

BATH AND NORTH EAST SOMERSET COUNCIL

PLANNING, TRANSPORT AND ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY PANEL

Tuesday, 26th July, 2011

Present:- Councillors Marie Longstaff (Chair), Caroline Roberts (Vice-Chair), Malcolm Hanney, Geoff Ward, Neil Butters and David Martin

Also in attendance: Glen Chipp (Strategic Director , Service Delivery), Matthew Smith (Divisional Director, Environmental Services), David Trigwell (Divisional Director - Planning and Transport), John Betty (Strategic Director, Development & Major Projects), Peter Dawson (Group Manager, Planning Policy & Transport), Graham Evans (Parks and Estates Manager) and Carol Maclellan (Waste Services Manager)

Councillor Tim Ball – Cabinet Member for Homes & Planning
Councillor Roger Symonds – Cabinet Member for Transport

1 WELCOME AND INTRODUCTIONS

The Chairman welcomed everyone to the meeting. The members of the Panel introduced themselves to the assembled members of the public.

2 EMERGENCY EVACUATION PROCEDURE

The Chairman drew attention to the emergency evacuation procedure.

3 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Councillor Douglas Nicol sent his apologies to the Panel.

4 DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972

Councillor Malcolm Hanney declared a personal and non-prejudicial interest in Item 11 (Cabinet Member Response to the Commercial Waste Collection Overview & Scrutiny Single Inquiry Day). He stated that he used to sit on the board of both Future Bath Plus and the BID (Business Improvement District).

Councillor Neil Butters declared a personal and non-prejudicial interest in Item 7 (Bath Transport Package). He stated that his employer, BRB (Residuary) Ltd currently owned the Windsor Bridge.

5 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

The Chairman declared that she had received no actual urgent business, but wished to ask the Panel to consider a proposal for an item later on the agenda.

She asked for them to give some thought as to how they wished to receive the Cabinet Member Update at future meetings.

6 ITEMS FROM THE PUBLIC OR COUNCILLORS - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS RELATING TO THE BUSINESS OF THIS MEETING

The Chairman announced that five members of the public had registered to speak on agenda item 7 (Bath Transport Package) and that their statements would be heard directly before the item was debated by the Panel.

7 BATH TRANSPORT PACKAGE

The Chairman introduced the members of the public who had registered to speak on this item.

Jenny Ragget on behalf of David Redgewell

She stated that she wished the Council luck with the revised bid and hoped for a decision soon in relation to limiting the volume of HGV traffic through the City. In addition she recommended that the Cabinet and Panel should read the recent A34 South Coast Study.

David Dunlop

(A summary of his statement is set out below; a full copy is available on the Panel's Minute Book)

The Atkins report (June 2010) advocates that Flood Mitigation works at Bathampton Meadows should involve lowering the height of the area proposed as a car park in the BTP, by 8.8 metres, to allow it to flood which would put 1400 cars and passengers at risk. We cannot see how such a combination squares with PPS25 Practice Guidelines. Comments in the appendices confirm our suspicions. Depending on water volume and flow rates the area could fill in less than half an hour.

Given PPS25 constraints, B&NES must decide whether Bathampton Water Meadows should contribute to Bath's economy by enabling development downstream in the central area and western corridor (and also protect the World Heritage Site) or just become a car park for folk who could travel more environmentally by bus, train or bike. The site cannot be both.

Councillor David Martin asked how much he thought it would cost for the flood mitigation works.

Mr Dunlop replied that he thought it would cost in the region of £2 -3m.

Councillor Neil Butters asked if he thought the Meadows should be ruled out as an option for parking.

Mr Dunlop replied yes.

Steve Mackerness

(A summary of his statement is set out below; a full copy is available on the Panel's Minute Book)

The new administration had a completely impossible task to re-work the original BTP by the deadline of 9th September. Since the previous administration had no alternatives which had been worked through, it was simply not possible to produce a credible alternative package in the time available.

If the previous administration had had the diligence and determination to properly review its own proposals, it would have concluded that alternatives were required to be sought. Alternatives were suggested, but were dismissed in a pre-emptory manner. The current administration had no alternative, therefore. The ill-conceived scheme could clearly not have passed the higher level of scrutiny which the DfT were now demanding. The scheme simply had to be deleted from the revised funding bid. To do otherwise would have prejudiced the entire funding bid.

The Parish Councils to the east of Bath and the various community organisations are, therefore, convinced that there is no credible case for supporting the retention of the P&R on Bathampton Meadows. We applaud the recognition of this fact by the current administration, and we support their call for a fresh and open-minded review of alternatives to this plan, which, by admission of your own Officers, was incapable of producing the necessary solution to congestion and pollution concerns on the London Road east of Bath.

Peter Davis

(A summary of his statement is set out below; a full copy is available on the Panel's Minute Book)

Having heard the discussion on transport policy at Full Council on 14 July, and that on the defeated amendment, the policy for a more modest Bath Transport Package - as overwhelmingly agreed - seems very sensible. It is clearly more affordable than the previous BTP, and vastly more likely to win some Government funding, by excluding the two grandiose – and evidently largely ineffective – schemes: the BRT and the A4 Park and Ride.

