

# **BATH AND NORTH EAST SOMERSET COUNCIL**

## **MINUTES OF COUNCIL MEETING**

Thursday, 14th July, 2011

Present:- **Councillors** Simon Allen, Patrick Anketell-Jones, Rob Appleyard, Sharon Ball, Tim Ball, Colin Barrett, Gabriel Batt, Cherry Beath, David Bellotti, Sarah Bevan, Mathew Blankley, Lisa Brett, John Bull, Neil Butters, Bryan Chalker, Anthony Clarke, Nicholas Coombes, Paul Crossley, Gerry Curran, Sally Davis, Douglas Deacon, David Dixon, Michael Evans, Paul Fox, Andrew Furse, Charles Gerrish, Ian Gilchrist, Francine Haeberling, Alan Hale, Katie Hall, Liz Hardman, Nathan Hartley, Steve Hedges, Eleanor Jackson, Les Kew, Dave Laming, Malcolm Lees, Marie Longstaff, Barry Macrae, David Martin, Loraine Morgan-Brinkhurst MBE, Robin Moss, Paul Myers, Douglas Nicol, Bryan Organ, June Player, Vic Pritchard, Manda Rigby, Caroline Roberts, Nigel Roberts, Dine Romero, Will Sandry, Brian Simmons, Kate Simmons, Jeremy Sparks, Ben Stevens, Roger Symonds, Martin Veal, David Veale, Geoff Ward, Tim Warren and Brian Webber

Apologies for absence: Councillors Malcolm Hanney and Chris Watt

### **16 EMERGENCY EVACUATION PROCEDURE**

The Chair drew attention to the emergency evacuation procedure as set out on the agenda.

### **17 MINUTES**

On a motion from Councillor Paul Crossley, seconded by Councillor Francine Haeberling, it was;

**RESOLVED** that the minutes of 19<sup>th</sup> May 2011 be approved as a correct record and signed by the Chairman.

### **18 APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Malcolm Hanney and Chris Watt. Councillor Will Sandry had also indicated that he would be arriving late to the meeting.

### **19 DECLARATIONS OF INTEREST**

The Solicitor to the Council advised the meeting that Councillors' previous involvement in discussions/decisions regarding Culverhay did not constitute an interest and so did not preclude them from participating in the debate and voting on that item.

Councillor Gerry Curran declared a personal non-prejudicial interest in agenda item 9 as Governor of Culverhay school and a parent of children at the school.

Councillor Sarah Bevan declared a personal non-prejudicial interest in agenda item 10 as a parent of a child at St Gregory's school.

Councillor David Dixon declared a personal non-prejudicial interest in agenda item 10 as Governor of St Gregory's school.

**20 ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE**

The Chairman then;

1. Drew Members attention to the forthcoming training sessions on the Code of Conduct and encouraged them to attend.
2. Indicated that he 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 seconded the motion or amendment. The Council indicated its agreement.
3. Invited Council to place on record its thanks to Tom Dunne, Democratic Services Manager, who was retiring shortly, for his many years of loyal service to this Council and its predecessor authorities.
4. Informed Council that he proposed to announce a 10 minute comfort break at an appropriate point if the meeting continued beyond 8.00pm.

**21 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN**

There were no items of urgent business.

**22 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC**

The following statements were made at agenda item 8;

David Dunlop made a statement regarding flood mitigation in relation to the Bath Transport package – a copy of which is held on the Minute book and published on the Council's website with the draft minutes of the meeting.

Steve Mackerness made a statement regarding the Bath Transport package which welcomed the removal of the BRT and Bathampton Meadows from the bid – a copy of which is held on the Minute book and published on the Council's website with the draft minutes of the meeting.

Ian Bell made a statement regarding the Bath Transport package, expressing concern that it would not significantly address the city's need for economic growth – a copy of which is held on the Minute book and published on the Council's website with the draft minutes of the meeting.

Pam Richards made a statement on behalf of Response2Route regarding the appropriation of open space land and hoped that this would be reversed.

David Redgewell made a statement regarding the Bath Transport package and referred to a number of documents already circulated electronically to Councillors. He asked Councillors to consider the need for much improved bus and rail services in the area and to ensure effective independent scrutiny of decisions taken at the regional level. In response to a question from Councillor Eleanor Jackson regarding the source of his information, David explained it had come from the Regional Development Agency.

Jo McCarron made a statement on behalf of Response2Route regarding village green applications in Newbridge in relation to the Bath Transport package – a copy of which is held on the Minute book and published on the Council's website with the draft minutes of the meeting.

David Evans made a statement regarding the A362 in Midsomer Norton, and called for traffic calming measures to be increased - a copy of which is held on the Minute book and published on the Council's website with the draft minutes of the meeting. In response to a question from Councillor Eleanor Jackson about David's view of why the Highways department had refused a zebra crossing in a particular spot, he responded that it was perhaps because the road was too dangerous to cross at that point.

George Bailey made a statement expressing concern about the proposed diversion of the A362 in Radstock - a copy of which is held on the Minute book and published on the Council's website with the draft minutes of the meeting. In response to a question from Councillor Eleanor Jackson regarding air pollution and respiratory diseases, George responded that if the narrow street became 2 way, traffic would travel more slowly, there would be queues of traffic and HGVs going round the roundabout would be moving off from a standstill – all of which would exacerbate the pollution.

Amanda Leon from Radstock Action group made a statement regarding roads in Radstock in relation to the Bath Transport package - a copy of which is held on the Minute book and published on the Council's website with the draft minutes of the meeting. In response to a question from Councillor Eleanor Jackson regarding the views of Radstock Traders, Amanda explained that they were totally opposed to the plans.

