

**Democratic Services**

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**Your ref:**

**Our ref:** CRS

**Date:** 8 January 2013

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**To: All Members of the Cabinet**

Councillor Paul Crossley	Leader of the Council
Councillor David Dixon	Deputy Leader and Cabinet Member for Neighbourhoods
Councillor Simon Allen	Cabinet Member for Wellbeing
Councillor Tim Ball	Cabinet Member for Homes and Planning
Councillor Cherry Beath	Cabinet Member for Sustainable Development
Councillor David Bellotti	Cabinet Member for Community Resources
Councillor Dine Romero	Cabinet Member for Early Years, Children and Youth
Councillor Roger Symonds	Cabinet Member for Transport

Chief Executive and other appropriate officers  
Press and Public

Dear Member

**Cabinet: Wednesday, 16th January, 2013**

You are invited to attend a meeting of the **Cabinet**, to be held on **Wednesday, 16th January, 2013 at 6.30 pm** in the **Council Chamber - Guildhall, Bath**.

The agenda is set out overleaf.

Yours sincerely

Col Spring  
for Chief Executive

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The decisions taken at this meeting of the Cabinet are subject to the Council's call-in procedures. Within 5 clear working days of publication of decisions, at least 10 Councillors may signify in writing to the Chief Executive their wish for a decision to be called-in for review. If a decision is not called-in, it will be implemented after the expiry of the 5 clear working day period.

**If you need to access this agenda or any of the supporting reports in an alternative accessible format please contact Democratic Services or the relevant report author whose details are listed at the end of each report.**

This Agenda and all accompanying reports are printed on recycled paper

## NOTES:

1. **Inspection of Papers:** Any person wishing to inspect minutes, reports, or a list of the background papers relating to any item on this Agenda should contact Col Spring who is available by telephoning Bath 01225 394942 or by calling at the Riverside Offices Keynsham (during normal office hours).
2. **Public Speaking at Meetings:** The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group. Advance notice is required not less than two full working days before the meeting (this means that for meetings held on Wednesdays, notice must normally be received in Democratic Services by 4.30pm the previous Friday but Bank Holidays will cause this to be brought forward).

The public may also ask a question to which a written answer will be given. Questions must be submitted in writing to Democratic Services at least two full working days in advance of the meeting (this means that for meetings held on Wednesdays, notice must normally be received in Democratic Services by 4.30pm the previous Friday but Bank Holidays will cause this to be brought forward). If an answer cannot be prepared in time for the meeting it will be sent out within five days afterwards. Further details of the scheme can be obtained by contacting Col Spring as above.

3. **Details of Decisions taken at this meeting** can be found in the minutes which will be published as soon as possible after the meeting, and also circulated with the agenda for the next meeting. In the meantime details can be obtained by contacting Col Spring as above.

Appendices to reports are available for inspection as follows:-

**Public Access points** - Riverside - Keynsham, Guildhall - Bath, Hollies - Midsomer Norton, and Bath Central, Keynsham and Midsomer Norton public libraries.

**For Councillors and Officers** papers may be inspected via Political Group Research Assistants and Group Rooms/Members' Rooms.

4. **Attendance Register:** Members should sign the Register which will be circulated at the meeting.
5. THE APPENDED SUPPORTING DOCUMENTS ARE IDENTIFIED BY AGENDA ITEM NUMBER.
6. **Emergency Evacuation Procedure**

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are sign-posted.

Arrangements are in place for the safe evacuation of disabled people.

7. **Officer Support to the Cabinet**  
Cabinet meetings will be supported by the Senior Management Team.
8. **Recorded votes**  
A recorded vote will be taken only when requested by a member of Cabinet.

**Cabinet - Wednesday, 16th January, 2013**

**in the Council Chamber - Guildhall, Bath**

**A G E N D A**

1. WELCOME AND INTRODUCTIONS

2. EMERGENCY EVACUATION PROCEDURE

*The Chair will draw attention to the emergency evacuation procedure as set out under Note 6*

3. APOLOGIES FOR ABSENCE

4. DECLARATIONS OF INTEREST

*At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to indicate:*

*(a) The agenda item number in which they have an interest to declare.*

*(b) The nature of their interest.*

*(c) Whether their interest is **a disclosable pecuniary interest** or an **other interest**, (as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)*

*Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer before the meeting to expedite dealing with the item during the meeting.*

5. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

6. QUESTIONS FROM PUBLIC AND COUNCILLORS

*Questions submitted before the deadline will receive a reply from an appropriate Cabinet member or a promise to respond within 5 days of the meeting. Councillors may ask one supplementary question for each question they submitted, up to a maximum of two per Councillor.*

7. STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

*Councillors and members of the public may register their intention to make a statement if they notify the subject matter of their statement before the deadline. Statements are limited to 3 minutes each. The speaker may then be asked by Cabinet members to answer factual questions arising out of their statement.*