It is impossible for the Council, let alone any outside body, to develop such alternatives in the short time between this Panel making its comments and the Sept 9th latest date for bidding for this cycle of Government funding. So para 2.15 sensibly seeks to “work on alternatives to Bathampton Meadows P&R, possibly involving rail, as part of our future Transport Strategy”, which obviously goes beyond merely re-siting the parking area, and embraces possibly different measures eg demand-reduction measures.

I therefore support the positive transport policy as put before this panel, but I feel that the documentation given you is inaccurate in part. It actually over-stresses some of the dis-benefits of Council policy, without the balancing benefits, and it omits matter in support of the policy it purports to espouse.

John Weston

(A summary of his statement is set out below; a full copy is available on the Panel's Minute Book)

We very much appreciate the work that has been carried out by our Ward Councillors, Councillor Caroline Roberts and Councillor Loraine Morgan-Brinkhurst and, the efforts they have made on our behalf to establish the site of the proposed 250 space Car Park in Newbridge, which we understand will form part of the revised Bath Transport Package.

So far we do not know where the site will be located but we assume that the Council must have a site in mind, if they are to submit details of the revised 'Package' including the Newbridge Car Park, to the Department for Transport by 9th September 2011.

All Councillors including Councillors Caroline and Loraine are well acquainted with our concerns regarding the Car Park site proposed in the original 'Package' close to adjoining private properties, including those of pollution, flooding, noise, potential for undesirables gaining easy access to and egress from private properties, disturbance to wildlife and the curtailment of recreational activities carried out on the Newbridge Meadows Village Green.

After taking all these matters into consideration, we sincerely hope that the Council will arrange for a site which takes account of our concerns and, we look forward to being informed of its location as soon as possible.

Councillor Malcolm Hanney asked if he was aware that in the Council's letter of 18th July 2011 to Mr. Emerson (the Inspector appointed in connection with the Draft Core Strategy) it states that no further CPO's will be required as a result of the revised BTP bid and thus that an alternative site was not being considered.

Mr Weston replied no.

Councillor Malcolm Hanney asked if he was aware that changes had been made to the draft minutes of the Council meeting on 14th July 2011 in relation to the amendment proposed by Councillor Loraine Brinkhurst.

Mr Weston replied no.

The Group Manager for Planning Policy & Transport introduced the item to the Panel. He explained that a number of elements had now been removed from the original BTP proposal and that the Bid as it currently stands is deliverable without the need to go through any further statutory processes.

He added that a segregated bus route was still planned to support Bath Western Riverside (BWR) and would likely run from the Windsor Bridge through to Green Park.

Councillor Neil Butters asked if the 9 showcase bus routes could be revealed.

The Group Manager for Planning Policy & Transport replied that a map of the routes was available and that he would send one to all Panel members.

Councillor Neil Butters asked what type of buses would be used on the bus route through BWR.

The Group Manager for Planning Policy & Transport replied that he felt it would be unlikely to use the 'bendy bus' model and that he expected the vehicles to be based on the existing pattern.

Councillor David Martin commented that he felt the route from the A46 / A420 to the Lansdown Park & Ride should be improved as it has poor access through the country lanes.

The Group Manager for Planning Policy & Transport replied that B&NES would need to discuss this with South Gloucestershire District Council.

Councillor David Martin asked for the Cost Benefit ratio for the revised package as opposed to the previous one.

The Group Manager for Planning Policy & Transport replied that the ratio for the revised package was well above two and had been improved by the revisions. He added that the package was very deliverable and affordable.

Councillor Malcolm Hanney commented that he was disappointed in the lack of financial figures available within the report. He then asked the officers present a series of questions.

Councillor Malcolm Hanney asked them to confirm that the capital financing requirements in respect of Newbridge Park & Ride have been overstated and that any bid to DfT will be reduced to reflect only an additional 250 spaces.

The Group Manager for Planning Policy & Transport confirmed that the revised bid included costs for 500 additional spaces at the Newbridge Park & Ride but the final bid will be revised to 250 additional spaces.

Councillor Malcolm Hanney asked for an assurance relating to the viability of the £1.89m referenced as 'BWR Transport Scheme' contained within the revised package. His understanding was that this amount was payable by Crest under the BWR S106 Agreement but only towards the BRT.

He added that without and until Crest's agreement to an alternative, which wasn't evident, shouldn't this element have been deleted from any bid to DfT or be made clearer that the Council would step in to fund this amount if Crest chose not to?

The Group Manager for Planning Policy & Transport replied that he believed that there was enough flexibility within the agreement to enable Crest to honour their commitment.

Councillor Malcolm Hanney asked if the amount of £1,616,500 for City Centre Works had been double-counted. Was it not already being funded under the Council's Public Realm budget?

The Group Manager for Planning Policy & Transport confirmed that this figure was already within the budget for the Public Realm and was part of the Council's local contribution.

Councillor Malcolm Hanney asked if it was the Administration's intention not to renew the planning consents for the BRT route and the Bathampton Meadows Park and Ride, to dispose of any properties acquired in relation to those elements of the Bath Transport Package, and not to protect the BRT route in any way for the future.

The Group Manager for Planning Policy & Transport replied that any decisions on those matters would be a matter for the Council in the future, not at this moment in time.