The following statements were made at agenda item 9;

Richard Thomson, Headteacher of Culverhay school, made a statement in support of the school - a copy of which is held on the Minute book and published on the Council's website with the draft minutes of the meeting.

Sean Turner, Deputy Headteacher of Culverhay school, made a statement in support of the school.

Bob Wilkins made a statement in support of the school - a copy of which is held on the Minute book and published on the Council's website with the draft minutes of the meeting.

Don Wallace, Governor at Culverhay school, made a statement in support of the school.

James Eynon, Head boy at Culverhay school, made a statement in support of the school.

The following statement was made at agenda item 10:

Raymond Friel, Headteacher at St Gregory's school, made a statement in support of the item. In response to a question from Councillor John Bull regarding the admissions criteria with regard to religious denomination, Raymond responded that the first criteria was for those at the school, or with a statement of special educational needs but that the Admissions policy was still draft and the other categories were to be negotiated.

## **23 BATH TRANSPORT PACKAGE - BEST & FINAL BID TO DFT**

The Council considered a report setting out a Best & Final bid to Department for Transport for the funding of the Bath Transport Package. Following the Comprehensive Spending Review, Department for Transport have indicated that they wished to reduce costs, enhance value, improve deliverability of major transport schemes and increase Local Authority contribution. Following the election, further work had been undertaken to reduce the cost of the package.

In addition to the reports circulated with the agenda, Councillors received copies of an update report at the meeting containing revised recommendations and a new Section 3 – Financial Implications. This was made available to Press and public too.

On a motion from Councillor Roger Symonds, seconded by Councillor Paul Crossley, it was

**RESOLVED** that

The Council agrees, as recommended by Cabinet, that the following elements of the BTP should not be included in the Best & Final Bid to DFT:

- 1.1 The Bus Rapid Transit Segregated Route;
- 1.2 The A36 Lower Bristol Road Bus Lane;
- 1.3 The A4 London Road Lambridge Bus Lane;
- 1.4 New A4 Eastern P&R (1400 spaces), plus bus lane priority on the A4/A46 slip road ;
- 1.5 And, in addition, reduce the size of the P&R expansion at Newbridge.

**As a result the BTP would comprise of the following elements;**

- a. Upgrades to bus stop infrastructure on 9 service routes, including real time passenger information;

- b. Expansion of Odd Down P&R by 250 spaces, of Lansdown P&R by 390 spaces and of Newbridge P&R by 250 spaces on a suitable alternative site;
  - c. Variable Message signs on the main approaches to Bath, and within the city centre;
  - d. City centre works: High Street improvements and timed access restrictions (currently ongoing); and
  - e. Works to support BWR including a bus rapid transit system serving the site.
- 1.6 In the light of the Cabinet agreeing to formally withdraw the CPOs which were approved at its meeting on 3<sup>rd</sup> September 2008 and subsequently served to allow for the implementation of the BTP, Council agrees that the local contribution towards the BTP will be no more than £17.8m as set out in Section 3 of the report. [The schemes costs as recommended in this report have been reduced from £58.8m to £34.3m.]
- 1.7 Council agrees that the final submission to DfT be approved by the Strategic Director Service Delivery and Chief Executive, in consultation with the portfolio holder, the S151 officer and Monitoring Officer, and with a report back to Cabinet only if necessary (notably if there is a material change in the financial costs or scope of the scheme which go beyond the parameters set out in the report)
- 1.8 To agree additional borrowing of £3M to fully finance the costs of the the Council contribution of up to £17.8M with an additional revenue cost of approximately £190K which will need to be included in the revenue budgets for future years following completion of the scheme;

**In addition, Council agrees to instruct officers to;**

- 1.9 work on alternatives to Bathampton Meadows P&R, possibly involving rail, as part of our future Transport Strategy;
- 1.10 work with the Highways Agency to improve signage on the A46 to direct more traffic to an extended Lansdown P&R;
- 1.11 talk to Wiltshire Council about measures to remove some of the through traffic along the London Road and other cross border transport issues
- 1.12 evaluate measures to remove HGVs from London Road – [this 10% of traffic creates 40% of the pollution]
- 1.13 examine how we can obtain substantial "modal shift" from the private car to rail in recognition of potential for rail expansion with the electrification of the GWR and the awarding of an extended rail franchise;
- 1.14 evaluate options to address the problems caused by a lack of affordable home to school transport; and
- 1.15 consider measures to make the whole area much more cycle friendly – we have already secured Government funding through the Regional Sustainable Transport Fund to link Batheaston to NCR 4 on the canal towpath, thereby

taking many cyclists off the London Road and encouraging others to get out of their cars and cycle into Bath.

*(Note: 1. The above resolution was carried with 29 Councillors present voting in favour, 24 Councillors present voting against and 10 Councillors present abstaining from voting. A minor adjustment to the wording of the motion was suggested by Councillor Lorraine Morgan-Brinkhurst with the effect of removing some words regarding the proposed Newbridge P&R site which was accepted by the mover and seconder of the motion.*

*2. Councillor Tim Warren moved an amendment, seconded by Councillor Marie Longstaff, the effect of which would require Cabinet to undertake further work on the bid (with reference to the impact on the Core Strategy and JLTP), consult further and bring back to a September Council meeting. That amendment was not carried - 29 Councillors present voting against, 27 Councillors present voting in favour, with 7 abstentions.*

## **24 CALL-IN OF CABINET DECISION E2233 - "DETERMINATION OF THE STATUTORY NOTICE TO CLOSE CULVERHAY SCHOOL"**

The Council considered a report setting out the options for consideration regarding the call-in of the decision to close Culverhay school.

Following statements from the public, the Monitoring Officer advised on the nature of the debate and the options open to the Council.