8. MINUTES OF PREVIOUS CABINET MEETING (Pages 5 - 12)

*To be confirmed as a correct record and signed by the Chair*

9. CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

*This is a standard agenda item, to cover any reports originally placed on the Weekly list for single Member decision making, which have subsequently been the subject of a Cabinet Member requisition to the full Cabinet, under the Council's procedural rules*

10. MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

*This is a standing agenda item (Constitution rule 14, part 4D – Executive Procedure Rules) for matters referred by Policy Development and Scrutiny bodies. The Chair of the relevant PDS Panel will have the right to attend and to introduce the Panel's recommendations to Cabinet.*

11. SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING (Pages 13 - 14)

*The Leader and Cabinet have indicated that most decisions will be taken by the full Cabinet, at its public meetings. This report lists any Cabinet Single Member decisions taken and published since the last Cabinet meeting.*

12. ODD DOWN PLAYING FIELD DEVELOPMENT (Pages 15 - 18)

*This report seeks approval to draw down the capital funds paid to the Council under the terms of the Section 106 agreement dated 8 July 2010, made between the Council and Sainsbury's Supermarkets Ltd for the purposes of developing out the Odd Down project.*

13. ANNUAL REVIEW OF FOSTERING, ADOPTIVE AND SPECIAL GUARDIANSHIP ALLOWANCES (Pages 19 - 30)

*This report seeks approval to set fostering and related allowances.*

14. RADSTOCK TO FROME RAILWAY - FEASIBILITY STUDY (Pages 31 - 38)

*Report to Cabinet the conclusions of the Halcrow report into the Radstock to Frome Railway*

**BATH AND NORTH EAST SOMERSET**

**CABINET**

These minutes are draft until confirmed as a correct record at the next meeting.

Wednesday, 5th December, 2012

**Present:**

Councillor Paul Crossley	Leader of the Council
Councillor David Dixon	Deputy Leader and Cabinet Member for Neighbourhoods
Councillor Tim Ball	Cabinet Member for Homes and Planning
Councillor Cherry Beath	Cabinet Member for Sustainable Development
Councillor David Bellotti	Cabinet Member for Community Resources
Councillor Dine Romero	Cabinet Member for Early Years, Children and Youth
Councillor Roger Symonds	Cabinet Member for Transport

**112 WELCOME AND INTRODUCTIONS**

The Chair was taken by Councillor Paul Crossley, Leader of the Council.

The Chair welcomed everyone to the meeting.

**113 EMERGENCY EVACUATION PROCEDURE**

The Chair drew attention to the evacuation procedure as set out in the Agenda.

**114 APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Simon Allen.

**115 DECLARATIONS OF INTEREST**

There were none.

**116 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

There was none.

**117 QUESTIONS FROM PUBLIC AND COUNCILLORS**

There were 9 questions from the following Councillors: Brian Webber (2), Tim Warren (3), Patrick Anketell-Jones, Geoff Ward (3).

There were no questions from the public.

*[Copies of the questions and response, including supplementary questions and responses if any, have been placed on the Minute book as Appendix 1 and are available on the Council's website.]*

## **118 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS**

Amanda Leon (Radstock Action Group) in a statement [*a copy of which is attached to the Minutes as Appendix 2 and on the Council's website*] expressed concern that local residents had not been properly consulted about proposals for the regeneration of the town centre of Radstock.

John Spratley in a statement read by Amanda Leon [*a copy of which is attached to the Minutes as Appendix 3 and on the Council's website*] expressed concern that local residents had not been properly consulted about proposals for the regeneration of the town centre of Radstock.

Amy Lunt in a statement [*a copy of which is attached to the Minutes as Appendix 4 and on the Council's website*] requested the provision of formal, controlled pedestrian crossings as part of the new Rossiter Road scheme in Widcombe. Councillor Roger Symonds thanked Ms Lunt for her statement and asked her if she was aware that under the scheme 80% of traffic would be diverted away from Widcombe Parade and that the courtesy crossings would be raised above the road surface. Ms Lunt replied that residents remained concerned about the future level of traffic on Widcombe Parade and that they believed that the facilities for pedestrians would be worse than at present. Ms Lunt submitted a petition from local residents requesting that the courtesy crossings be replaced by formal, controlled crossings in the form of zebra, puffin or pelican crossings.

## **119 MINUTES OF PREVIOUS CABINET MEETING**

On a motion from Councillor Paul Crossley, seconded by Councillor Dixon, it was **RESOLVED** that the minutes of the meeting held on Wednesday 14<sup>th</sup> November 2012 be confirmed as a correct record and signed by the Chair.

## **120 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET**

There were none.

## **121 MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES**

There were none.

## **122 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING**

There were none

## **123 DOMESTIC RETROFITTING AND THE GREEN DEAL**

Peter Duppa-Miller made an *ad hoc* statement [*a copy of which is attached to the Minutes as Appendix 5 and on the Council's website*] .