The Strategic Director for Service Delivery added that such decisions may be worked through as part of the overall Transportation Policy.

Councillor Malcolm Hanney asked for confirmation that the amounts included for Risk (£2,685,144) and Inflation (£1,094,509) will be fully justified as part of the final bid as he felt they currently look very high given the elimination of the BRT, the Eastern Park and Ride and the halving of the Newbridge Park and Ride extension.

The Strategic Director for Service Delivery replied that these figures may of course reduce as they are still being worked on and that he would be happy to make them available once the package has been finalised.

Councillor Malcolm Hanney commented that the amount for vehicles in the report was unchanged at £2,950,000. He asked why a Park & Ride operator would consider anywhere near this level of investment when there was no BRT, no Eastern Park and Ride (1400 spaces) and a halved Newbridge Park and Ride extension?

The Group Manager for Planning Policy & Transport replied that that was a valid point and would review that element of the bid.

The Strategic Director for Service Delivery added that the £2,950,000 appears as both a cost and a source of third party funding in the revised bid and so will not affect the Council's net contribution.

Councillor Malcolm Hanney asked how realistic it was (in the absence of any specific or detailed funding proposals) that the DfT and the Inspector for the Core Strategy will take the Council seriously in terms of a bid to Government for funding and as evidence of a credible Transport Strategy / Core Strategy?

The Strategic Director for Service Delivery replied that section 3.3 of the current report highlighted the revenue reversion risk. He added that officers were evaluating sections 2.15 – 2.21 of the report which includes working on alternatives to Bathampton Meadows P&R, possibly involving rail, as part of our future Transport Strategy.

The Group Manager for Planning Policy & Transport added that he expected the Core Strategy Inspector to ask similar questions and during that inquiry we will show

that the final bid is highly deliverable and that we will need to develop our transport strategy to show how it can support the Core Strategy over the next 20 years.

Councillor Malcolm Hanney asked if, in considering alternatives to the Bathampton Meadows Park and Ride which had now been ruled out, it could be confirmed for the record that Lambridge was not an option given the proposals regarding the Recreation Ground with Bath Rugby?

The Strategic Director for Service Delivery confirmed that Lambridge was not an option as an alternative site to the proposed Bathampton Meadows Park and Ride.

Councillor Malcolm Hanney asked that given the deletion of key elements of the Bath Transport Package which were integral to the Draft Core Strategy, will the Council not be subject to increased challenge as to the deliverability of the Core Strategy with consequential risk of planning applications (that would otherwise have been contrary to the Core Strategy) being approved at Appeal, urban extensions, and serious difficulties in terms of credibility for the Examination by the Inspector including at the public hearings.

The Strategic Director for Service Delivery replied that it will be our job as officers to convince the Inspector that our Transport Strategy can support our Core Strategy. The bid for DfT funding for a revised Bath Transport Package is only part of that Transport Strategy.

Councillor Malcolm Hanney asked why was there no mention of the potential impact on the Council's Parking Strategy in the Council Agenda Paper.

The Strategic Director for Service Delivery replied that the Parking Strategy was being amended in light of the revised bid for the Bath Transport Package and that the Cabinet had asked officers to look at alternative Park & Ride sites as part of the Transport Strategy.

Councillor Malcolm Hanney asked what the prospects for the development of Avon Street Car Park and Coach Park and other key sites were in the absence of a viable Transport Strategy, a viable Parking Strategy and a viable Core Strategy.

The Strategic Director for Service Delivery replied that the Transport Strategy will need to be viable before work on any of these sites takes place. The additional Park & Rides are key to this.

Councillor Malcolm Hanney asked when will the views of the Urban Regeneration Panel (URP) and the Transport Commission be sought on the revised 'Package'.

The Group Manager for Planning Policy & Transport replied that they would both be contacted before the bid was submitted and that he was aware that the Transport Commission was due to meet next month.

Councillor Geoff Ward asked how the revised bid can be seen as value for money when despite the reduction of the overall cost the Council contribution remains the same.

The Strategic Director for Service Delivery replied that the improved cost benefit ratio indicated that the revised scheme was better value for money.

There is no reduction in the Council contribution because the Department for Transport (DfT) have advised that the local contribution is expected to be maintained.

Councillor Geoff Ward asked what the difference in projected traffic reductions between the two bids was.

The Strategic Director for Service Delivery replied that the bid should not simply be seen as a scheme to reduce traffic flow. He added that it should also be noted for the contribution it will make to Economic Growth and Development. He said he would be happy to send to the Panel the corresponding figures in relation to CO2 and noxious emissions.

Councillor Caroline Roberts asked for clarification on which bus companies will be used for the service to BWR and the new Park & Ride service.

The Group Manager for Planning Policy & Transport replied that the Park & Ride contract will be re-tendered and that we might want to serve BWR using one of the existing bus routes from the west not necessarily the P&R buses.

The Chairman asked if a timeline had been set for sections 2.15 – 2.21 of the report.

The Strategic Director for Service Delivery replied that there was not as these are intended to form part of the development of the Transport Strategy.

Councillor Malcolm Hanney commented that he found it odd that the DfT would approve a bid without an approved Transport Strategy.

The Strategic Director for Service Delivery replied that elements of the revised bid are still within the current strategy.