On a motion from Councillor Dine Romero, seconded by Councillor Nigel Roberts, it was

**RESOLVED** to agree to uphold the call-in, in the light of the reasons in the call-in request (appendix 3 of the report), and those expressed by the Children and Young People Panel when referring the issue to Council, and therefore refer the decision back to Cabinet for reconsideration, for the following reasons;

- a. The clear wish of the community for a co-educational school at Culverhay shown by the results of the various consultations on the future of Culverhay;
- b. The results of the parent survey, which showed that a co-educational school would attract significantly more pupils;
- c. The change in the legislative framework at a national level, which is already having an impact on local education; and
- d. The change in Council Administration since the decision was made, and the resulting change in policy, including the new Administration's willingness to make funding available for the co-educational transition to take place.

*(Note: 1. The above resolution was carried with 36 Councillors present voting in favour, no Councillors present voting against and 26 Councillors present abstaining from voting.*

*2. Councillor Tony Clarke moved an amendment, seconded by Councillor Colin Barrett, the effect of which would defer a decision to uphold or reject the call-in pending further consultation with the school and the Schools Forum and requesting further financial and strategic detail regarding proposals. That amendment was not carried with 36 Councillors present voting against, 23 Councillors present voting in favour, with 2 abstentions.)*

## **25 ST GREGORY'S AND ST MARK'S SIXTH FORM - PROVISION OF CAPITAL FUNDING**

The Council considered a report seeking agreement to the capital funding required for the provision of the new sixth form for St Gregory's and St Mark's schools.

On a motion from Councillor Nathan Hartley, seconded by Councillor Tony Clarke, it was

### **RESOLVED**

1. To agree long term prudential borrowing of £2m be provided to support the estimated capital construction costs and related fees for the new sixth form; and
2. that the annual revenue borrowing cost for both interest and capital repayments estimated at £130,000 be considered as a priority commitment as part of the 2012/2013 Budget process.

*(Note: 1. The above resolution was carried with 58 Councillors present voting in favour, 1 Councillor present voting against and 2 Councillors present abstaining from voting.)*

## **26 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS**

There were seven questions from Members of the Council as listed in the Appendix to these minutes. The questions asked and answers circulated at the meeting are held on file in the minute book and published on the Council's website.

There was one statement from Councillor Nigel Roberts about cycling. The statement was referred for consideration and response by the Cabinet Member for Transport.

A copy of the statement is held on file in the minute book and published on the Council's website with these draft minutes.

Councillors Lisa Brett and Paul Fox presented a petition entitled “Defend London Road” and Councillor Brett spoke in support of the petition. In response to a question from Councillor Cherry Beath, Councillor Brett indicated that they welcomed the Regeneration project, in addition to the Placemaking project.

[While ‘live’, the petition can be accessed via;  
<http://www.petitiononline.co.uk/petition/defend-the-london-road/2611>

The petition was referred for consideration and response by the Cabinet Member for Transport.

A copy of the statement provided by the speaker is held on file in the minute book and published on the Council’s website with these draft minutes.

The meeting ended at 9.40 pm

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**



## **B&NES Cabinet meeting 13<sup>th</sup> July 2011 Guildhall Bath**

### **FLOOD MITIGATION (NOT PREVENTION) David Dunlop The Bath Society**

Government legislation in the form of PPS 25 and its Practice Guide, requires B&NES to address Flood Risk Management.

Core Policy 5 in the Core Strategy is based upon B&NES Strategic Flood Risk Assessment (Capita Symonds July 2009) and a later document by Atkins, B&NES Flood Risk Management Strategy Report dated June 2010 BUT NOT available until December, just before responses to the Draft Core Strategy were required !

At that time (January 2011), the multiple Appendices to Atkins were missing and despite repeated searches and requests, these Appendices (including Site Option maps) remained curiously unavailable until 7<sup>th</sup> July 2011!

In the light of Appendices C, J and L, it now seems that Atkins Strategy is to dig holes to compensate for the effects of riverside developments downstream.

These upstream holes would total about 350,000 cubic metres in size, located at Bathampton Water Meadows, much of which already floods, and Kensington Meadows – already in the flood plain (as are many of the properties along the south side of London Road).

The Kensington Meadows were tipped and raised in the 1960's with rubble and waste – including asbestos. Despite the Meadows elevation, gardens along London Road are still prone to water ingress because of ground water levels. Our Buildings Insurance premiums have increased threefold this year.

Atkins report suggests Flood Mitigation works at Bathampton should not be by digging an underground cavern (too expensive) but by lowering the height of the car park to allow it to flood thus putting 1400 cars and passengers at risk. Health and Safety conflict comes to mind.

Surely any proposal to proceed with Park and Ride at Bathampton is premature pending 1) the assessment of other alternative Park and Ride sites that were never seriously considered previously, and 2) pending the results of the Core Strategy Inspector's Inquiry in the autumn.

Core strategy Inspector Emerson's letter (3<sup>rd</sup> July 2011) raises significant concerns – For example he says “ *The Bath Compensatory Storage Study Phase 1 would appear of potential relevance but with no date for publication*” ! His questions in Annex 23 and 24 are relevant viz “*Is the delivery of the upstream flood compensation storage requirement achievable*” ?How will it be implemented ?how funded ? and “ *What is the contingency if it cannot be delivered or is delayed*”?

Given PPS 25 constraints, B&NES Councillors and planners must decide whether Bathampton Water Meadows can contribute to Bath's economy and protect the World Heritage Site from flood damage or just become a car park for folk who could travel more environmentally by bus, train or bike.

