to the public comments received; and
 - b. Make changes which in his opinion are non-material to the Core Strategy.
5. Agrees that following the public consultation, if there are no material changes to the Core Strategy, it is submitted to the Secretary of State for examination.

(Notes: 1. The above resolution was approved by a majority with 36 Councillors voting in favour, 0 Councillors voting against and 22 Councillors abstaining from voting. 2. Councillor Eleanor Jackson proposed an amendment seconded by Councillor Rob Appleyard to amend the Core Strategy to preserve the former GWR Radstock to Frome railway line and encourage steps to re-open it; to facilitate a professional feasibility study for its re-opening as a commuter service; and to conserve the former GWR rail track and an appropriate area for a future railway station and car park near the Brunel Shed, Radstock. That amendment was not approved, 5 Councillors voting in favour, 31 Councillors voting against and 22 Councillors abstaining from voting.)

62 EVERY DISABLED CHILD MATTERS

During the debate on this motion Councillor Chris Watt indicated that, if it was approved, it would be also be subject to ratification by the NHS Bath and North East

Somerset PCT Board but that no difficulty in that respect was anticipated. He undertook to ensure that a report was submitted to the Children and Young People's Overview and Scrutiny Panel before May 2011 on the extent to which the Council and the PCT were able to deliver on the baseline achievements required by the Charter so that future progress could be measured.

On a motion from Councillor David Speirs seconded by Councillor Chris Watt it was **RESOLVED** that:

This Council Notes:

- 1) That Every Disabled Child Matters (EDCM) is a campaign run by four leading organisations that work with disabled children and their families.¹
- 2) That the campaign aims are to lobby both Westminster and Local Government to:
 - Give disabled children and their families new rights to the services and support they need to lead ordinary lives.
 - Invest in new resources to make sure these rights can become a reality. This will be achieved through funding to sustain, embed and build on Aiming High for Disabled Children.
 - Give disabled children and their families a new level of priority, and work with them to improve the services they receive.
- 3) That the campaign is asking Local Authorities and Primary Care Trust's (PCT's) to sign campaign charters. These charters include a set of commitments that local authorities and PCT's can choose to sign up to in order to demonstrate that disabled children are a priority.²
- 4) That ninety six local authorities have signed the EDCM Charter (as of 31st August 2010)

This Council Believes:

- 1) That supporting Disabled Children and their families is a priority for the Local Authority and should be a priority for the PCT.

This Council Resolves:

- 1) To ask the Cabinet Member for Children's Services to sign the EDCM Local Authority Charter and to ensure that the commitments contained therein are fulfilled within one year.
- 2) To work with the PCT in order to setup a Joint Charter, based on the example of Leicester City Council and Primary Care Trust, with the aim of joining up the services that the local authority and PCT supply.
- 3) That as a result of this joint charter a joint action plan should be drawn up to implement the joint commitments.³

¹ Contact a Family, The Council for Disabled Children, Mencap and the Special Educational Consortium.

² See Appendix One and Two

³ http://www.ncb.org.uk/edcm/charters/joint_charters.aspx

(Note: The above resolution was approved by a majority of Councillors voting in favour with no Councillors voting against and no Councillors abstaining from voting.)

The meeting ended at 8.52 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services