Councillor David Martin expressed his view that the Council should use Low Carbon Emission buses where possible within the new package.

The Group Manager for Planning Policy & Transport replied that the Council can express exactly what form the vehicles should take for the P&R service.

The Chairman commented that she also felt a lack of confidence relating to the financial figures within the report.

Councillor Malcolm Hanney asked that the revised financial figures of the bid be referred back to an open session of the Cabinet prior to the bid being submitted.

Councillor Caroline Roberts disagreed with this proposal and felt the views of the Panel could be passed to the Cabinet Member.

The Strategic Director for Service Delivery commented that the final bid itself will be open to the public.

The Chairman asked the Panel to vote on the proposal from Councillor Hanney to refer the revised financial figures of the bid back to an open session of the Cabinet prior to the bid being submitted.

3 members of the Panel voted in favour of the proposal, 3 voted against and there were no abstentions. The Chairman of the Panel has the discretion to use a second vote in this situation which resulted in the proposal being carried.

The Panel **RESOLVED** to ask that the revised financial figures of the bid be referred back to an open session of the Cabinet prior to the bid being submitted.

8 GREEN SPACES STRATEGY UPDATE

The Divisional Director for Environmental Services introduced this item to the Panel. He explained that the strategy had developed following extensive technical research and community consultation and that it had established new local standards for the amount, distribution and quality of green space within the district.

He also wished to highlight section 1.4 of the appended Action Plan which showed that between 2007 and 2009 £300,337 had been secured via section 106 agreements.

Councillor Neil Butters commented that he had noticed recently that a changing demographic within his ward was the increase in the number of young children and asked if an analysis was required on the provision of green spaces.

The Divisional Director for Environmental Services replied that the 2011 Census results would help when the Strategy is refreshed and that we will work with partner organisations, including Parish Councils to assess needs.

Councillor David Martin commented that he felt there should be a higher provision of allotments as he believed there was a high demand for them.

The Divisional Director for Environmental Services replied that the previous administration had given its backing to creating a further 200 plots and he believed that the new Cabinet Member was minded to support this proposal.

Councillor Caroline Roberts asked what could be done to address the satisfaction levels with regard to the provision of green spaces within Midsomer Norton & Radstock.

The Divisional Director for Environmental Services replied that he felt the approved provision needed to be addressed.

Councillor Geoff Ward asked if any progress had been made on the preparation on a district wide Landscape Strategy.

The Divisional Director for Environmental Services replied that this was aspirational at the outset of the Green Spaces Strategy. He added that since that time funding within the service had continued to fall and that some of the earlier aspirations were therefore undeliverable.

The Chairman asked the Panel to approve the recommendations within the report.

The Panel **RESOLVED** to:

- (i) Note the update provided and agrees that

(ii) The Green Spaces Strategy will be reviewed and revised in accordance with the appended programme.

9 COMMUNITY INFRASTRUCTURE LEVY (CIL) / S.106 PLANNING OBLIGATIONS

The Divisional Director for Planning & Transport introduced this item to the Panel. He explained that the Community Infrastructure Levy (CIL) is intended to largely replace Section 106 agreements. He added that the CIL will enable local planning authorities to raise funds from developers undertaking new building projects in their area. The funds can be used for a wide range of infrastructure that is needed as a result of the development.

Based on housing planned through the Core Strategy, CIL and scaled back Planning Obligations has the potential to approximately raise £36 million over the plan period up to 2026. However, the funds generated by CIL will be dependent on the viability assessments. CIL can also be levied from commercial development such as retail, hotels and office development. The potential revenue depends of the level to which CIL is set for each of these uses.

Implementation of the CIL is dependent on the adoption of the Core Strategy. An Infrastructure Delivery Programme is also required which has already been prepared in B&NES.

Councillor Geoff Ward asked how an application is separated from the funding received.

The Divisional Director for Planning & Transport replied that absolute transparency was paramount with each application received.

Councillor Neil Butters asked how the CIL was likely to be received by the business community.

The Divisional Director for Planning & Transport replied that he felt it would be broadly welcomed as developers currently do not know what they need to provide to the Council in order to process a scheme. He added that if it were minded to the Council could form a list of priorities for the funding that is secured.

Councillor David Martin commented that in his role as the Member Champion for Climate Change he would like to see the CIL used to provide renewable energy.

The Divisional Director for Planning & Transport replied that it would be possible to bring forward capital projects in the future.

Councillor Malcolm Hanney asked if the CIL would cause any problems for the Development Control Committee in terms of whether funding would be available from CIL funds for critical infrastructure necessary for any specific application before them.

The Divisional Director for Planning & Transport replied that clarity will be needed when the CIL is approved and Members should be advised accordingly. He added that in general it should lead to shorter debates at the Committee.

The Chairman requested that the Panel be updated further on the progress of the CIL in September.

The Panel **RESOLVED** to:

- (i) Note the programme and arrangements for the preparation of the CIL in B&NES.
- (ii) Receive an update report on the progress of the CIL in September.

10 FOOD WASTE RECYCLING COLLECTIONS UPDATE

The Waste Services Manager introduced this item to the Panel. She informed them that between 4th October 2010, when Food Waste collections began and 31st March 2011 a total of 2,389 tonnes of food waste had been collected. This helped the Council reach an overall recycling rate for the year of 46%.