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**Statement by S Mackerness regarding  
BATH TRANSPORT PACKAGE - BEST & FINAL BID TO DFT  
(Agenda Pages 15 - 22)**

In discussions with representatives of the east of Bath Parish Councils and community organisations, it was noted that the proposals for the 'best and final' 9<sup>th</sup> September BTP will no longer include the BRT system and the Bathampton Meadows P&R. We very much welcome this amendment to earlier plans.

We firmly believe that this is the right course of action; underpinned by the following key considerations -

- **Impact of removing the BRT**

The removal of the BRT - the backbone of the original BTP - means that the linkage of Bathampton Meadows P&R to the BRT is lost - they no longer form a complete package or enhance each other. And that means that the "very special circumstances" have been stripped away. It was these 'very special circumstances' which overrode what officers concluded to be "inappropriate development in Green Belt and harmful to openness, landscape, including the setting of the Cotswolds AONB, the character and appearance of Conservation Areas and the setting of listed buildings and Scheduled Ancient Monuments".

It is very likely that, had Bathampton Meadows P&R been evaluated on a stand-alone basis (i.e. not part of the whole BTP), it could not have properly been approved, since it would not have been possible to claim that 'very special circumstances' existed.

In fact, this gives rise to considerable doubt surrounding the validity of the planning permission granted for the P&R. This situation is being closely monitored and a legal challenge is possible should the Bathampton Meadows P&R be advanced (also refer 25<sup>th</sup> May 2010 Court Order).

- **Bath Environs**

The linkage between the Bathampton Meadows P&R and the BRT may be lost but the inextricable link between the City of Bath WHS and its high quality landscape setting is not. Bath is unique - there is no doubt that the City's landscape setting was an important consideration in UNESCO's decision to inscribe the city on the World Heritage list. UNESCO, DCLG and the B&NES Core Strategy have all recently highlighted the need to protect the landscape setting of the City. It is clear - we must not rush to abandon the City's environs!

- **Ineffectiveness of A4 P&R Proposal**

Perhaps the most disturbing aspect of the Bathampton Meadows P&R is that, contrary to widely held perceptions, it would have no significant impact on traffic congestion or air pollution along the London road, where residents have cried out for improvements over many years. I believe that some Councillors have, even now, not understood this. Quoting from the Planning Applications, your Officers concluded that the effect on congestion was "Neutral; No material change". On pollution, your Officers stated that the impact was "very small" to "extremely small"- changes of less than 1% were predicted - London Road air pollution levels unchanged. And "the large majority of Bath and the surrounding area is unaffected by the introduction of the proposed BTP of which the A4 Eastern Park and Ride is an important element".

Outside the BTP, an HGV ban on Cleveland Bridge is, of course, the key to tackling London Road traffic congestion and air pollution.

- **Joined-up Planning**

Time is needed to undertake a rigorous strategic review of traffic management for the east of Bath. Other possible P&R options exist which have arisen since the original work or which were wrongly overlooked. These and other traffic management options include new split-P&R sites (e.g. one to accommodate predominantly A46 patronage, another for relatively low residual patronage expected from the east and south), park and rail, previously discarded P&R site options, consideration of the Wiltshire dimension (missing from previous evaluations), a thorough assessment of the opportunities which rail electrification may yield, the potential for re-opening of stations such as Corsham (included in the JLTP3) and improved bus services.

- **Removal of these 2 elements is not Irreversible**

There will be another opportunity to bid for DfT funding in 4 years time.

- **Electoral Pledges** The decision to drop the Bathampton Meadows P&R fulfils the pledge made by prospective Bathavon North Lib Dem candidates at the recent Local Elections.

Thank you for the opportunity to emphasise these points and I look forward to the present administration continuing to work vigorously towards relieving Bath of its traffic problems. The removal of the costly BRT white elephant and the ineffective A4 P&R are a good start.

Statement to B&NES Council on behalf of Bath Chamber of Commerce and the Initiative in B&NES to the revised proposal for the Bath Transportation Package.  
From Ian Bell, Executive Director.

#### 8.7.11

Surely no one can disagree that one of the obstacles to economic growth in Bath is the state of our transport infrastructure ? Pollution and congestion are everyday experiences for business people and residents alike.

Consequently, the opportunity to bid for Government funding of improvements was really welcome. However, the Department for Transport made it clear that the priority for the investment was that it should boost economic activity. In our case, one of the ways in which that could be achieved would be to make it easier to get into and out of the City centre, whether that was people who were working, shopping or visiting.

That meant at the heart of the necessary improvements was the need to increase the capacity of Park and Ride facilities on all sides of the City and to improve the speed and reliability of buses so that people would see a good alternative to driving their motor cars in the centre.

If the original plan had been submitted and approved, it would have gone some way to delivering those objectives and solving some of our transport problems. But it would have done something which is arguably even more important.

By substantially increasing car park capacity on the outskirts, there would have been the opportunity to free up car park space in the City which could be used for new development. It would provide the much needed modern office space which is required to allow our existing businesses to prosper and grow and it would have increased the chances of attracting inward investment – both of which things would provide private sector jobs for residents at a time when the public sector is coming under serious pressure. Above all it would have sent out a strong signal that Bath had the necessary ambition and determination to compete in the modern economic world and to deliver the Vision and Economic Strategy that have previously been set out.

However, as it currently stands, this modified plan significantly compromises the City's ambitions. If it goes ahead in this form and it is approved by Government it will not solve our problems. In fact it runs the risk of being viewed by the DfT as an inadequate response to a serious problem and dare I say but it, looks quite close to simply ducking some important issues.

Much has been said about how walking, cycling and the forthcoming electrification of the rail line will have make a contribution to improving transport in Bath, and all that this is quite true. But those things will not deliver the scale of the vital economic growth that this City needs.

We are in a serious competition for jobs for our people. There is a chance to improve our infrastructure now. If we don't seize that opportunity, there will be no possibility of this kind of funding for years to come. Our economy will be in danger of stagnating and we will have lost ground on other places which it will be difficult to regain.

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**My name is Jo McCarron and I am speaking on behalf of Response2route and residents who applied for Village Green applications on the former Midland Railway and Newbridge Meadows.**

**The BRT proposal threatened our local green spaces which residents have valued and used for recreational purposes for over 20 years. We hope that the BRT element will now be removed and will no longer pose a direct threat to these important parts of our neighbourhood. However, the prospect of this scheme has woken local people up to the fact that our valued green space could potentially be at risk from other future developments whether it be under this current administration or a future one. For this reason we will continue to pursue our village green applications to protect and hopefully improve the land for future generations.**

**We hope the council share our desire to preserve green recreational space for local residents and will do what they can to support us when the inspector has made his decision.**

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## Statement from David Evans

I would like to mention the A362 in Midsomer Norton. I would like to mention that the 30 mph speed limit needs to be re-enforced with some kind of traffic calming equipment, or a speed camera. More signage would also be useful, as well as speed limits and school signs painted, or repainted on the road around Welton primary school. A zebra crossing outside the school is also needed. Traffic regularly breaks the speed limit on the stretch between the roundabout where the A362 North Road changes into Radstock Road and up where the A362 is Somerville Road at the 40 mph sign. This is coupled with narrow pavements, and in some cases no pavements at all, creating difficult access for local residents. The road is also very narrow in some areas. I believe that if something is not done soon there could be a serious accident. I understand that there is a 20 mph limit when children are arriving or leaving Welton primary school, but there is no regulation of speed after these times. Thank you.'

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**STATEMENT TO BATH & NORTH EAST SOMERSET FULL COUNCIL  
14<sup>th</sup> JULY 2011**

**[NB: The appendices are available on the Council Minute book]**

I find the proposed diversion of the A362 in Radstock somewhat puzzling.

According to the Authority's own figures, Radstock is now in the 40% least deprived areas in England. Additionally, since 2006, unemployment among 18 – 24 year olds mirrors England generally, but when comparing Benefits overall, has been better than the rest of England (see details in Appendix 1)

Meanwhile a successful application was made to the Homes & Communities Agency (HCA) for £800,000 to build the new road. This was based upon the claim by this Authority that it was required for Regeneration (Appendices 2 and 3).

If Radstock is in the upper 40% of areas, why is this type of blanket regeneration required? It would seem that two departments of the Authority have not been working together and perhaps encouraged the unnecessary expenditure of £800,000 of public money by the HCA, as well as £400,000 from B&NES own coffers, all tax-payers and Council Tax payers money.

The question of how a road which cuts through a shopping area actually helps regeneration must be answered. Certainly local inhabitants will not be helped by its presence. Alternatives do not appear to have been looked at to improve traffic flow. A letter was sent to the HCA which was forwarded to this Authority, outlining possible options: was it looked at? (Appendix 4).

As at April 15<sup>th</sup>, the traffic survey report would not be completed for "some months": after that of course, a road could be designed but certainly not built by October this year.

It is difficult not to arrive at the conclusion that the road was wanted and reasons then found for its development.

Thank you.

George Bailey

## **A statement to full Council from Radstock Action Group 14.07.11**

Earlier this year, we heard BANES Councillors issue all sorts of veiled threats to the future of Bath if the Bath Transport Package was not adopted in full. Today we are witnessing the amendment of this package to remove its most contentious elements.

Meanwhile, a parallel situation is continuing without change in Radstock. Radstock Action Group suggests that if cancellation is good enough for Bath, it's good enough for Radstock.

At present most through traffic by-passes the centre of Radstock, but the new scheme would bring the traffic through the major shopping area of the town centre.

The result will be the destruction of our town centre, increased threat to the health and safety of those using Radstock Town Centre, the end of the current retail offer.

1. Air pollution levels which are already very high owing to the fact that Radstock is in a dip, would increase.
2. Through traffic would include 40+ tonne articulated trucks, coaches and buses, and, of course cars.
3. Anyone travelling from Bath to Wells would be brought to a standstill as traffic tries to negotiate roundabouts and traffic lights, it wouldn't just be Radstock people who suffer.
4. A few years ago, one of our supporters did a traffic survey of her own and recorded 500 vehicles per hour during peak periods – all this would come through our historic town centre.
5. In 2009, BANES undertook a full traffic survey, the results of which have never been published. David Trigwell, BANES Divisional Director of Planning & Transport Development tells us that there are insufficient staff to do the analysis but there are unsubstantiated rumours that it has proved impossible to plot the data onto the model which is at the base of the new proposed road.
6. No-one has yet been able to answer the questions, 'What are the benefits of this for the people of Radstock?', 'Where is the business case for this road?'
7. The Norton Radstock Regeneration Company, the agency charged with overseeing and channeling funds for these proposals, is, we suggest not a fit organization to do so. After

taking receipt of in excess of £8m over its lifetime of ten years, there is little to show for the money. For some time, it has had only a mobile phone and a Post Office Box Number for contact and this week we have been told that they cannot afford to have a website.

8. On Monday night, the latest building developer to be taken on publicly announced that the housing scheme, which it is claimed needs the road, is not viable owing to lack of funds, and yet, the road is going ahead.
9. Local people have a better solution to the matter, sort out the double roundabout, move the electricity sub-station and straighten out the kink in the current road – this would avoid all the troubles of the current proposals.

We urge you to take immediate steps to save our historic town. This means, in the first instance, stopping the road proposals.