Participation monitoring was carried out in March 2011 and this showed that 59% of residents were using their food waste caddies and bins. The containers also help reduce bird and animal scavenging of black bags. In areas of high take up there has been a noticeable difference where scavenging had previously been a problem.

Councillor Neil Butters commented that he was impressed at how well the scheme had taken off. He asked if rural properties were more inclined to participate in the scheme.

The Waste Services Manager replied that participation really depended on the type of property that people lived in and the storage space that they had available. She added that home composting was popular in rural areas.

Councillor Geoff Ward asked for further information on how the scheme was helping to combat scavenging.

The Waste Services Manager replied that the food waste containers are rigid and lockable. She added that the Council was also working with the residents of New King Street to use stronger bags for refuse to see whether these would affect scavenging.

Councillor Caroline Roberts commented that she felt that not many households these days bought newspapers and wondered if anything could be done to aid the public in finding suitable liners for their containers.

The Waste Services Manager replied that the Council was looking into the possibility of whether liner bags could be subsidised.

Councillor David Martin asked if there was any possibility of using anaerobic digestion for food waste treatment in the future.

The Waste Services Manager replied that it was one option they may well seek further information on.

The Panel **RESOLVED** to note the update report.

11 CABINET MEMBER RESPONSE TO COMMERCIAL WASTE COLLECTION OVERVIEW AND SCRUTINY SINGLE INQUIRY DAY

The Chairman asked Councillor Caroline Roberts to introduce this item to the Panel as she had been the Chairman of the Safer & Stronger Communities Panel at the time of the inquiry.

Councillor Caroline Roberts explained that in February 2011, the Safer and Stronger Communities Overview and Scrutiny Panel held a single inquiry day to look at how to improve commercial waste collection in Bath and North East Somerset. The day brought together representatives from commercial waste collection companies, local businesses and Council officers.

She added that a report from the meeting was produced with 8 recommendations for the then Cabinet Member for Service Delivery and that this was presented at the last Safer Stronger Communities Panel meeting in March 2011. The recommendations from the report appeared on the Weekly List on 27th May 2011 for the newly appointed Cabinet Member for Neighbourhoods to respond within six weeks.

The Waste Services Manager added that 7 of the recommendations had been accepted with 1 being deferred until September 2011.

Councillor Malcolm Hanney asked for some clarity on what was hoped to be delivered in what timeframe in accordance with the recommendations.

Councillor Caroline Roberts stated that Environmental Services now had greater powers to enforce (against littering and dog fouling offences for example) and that any income received could be ring fenced to a particular area of the Service.

The Panel **RESOLVED** to agree to receive an update on outcomes of the single inquiry day at a future meeting including recommendation 6 which had been deferred.

12 CABINET MEMBER UPDATE

The Chairman thanked Councillor Roger Symonds in his absence for his update paper and suggested that the Panel should ask to receive a similar paper from the other relevant Cabinet Members 24 hours prior to each meeting.

The other members of the Panel agreed with this proposal.

13 SUSTAINABLE GROWTH AGENDA (INC HOUSING)

The Strategic Director for Development and Major Projects introduced this item to the Panel. He explained that the directorate was focused on delivering Sustainable

Economic Growth as set out in the Economic Strategy of April 2010 and the Smart Economic Growth Cabinet paper of November 2010.

He added that the delivery of this is manifested through Business development and support, Regeneration and Development projects, Housing Delivery and the continued delivery of Capital projects.

The ability of the Council to deliver its priorities and aspirations in this area will depend on the alignment of policies in Planning, Transport and the ability of the Council to influence and encourage growth and development through its asset base and influence.

He stated he would be happy to issue the Panel with further reports on the matter if they wished him to.

The Chairman asked if he could give a summary of the current state of play with regard to this work area.

The Strategic Director for Development and Major Projects replied that they were entering into the delivery phase and that there were significant challenges ahead in bringing forward development, but there were also major opportunities through Bath City Riverside, Bath Western Riverside, Bath Quays South, Manvers Street, Norton Radstock Regeneration, MOD Sites, Keynsham, Somerdale and Temple Street.

The Chairman suggested that a further update be given to the Panel in September.

The Panel agreed with this proposal.

14 PANEL WORKPLAN

The Chairman introduced this item to the Panel. She reminded them that during the course of the meeting they had agreed to receive a further report on Sustainable Growth at their September meeting. They had also agreed to add to the Future Items section of the workplan reports on the CIL and the Single Inquiry Day.

The Chairman then asked the other Members of the Panel if they had anything they would like to add to the workplan or to move any item that was currently on there.

Councillor Malcolm Hanney asked for the Parking Strategy and the Draft Core Strategy to be placed on the workplan for September.

The Chairman informed the Panel that she had been asked by officers to put the emerging provision strategy for public toilets in Bath & North East Somerset on the workplan for September. She also felt it would be worthwhile for them to receive information on the Independent Transport Commission the provision of Public Transport.

Councillor David Martin asked for a report on Climate Change to be moved on the workplan to September.

Councillor Caroline Roberts asked for a report on the introduction of 20mph speed limits to be added to the workplan.

The Panel agreed with all of the proposals made.