Amanda Leon  
Radstock Action Group

## Statement from Richard Thomson

'I am proud and privileged to be the Headteacher of Culverhay School. In the 22 months I have been in post, I have come to recognise the importance of the school to its local community and what is at stake, if the school should be lost to that community forever.

I believe that the Councillors have an opportunity tonight to make a decision which will have profoundly beneficial consequences for not only the communities closest to Culverhay, but for the city as a whole.

I am delighted to report that at a meeting on Monday 11<sup>th</sup> July, the Governing Body of Culverhay School voted to seek the authorisation of the Secretary of State for Education to become a sponsored academy. This was a restatement of the position we adopted in June 2010, when we mandated the Chair of Governors to approach a local sponsor on our behalf, to seek their support in transforming the standards of the school. Sadly, this opportunity for transformation was then lost, because of the subsequent decision to close the school, but the Governors remain absolutely committed to the objective of transforming Culverhay into the outstanding co-educational school we know it can become, with the right support and investment.

I therefore urge Councillors to seize the chance to leave a wonderful legacy for the local community and the city as a whole. We have a range of potential sponsors lined up, all keen to work with the school to effect a profound transformation. These sponsors all have a powerful track record of driving up standards and improving the life chances of children. We have many loyal and committed partners supporting the school, detailed in our counter proposals to the closure consultation, all ready to help shape the future direction of the school, as it progresses towards securing co-educational status as an academy. I believe we have a real window here, where the right investment and support can create a vibrant, sustainable, high performing and very distinctive school, serving its community and the wider educational community of Bath with distinction. This school will remain committed to the principle of building cohesion and remaining closely accountable to its community, as well as offering real choice and diversity to the parents of Bath. We also remain committed to working in partnership with other local primary and secondary schools and the Local Authority, to secure the best outcomes for all of our children.

I urge the Council to be visionary and grasp this opportunity. Please support the call in motion and recommend to the Cabinet that it overturn the proposed closure of a school, which is at the heart of its community.'

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## Comments to Council Meeting July 2011 – Bob Wilkins

### Culverhay School Proposed Repeal of Closure

I support the long awaited objective of providing a co educational school at the Culverhay Site.

The wrong school, Culverhay, had been identified for closure as a result of a flawed Consultation process.

The process set objectives to reduce the number of spare school places, provide local schools, improve choice for Bath pupils and parents, and maintain high educational standards. Information on school numbers and number of Bath based pupils was supplied.

No specific school educational issue was identified as a key objective until the first choice for reorganisation, two schools north of the river being chosen to close/merge, was overtaken by events. These events being fast track Academy status being available for Oldfield and a Federation arrangement for St Mark's and St Gregory's. The decision to have a single school north of the river, and a school north of the river to close had to be abandoned.

The consultation data supplied showed that Oldfield and St Marks, both north of the river, were relatively unpopular schools with Bath based pupils and parents. Oldfield having a large number of pupils from out of Bath.

At the first round of consultation meetings Mr Parker had commented that only one school was needed north of the river because the majority of potential pupils lived south of the river, two thirds to one third approximately. Slides of catchment areas were shown at the meetings but comments on each slide were related to the problem of shutting one school north of the river.

The Council reviewed the changed status of the two schools and only had one school left to close, Culverhay, and chose it despite all the objectives set at the start. Neither Oldfield nor St Marks could be closed if Oldfield received Academy status and the Diocese refuses to close St Marks.

The then second choice was to close Culverhay on the basis of educational standards, an issue which had never made before for any school.

The second round of consultations were held for Culverhay closure and slides used again. However the comments were then related to why Culverhay should be closed, this time educational issues were highlighted which had never ever been mentioned as issues in any previous Council considerations. Even the travel arrangements as to how easy it was for southwest Bath pupils to go to Oldfield were highlighted. Again never previously highlighted in previous consultations. At this meeting no mention was made of the higher number of pupils living south of the river and only one school needed north of the river.

To sum up:- A primary objective of the reorganisation was 'to provide local co educational schools to all parents and pupils'. Culverhay's retention meets this objective for a the third of the population of Bath in the south west.

It should also be noted that the federation schools having their Sixth Form Centre at the St Marks site would achieve the other objective of a reduction in surplus places. Much less costly than the current proposals and prevents an incursion into the Green Belt

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## UPDATE TO ITEM 8 - BATH TRANSPORT PACKAGE

### RESOLUTIONS AND RECOMMENDATIONS OF CABINET

The Cabinet agrees that the following elements of the BTP should not be included in the Best & Final Bid to DfT and that these changes to the BTP are recommended to Full Council on 14th July 2011:

- 2.1 The Bus Rapid Transit Segregated Route.
- 2.2 The A36 Lower Bristol Road Bus Lane.
- 2.3 The A4 London Road Lambridge Bus Lane.
- 2.4 New A4 Eastern P&R (1400 spaces), plus bus lane priority on the A4/A46 slip road.
- 2.5 And in addition reduce the size of the P&R expansion at Newbridge.

#### **As a result the BTP would comprise of the following elements:**

- 2.6 Upgrades to bus stop infrastructure on 9 service routes, including real time passenger information.
- 2.7 Expansion of Odd Down P&R by 250 spaces, of Lansdown P&R by 390 spaces and of Newbridge P&R by 250 spaces on the proposed site or a suitable alternative.
- 2.8 Variable Message signs on the main approaches to Bath, and within the city centre.
- 2.9 City centre works: High Street improvements and timed access restrictions (currently ongoing).
- 2.10 Works to support BWR including a bus rapid transit system serving the site.
- 2.11 As a result of the above the Cabinet agree to formally withdraw the CPOs agreed at its meeting on 3rd September 2008 and subsequently served to allow for the implementation of the BTP. The Cabinet agree and recommends to Full Council that the Council contribution towards the BTP would be no more £17.8m as set out in section 3 below. The schemes costs as recommended in this report have been reduced from £58.8m to £34.3m.
- 2.12 Cabinet agree and recommends to full Council that the final submission to DfT be approved by the Strategic Director Service Delivery and Chief Executive in consultation with the portfolio holder, the S151 officer and monitoring officer, and with a report back to cabinet only if necessary notably if there is a material change in the financial costs or

scope of the scheme which go beyond the parameters set out in this report.