The meeting ended at 5.10 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

Bath and North East Somerset Council

Planning, Transport and Environment Policy Development and Scrutiny Committee

Tuesday 26th July 2011 2pm

David Dunlop The Bath Society

The Society respectfully reminds you of two new paragraphs in the Core Strategy submitted to the Inspector earlier this year.

1 Proposed change ref 12 (page 29) (Bath Strategic Issues):-

New 11 :*“In order TO ENABLE DEVELOPMENT IN THE CENTRAL AREA AND WESTERN CORRIDOR SIGNIFICANT WORKS WILL BE NEEDED TO MITIGATE FLOOD RISK together with essential land remediation ”*

2 Proposed change ref 83 (page 112) (paragraph 6.28 and new paragraphs 6.28a &b) :-

New 6.28a*“The Flood Risk Management Strategy (June 2010) has identified and assessed a range of flood risk management options to enable development in vulnerable areas without increasing the flood risk elsewhere. THE STRATEGY HAS CONCLUDED THAT THERE IS NO STRATEGIC SOLUTION TO REDUCING PEAK FLOW THROUGH BATH WHICH IS EITHER TECHNICALLY OR ECONOMICALLY VIABLE. As such THE STRATEGY PROPOSES THE PROVISION OF COMPENSATORY STORAGE UPSTREAM COMBINED WITH ONSITE FLOOD DEFENCES. NEW DEVELOPMENT MUST PROVIDE STORAGE TO OFFSET THE VOLUME OF WATER THAT WOULD BE DISPLACED IN A FLOOD EVENT BY THE DEFENCES ON SITE”.*

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

The Atkins report (June 2010) advocates that Flood Mitigation works at Bathampton Meadows should involve lowering the height of the area proposed as a car park in the BTP, by 8.8 metres, to allow it to flood which would put 1400 cars and passengers at risk. We cannot see how such a combination squares with PPS25 Practice Guidelines. Comments in the appendices confirm our suspicions. Depending on water volume and flow rates the area could fill in less than half an hour.

GIVEN PPS25 CONSTRAINTS, B&NES MUST DECIDE WHETHER BATHAMPTON WATER MEADOWS SHOULD CONTRIBUTE TO BATH’S ECONOMY BY ENABLING DEVELOPMENT DOWNSTREAM IN THE CENTRAL AREA AND WESTERN CORRIDOR (AND ALSO PROTECT THE WORLD HERITAGE SITE) OR JUST BECOME A CAR PARK FOR FOLK WHO COULD TRAVEL MORE ENVIRONMENTALLY BY BUS, TRAIN OR BIKE. THE SITE CANNOT BE BOTH.

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Representation by S. Mackerness to the O&S Committee of B&NES on Tuesday 26th July 2011

Good afternoon.

I am grateful for the opportunity to further address the issues surrounding the bid for DfT funding with respect to the Bath Transportation Package.

Our Council was asked to review our earlier bid and provide a revised bid which included an improved cost/benefit ratio when compared to our original funding request. In order to comply with this request, it would not have been sufficient to simply increase the contribution offered by B&NES. To do so would not have affected the cost/benefit ratio of the scheme. The proposal to simply increase B&NES contribution was most likely going to fail. It would have resulted in a failure to secure any government funding at all.

The new administration had, therefore, a completely impossible task to re-work the original BTP by the deadline of 9th September. Since the previous administration had no alternatives which had been worked through, it was simply not possible to produce a credible alternative package in the time available.

You will all be aware of the shortcomings which have been debated on many occasions over the past few years. With respect to the P&R proposed for Bathampton Meadows, the following matters have never been countered in public by your Officers, viz.

- a) the proposed car park is simply too small for the projected demand (and incapable of being expanded to meet it, due to flood zoning constraints). If your Officers have worked out (as they have done) that the car park will be full by 10.00am – then how do you envisage that it will be effective during the day? Not until after 4.00pm (according to your Officers) will it have any vacancies. It is not difficult to deduce that between these hours, it will have no effect on the congestion along the London Road. And moreover, the fact of demonstrable suppressed demand (simply never addressed by your Officers) exacerbates the ineffectiveness of the scheme.
- b) As a result of the above, your Officers concluded that the scheme would have no material effect on congestion...and
- c) Would result in no improvement in air quality.

It is, therefore, little wonder that this element of the scheme could simply not survive the DfT request to improve the effectiveness of our bid. It was clearly incapable of delivering the benefits which were claimed for it. It would be very interesting to hear how those who support the previous administration's plans would argue the case to continue to support this discredited scheme.

If the previous administration had had the diligence and determination to properly review its own proposals, it would have concluded that alternatives were required to be sought. Alternatives were suggested, but were dismissed in a pre-emptory manner. The current administration had no alternative, therefore. The ill-conceived scheme could clearly not have passed the higher level of scrutiny which the DfT were now demanding. The scheme simply had to be deleted from the revised funding bid. To do otherwise would have prejudiced the entire funding bid.

The Parish Councils to the east of Bath and the various community organisations are, therefore, convinced that there is no credible case for supporting the retention of the P&R on Bathampton Meadows. We applaud the recognition of this fact by the current administration, and we support their call for a fresh and open-minded review of alternatives to this plan, which, by admission of your own Officers, was incapable of producing the necessary solution to congestion and pollution concerns on the London Road east of Bath.

I appreciate the opportunity to reiterate these arguments in this forum – and respectfully suggest that the current plan, which includes the removal of the P&R from the funding bid, is the only credible way forward.

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Planning, Transport and Environment Policy
Development and Scrutiny Panel – Tuesday, 26th
July, 2011

Comment on Agenda Item 7

Having heard the discussion on transport policy at Full Council on 14 July, and that on the defeated amendment, the policy for a more modest Bath Transport Package – as overwhelmingly agreed – seems very sensible. It is clearly more affordable than the previous BTP, and vastly more likely to win some Government funding, by excluding the two grandiose – and evidently largely ineffective – schemes: the BRT and the A4 Park and Ride.

The new policy makes the best of a bad job, in that, as Cllr Haerberling told the Council, it often takes years to develop schemes such as Park and Ride facilities, requiring the full resources of Council officers, but no alternatives to the BRT or the A4 P&R had been developed in the earlier Package. There was no fall-back plan.

As she implied, it is therefore impossible for the Council, let alone any outside body, to develop such alternatives in the short time between this Panel making its comments and the Sept 9th latest date for bidding for this cycle of Government funding. So para 2.15 sensibly seeks to “work on alternatives to Bathampton Meadows P&R, possibly involving rail, as part of our future Transport Strategy”, which obviously goes beyond merely re-siting the parking area, and embraces possibly different measures eg demand-reduction measures.

I therefore support the positive transport policy as put before this panel, but I feel that the documentation given you is inaccurate in part. It actually over-stresses some of the disbenefits of Council policy, without the balancing benefits, and it omits matter in support of the policy it purports to espouse.

Thus I put before members of the Cabinet, for their information, a revised version of three paragraphs on this agenda item [**see Annex**]. This attempts some necessary correction and balance to them (which could also benefit other paragraphs as well).

P Davis

ANNEX to Comment on Agenda Item 7 of Planning, Transport and Environment Policy Development and Scrutiny Panel Meeting, 26th July 2011

Cabinet Policy – Negative Wording	More Balanced Wording & Corrected Facts
<p>4.5 A4 P&R site:</p> <p>The site was selected after a thorough review of the alternatives and remains a deliverable location for this much needed facility.</p> <p>The new administration has indicated their wish to delete this element from the BTP. Its deletion from the BTP at this time might raise questions from DfT (and others) on the Council’s core strategy for delivering economic and housing growth on key brown field sites in the city itself.</p> <p>There is a risk that DfT might, as a result, not fund the remaining elements of the project. However, given the relatively small amount of DfT funding required for the remaining elements, if the facility is not included in our bid, we might still be successful in December. Alternative P&R sites are being considered but it is not possible to include a credible or deliverable option within the bid in the very short timescale remaining.</p>	<p>4.5 A4 P&R site:</p> <p>The site was selected after a review of the alternatives. Further options have emerged subsequently, conditions have changed, and arguments on file exist that some of the considered options were rejected prematurely.</p> <p>It may no longer be a deliverable location, since proceeding with it would preclude obtaining the additional floodwater storage needed – in advance – to allow Council-sponsored major development in Bath with the associated jobs this would provide (see Inspector’s concerns on core strategy, Annex 1, A23).</p> <p>Improvement to traffic flows east of Bath is much needed. This and other facilities could contribute to satisfying that need.</p> <p>Both deletion, and retention, of this element from the BTP at this time might raise (different) questions from DfT and others on the Council’s core strategy for delivering economic and housing growth on key brown field sites in the city itself (see above for flood risks to that delivery). But such questions are hypothetical. The Council’s consultants have made it clear that removal of the BRT would undermine the case for retaining the A4 P&R.</p> <p>There is also a risk that DfT might, as a result, not fund the remaining elements of the project, were this facility deleted (or retained). However, given the relatively small amount of DfT funding required for the remaining elements, if the facility is not included in our bid, we might still be successful in December. Alternative P&R sites are being considered, together with other measures to attain the same wide objectives. It is notable that whilst the business case for the A4 P&R had, as its more limited and achievable</p>

	<p>objectives, the reduction in congestion and air pollution in Bath, the Council reports on the application showed that (even on higher growth figures than at present) there would be no or negligible improvement in those key performance measures. However, it is not possible to include a credible or deliverable option, from all the alternatives, within the bid in the very short timescale remaining, nor to undertake a desirable strategic review of those options (including the option of the A4 P&R).</p>
<p>5.2</p> <p>As mentioned in paragraph 5.5 above we are reviewing the options for a new P&R to the east of the city. Sites have been considered in the past and one of the major constraints on locating a P&R further from the city is that operating cost will rise while patronage will fall, reducing revenues.</p> <p>In any event the development of a new P&R would need to be funded by the Council, without DfT support, as we cannot identify a deliverable site for this bid other than the previously approved site on the A4. In addition we would need to seek further planning permission(s) and acquire any such site.</p>	<p>5.2</p> <p>As mentioned in paragraph 4.5 above we are reviewing the options for a new P&R to the east of the city, and other complementary measures. Some sites - but not all - have been considered in the past and one of the major constraints on locating a P&R further from the city is that operating costs would rise while patronage could fall, reducing revenues. But that hypothesis assumes that a single site would answer all the objectives. This is not necessarily true. Although some split sites were (perhaps prematurely) rejected earlier, the Council's detailed assessment of the single A4 P&R shows (even under high-demand assumptions) that some 46% of the demand for it would come from drivers coming down the A46 from the north and from the A420 also in the north. Since that demand could be satisfied by further expansion of the Lansdown P&R, patronage at Lansdown would rise, not fall, increasing revenues and allowing more modest and cheaper developments of transport options for residual demand on the A4 corridor.</p> <p>The development of a new P&R (as opposed to expansion at Lansdown) would need to be funded by the Council, without DfT support, if it had to be developed before 2015 (the next bidding cycle, conceivably in improved economic circumstances), as we cannot identify a deliverable site in time for this current bid (other than the previously approved but contentious site on the A4). In addition - for a purely P&R-based solution - we would need to seek further planning permission(s), and acquire any such site. Other options would not necessarily require such steps to be taken.</p>
<p>8.1</p>	<p>8.1</p>