- 2.13 Cabinet recommend to full Council additional borrowing of £3M to fully finance the costs of the Council contribution of up to £17.8M with an additional annual revenue cost of approximately £190K which will need to be included in revenue budgets for future years following completion of the scheme.
- 2.14 Cabinet note the revenue reversion risk as set out in paragraph 3.3 and the potential need to fund the costs of project work on aspects of the scheme which are no longer going ahead from reserves with the appropriate financing to be dealt with in a later report to cabinet and Council as appropriate and if the need arises.

**In addition the Cabinet agrees and recommends to Full Council to instruct officers to:**

- 2.15 work on alternatives to Bathampton Meadows P&R, possibly involving rail, as part of our future Transport Strategy
- 2.16 work with the Highways Agency to improve signage on the A46 to direct more traffic to an extended Lansdown Park and Ride
- 2.17 talk to Wiltshire Council about measures to remove some of the through traffic along the London Road and other cross border transport issues
- 2.18 evaluate measures to remove HGVs from London Road - this 10% of traffic creates 40% of the pollution
- 2.19 examine how we can obtain substantial "modal shift" from the private car to rail in recognition of potential for rail expansion with the electrification of the GWR and the awarding of an extended rail franchise
- 2.20 evaluate options to address the problems caused by a lack of affordable home to school transport
- 2.21 consider measures to make the whole area much more cycle friendly - we have already secured Govt funding through the Regional Sustainable Transport Fund to link Batheaston to NCR 4 on the canal towpath, thereby taking many cyclists off the London Road and encouraging others to get out of their cars and cycle into Bath.

**3. FINANCIAL IMPLICATIONS (replacing section 3 of report 8)**

- 3.1 In January this year the Council submitted an 'expression of interest' to DfT which indicated that we would be prepared to make a local contribution for the BTP of £17.8m and this was subsequently earmarked in Council budgets as part of the budget setting report 2011/12. The Council contribution is included at this level within the current approved Capital Budget (Hard Coded and Italics) and included

the revenue implications of the borrowing costs which are estimated to be £657,000 per annum. There is one exception to this which is set out in paragraph 3.3 below. In submitting our Best & Final Bid later this year the Council needs to reconsider the amount of its own contribution in the light of the significantly reduced scope and cost of the project i.e. without the BRT and A4 P&R. The context also includes the substantially reduced levels of Government capital grants available since the last national Comprehensive spending Review together with the increase in the level of competition for the available monies. Further detail is set out in the report.

3.2 As is indicated above DfT have emphasised that the projects in the Development Pool are in a highly competitive process where DfT wants to fund as many schemes as they can but can only do so if Local Authorities maximise their contributions. At a meeting with the Leader and Don Foster MP, Norman Baker Parliamentary Under Secretary of State for Transport, indicated his expectation that the local funding contribution to be committed in the Best & Final Bid would match the figure already stated in the Expression of Interest i.e. £17.8m. It is for the Council to decide what contribution to offer to DfT and given the reduced scope of the project (and net reduction in cost to DfT) a reduced Council contribution of less than £17.8m might be acceptable however this would appear to increase the risk of DfT rejecting the funding bid.

3.3 In the event of DfT not approving the scheme there would be a potential revenue reversion risk of commitments to date of up to £6.5m. This is a worst case scenario. There is a revenue reversion risk of up to £3.8m due to the deletion of the A4 P&R and the BRT (£1.3m & £2.5m respectively). Any revenue reversion would immediately fall as a charge to the Council's general fund balances which would then have to be repaid, if not financed through alternative means, from the annual Council budget over a period of not more than three years.

3.4 The scheme previously included a self financing element in respect of the new park and ride. The exclusion of this from the scheme to be submitted to the DfT means that there is less revenue available to support borrowing costs. The net impact of this is that £3M of capital expenditure requires additional revenue support in the region of £190K per annum based on a Council contribution of £17.8M.

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## **Councillor Questions for Council 14<sup>th</sup> July 2011**

(NOTE: The following questions and answers will be published on the Council's website as soon as possible after the meeting and linked to the published draft minutes of this meeting.)

### **1. Question from Councillor Nigel Roberts**

How many requests have been made to the council for repairs to the road in Kingsway?

#### **Answer from Cabinet Member for Transport**

Requests for repairs are recorded by Council Connect and Highways on an electronic database. In the past two years only one request has been received for the road to be repaired in Kingsway. A number of roads in the Kingsway vicinity have been repaired recently and due to their current condition are being considered for the 2011/12 micro asphalt surfacing programme.

### **2. Question from Councillor Eleanor Jackson**

In view of the constant stream of serious accidents on the A62 as it passes through Writhlington, Radstock between Mells Lane and Mill Road, can more appropriate traffic-calming measures be taken than those carried out by the previous administration such as proper signage, speed cameras that work, and what is most needed, a pedestrian crossing?

Could 20 mile limits be imposed where Radstock children cross the road to school, ie by Writhlington School, St Nicholas CE School, Radstock and Welton Primary School Midsomer Norton?