<p>The major option currently available to the Council is to retain the A4 P&R and associated bus lane within the BTP. The inclusion of this element would bring additional P&R capacity back up to over 2,200 for the city as a whole allowing projected demand to be met.</p>	<p>The major options currently available to the Council are to retain the A4 P&R and its associated bus lane, and/or retain the BRT, within the BTP. Both are contentious, with doubtful benefit and significant cost. The inclusion of the A4 P&R element would bring additional P&R capacity back up to over 2,200 for the city as a whole but would not cope with “suppressed demand”, so that fully-projected demand (ie including currently suppressed demand for travel into Bath) would still not be met, and neither would there be the desired reductions in congestion and air pollution.</p>
<p>These elements can be delivered without CPO or other statutory procedures. This would significantly reduce the amount of traffic entering the city from the east along an existing heavily congested corridor. It would also allow more city centre car parks to be redeveloped as part of the Council’s core strategy. Removing the A4 P&R proposal reduces the cost of the project by £5.5m.</p>	<p>Although the A4 P&R elements might be delivered without CPO or other statutory procedures, that benefit is illusory since there would be no significant lasting reduction in the amount of traffic entering the city from the east along the existing heavily congested corridor. It is possible it could invite possible expensive and time-consuming legal challenges to the Council. It would preclude development in the remaining parcels of land identified in floodable areas of Bath (most of the candidate sites), although it might allow some city centre car parks to be redeveloped as part of the Council’s core strategy. Removing the A4 P&R proposal reduces the cost of the project by £5.5m.</p>

Bath and North East Somerset Council

Planning, Transport and Environment Policy Development and Scrutiny Panel

Meeting to be held in The Guildhall on 26th July 2011 at 2.00pm

Agenda Item No 6

Statement from a member of the public

Bath Transport Package – Agenda Item No 7

Madam Chairman, Councillors.

My name is John Weston and I live at Old Newbridge Hill Bath and have done so for nearly 50 years.

I am one of a group of residents known as 'Newbridge Matters' which was set up to look after the interests of Newbridge residents and visitors to the area, working with our Ward Councillors.

We very much appreciate the work that has been carried out by our Ward Councillors, Councillor Caroline Roberts and Councillor Loraine Morgan-Brinkhurst and, the efforts they have made on our behalf to establish the site of the proposed 250 space Car Park in Newbridge, which we understand will form part of the revised Bath Transport Package.

So far we do not know where the site will be located but we assume that the Council must have a site in mind, if they are to submit details of the revised 'Package' including the Newbridge Car Park, to the Department for Transport by 9th September 2011.

We are being approached by Newbridge residents and those interested in Newbridge, on an almost hourly basis, seeking information on the proposed site and, we respectfully request this Committee to advise us of this information or, to advise the Council of our concerns and for us to be advised accordingly, so adhering to the promise of consultation.

All Councillors including Councillors Caroline and Loraine are well acquainted with our concerns regarding the Car Park site proposed in the original 'Package' close to adjoining private properties, including those of pollution,

flooding, noise, potential for undesirables gaining easy access to and egress from private properties, disturbance to wildlife and the curtailment of recreational activities carried out on the Newbridge Meadows Village Green.

This site, being scheduled as a Nature Conservation Area, Area of Outstanding Natural Beauty and being within the Green Belt, must be retained for the scheduled purposes.

The construction of any Car Park on any part of this site would be much more expensive than on virgin land, due to the nature of the ground, it being heavily contaminated due to its early life as a refuse disposal site and, the many special construction methods that would need to be adopted and maintained, in order to protect the adjoining Nature Conservation Area.

After taking all these matters into consideration, we sincerely hope that the Council will arrange for a site which takes account of our concerns and, we look forward to being informed of its location as soon as possible.

Green Spaces Strategy Update – Agenda Item No 8

We note that the Green Spaces Strategy is to be reviewed and we request that the Newbridge Meadows Village Green be specifically included within the review, so as to ensure the permanent provision of recreational open space for the residents of and visitors to Newbridge.

Madam Chairman and Councillors, thank you for allowing me to address you.

John Weston

44 Old Newbridge Hill

Bath

BA1 3LU

20th July 2011

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