#### **Answer from Cabinet Member for Transport**

Accident records show that there have been 2 slight accidents at the junction of A362 Frome Road and Knobsbury Lane, and 2 accidents between Mells lane and Mill Lane, one slight and one fatal, in the last 3 years. The fatal accident involved a 57 year old pedestrian who walked into the road in front of a vehicle.

The accident record is insufficient to justify a permanent safety camera in this location, but subject to agreement with the police, it may be possible to deploy a mobile camera on Frome Road if a suitable site can be found. Speed limit signage on the Frome Road is in line with the Traffic Signs Regulations, and includes gateway signage, and a vehicle activated sign, at Writhlington.

A signalled pedestrian crossing exists in the vicinity of Writhlington School, and is a well used facility. Requests for another crossing near the junction with Mells Lane have previously been made, however counts have shown that the number of pedestrians crossing at this point fall well below the minimum required to justify a crossing. Requests have also been made recently, to look into the possibility of installing a crossing near Mill Lane, however the Radstock regeneration works, scheduled for Autumn of this year, include a signalled crossing near to the tight bend at the bottom of Frome Road, which would be only 140m west of the Mill Lane site.

School Safety Zones incorporating either statutory or time limited advisory 20mph speed limits outside of schools, may be appropriate in certain cases, such as the one at Welton Junior School. However the signing at this site appears to be sub-standard at present and will be reviewed to ensure it is effective. There is already a safe crossing facility of the A362 at Writhlington School, therefore a 20 mph speed limit here would not be a high priority. St Nicholas School Travel Plan indicates that vehicle speeds outside the school are a major concern for parents, and are seen as a barrier to children walking and cycling to school, therefore a School Safety Zone will be prioritised for possible inclusion in the future capital programme.

An officer will meet Councillor Jackson on site to discuss the issues if that has not already been done.

### **3. Question from Councillor John Bull**

What is the source of funding for the £10 million reserve set aside for possible rebuilding of the Bath Leisure Centre?

#### **Answer from Cabinet Member for Community Resources**

This £10M capital scheme has not been approved and remains unapproved.

The Council budget report considered on 15th February 2011 referred to £10M for a potential capital scheme in 2012/13 for leisure re-provision. This scheme was shown in italics which meant that it was not fully approved, just approved in principle.

The previous administration was, I am aware, considering a scheme to replace the existing Bath Leisure Centre as part of a wider scheme for the Recreation Ground which involved Bath Rugby. Details were set out on p76 of the budget report. The Recreation Ground Trust consultation did not in the end include this scheme as it was deemed not to be needed.

### **4. Question from Councillor Robin Moss**

What are the current/inherited plans for fortnightly waste collections?

#### **Answer from Cabinet Member for Neighbourhoods**

There are no worked up plans for fortnightly waste collections. However, in common with all other local authorities, the Council is facing considerable challenges due to cuts in central government funding. In order to meet that challenge, officers are preparing lists of options for potential savings (which include considering a move to fortnightly residual waste collections) for approval by the new administration. The Cabinet will review the list of options and prioritise all of the Council's services as part of the budget setting process for 2012/13.

### **5. Question from Councillor Robin Moss**

What are the current / inherited projections for borrowing levels over the short & medium term (1 - 4 yrs)?

What are the revenue implications of any interest repayments?



What assumptions have been made about council tax rises over the medium term?

**Answer from Cabinet Member for Community Resources**

The current Medium Term Financial Plan inherited from the previous administration assumes a Council Tax increase of 2.5% in 2012/2013 and a further 2.5% increase in 2013/2014. The Liberal Democrat/Conservative Coalition Government has funded this current year's freeze in Council Tax and I can confirm that the Liberal Democrat Cabinet will aspire to a budget next year (2012/13) which will include a Council Tax Freeze but will take into account the Government settlement.

The current level of Council borrowing is £90M although a further £35M is required to be taken at some point to cover capital commitments made up to the 31 March 2011. The current borrowing requirement is therefore £125M which will need to increase to £206M by 31 March 2014 in support of the current Approved Capital Programme.

The revenue implications of the Approved Capital Programme are factored into the approved Medium Term Financial Plan of the Council. These include implications for service budgets, invest to save funding and related change programme savings. The only area for which revenue provision was not made was in respect of the £10m identified for a potential capital scheme in 2012/13 for leisure re-provision. This scheme is shown in italics which means that it is not fully approved, just approved in principle. Any revenue funding implications would need to be identified and covered before the project could gain full approval.

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## Cycling – statement by Cllr Nigel Roberts

I appreciate that a number of members of the council may not feel that cycling is not an important subject. Why are I feel that this is wrong ? It is about Exercise, about global warming , enjoying the countryside, it isn't just about lycra

The council has been Doing things well; two runnels, 5arches, Bristol Bath cycle way

However there aspects of Safety - such as non compliance with advanced stop at junctions, parking in the cycle lanes. Asking the police about prosecutions, shows this isn't a high priority. There were none in Avon and Somerset.

There needs to be a change of attitude, amongst all of the public bodies.

Speaking with officers directly involved they are committed, but is the corporate council ? We need to deliver, there are small things we do quickly. Grit bins on the cycle path, linking the Bristol/Bath cycle path to the two tunnels and to the tow path to Bradford upon Avon, cutting back vegetation that narrows the paths.

There many routes in North East Somerset, need to link the two tunnels to Radstock, links down the A4 to Keynsham, works at Farrington Gurney.

There are longer term issues, What do we need to do to encourage cycling is to create separate space, safety and worries about car drivers being a major obstacle to cyclists.

It is difficult to mention cycling without mentioning Pedestrians, there are inconsiderate cyclists, but they are the minority. Proving safe spaces for cyclists means less excuses for those that don't look out for pedestrians.

When we as a council deliver then we can say that Bath and North East Somerset is a better place to live.

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