Councillor Paul Crossley in proposing the item, said that the report was excellent and that its proposals would facilitate many initiatives to end fuel poverty. He reported

that he had just written to the End Fuel Poverty campaign, and noted the existence of several organisations in the South West focussed on fuel poverty.

Councillor Bellotti seconded the proposal and agreed that it was an excellent report. A number of concerns remained, in particular the difficulties faced by those on the lowest incomes, but the proposals would help many people to benefit from reduced fuel bills. He noted that a report relating to retrofitting listed buildings would be presented to a future Cabinet.

Councillor Beath welcomed the report. She thought some parts of the proposals would need further work, but they were certainly moving in the right direction. She noted the diversity of housing in Bath, from Grade 1 listed downwards.

Councillor Symonds said these were truly win, win, win proposals. Retrofitting would help householders, create new jobs and reduce carbon emissions.

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

**RESOLVED** (unanimously)

(1) To AGREE in principle, the proposed approach to the Green Deal in Bath & North East Somerset, through the development of a Community Delivery Partnership, initially led by the Council in partnership with Curo Group and other relevant community and private sector organisations;

(2) To AGREE that this approach will be supported through:

- partnership development, including cross-service and with partners in Bath and North East Somerset and, potentially, beyond;
- implementation of the starter projects (Housing Services);
- procurement strategy development for a partner Green Deal provider or providers;
- exploring potential for moving to a CIC model;
- development of the business case for potential capital investment and income generation (including from referral fees);
- building community engagement in energy efficiency retro-fitting;
- setting up an advice line to provide advice to all residents, including the vulnerable and the fuel poor, on home energy efficiency and the Green Deal;

(3) To AGREE that a new Green Deal/Retro-fitting budget line for 2013-14 will be set up for £35,000 to cover the last two points in 2.2: community engagement work and the setting up and running of the advice line, whilst the detailed approach is developed, subject to the approval of the Budget by the Council in February 2013; and

(4) To AGREE that the Council and its partners will communicate these 'in principle' intentions early in 2013, in order to send a signal to the market and to inform local residents of future options.

## **124 PROPOSED VARIATION OF THE AIR QUALITY MANAGEMENT AREA FOR BATH**

Councillor Dixon in proposing this item, said that this was a small variation to the existing Air Quality Management Area (AQMA) for Bath to include additional parts of

the City and parts of Newbridge and Lansdown, as indicated on the map. He said the existence of AQMA would assist the Cabinet Member for Transport (Councillor Symonds) in deciding investment priorities.

Councillor Crossley seconded the proposal.

Councillor Symonds said that an AQMA had to be declared when the air quality in an area failed to meet European standards. The designation of an AQMA was an indication that something should be done. If a low-emissions zone was declared, which he hoped would happen, something had to be done. The Council was already taking action in the AQMA. A leaflet had been issued, which from that day were being handed by Parking wardens to the drivers of vehicles who were allowing their engines to idle for more than two minutes.

On a motion from Councillor David Dixon, seconded by Councillor Crossley, it was

**RESOLVED** (unanimously)

(1) To VARY the Air Quality Management Area in Bath to include the blue/dotted areas on Appendix 1. Any residential property whose façade is within the area is deemed to be included. and

(2) To VARY the Air Quality Management Area in Bath to include the 1-hour Nitrogen dioxide objective.

## **125 PROPOSED AIR QUALITY MANAGEMENT AREA FOR SALTFFORD**

Councillor Dixon in proposing the item, said that this was a new AQMA, necessitated because emission levels in parts of Saltford had reached the European trigger level. The problem was the amount of traffic ascending Bath Hill into Saltford, causing queues of vehicles with their engines running slowly.

Councillor Crossley seconded the proposal.

Councillor Symonds said that traffic on the A4 through Saltford had declined since last December and many cars now had a facility for the engine to cut out when the vehicle was delayed in a queue of traffic. He said that other measures that could be taken to reduce emissions from traffic included the reopening of Saltford station.

On a motion from Councillor David Dixon, seconded by Councillor Crossley, it was

**RESOLVED** (unanimously)

(1) To DECLARE an Air Quality Management Area which extends along the A4 Bath Road, Saltford from Beech Road/Manor Road to the Southern end of Saltford, which is approximately 12m from the centre of the road in each direction. Any residential property whose façade is within the area is deemed to be included.

## **126 LOCAL SAFEGUARDING ADULTS BOARD ANNUAL REPORT 2011-12 (INCLUDING BUSINESS PLAN 2012-15)**

Councillor Crossley said that as Councillor Allen had not been able to attend the meeting because of illness he would propose the motion on his behalf. He read a statement from Councillor Allen. The LSAB annual report had been approved unanimously by the Health and Wellbeing (Shadow Board).

Councillor Ball seconded the proposal and said that the statistics for incidents of abuse against vulnerable adults were extremely worrying. There were many



vulnerable adults in his own Ward, and it was shocking to see how such people were sometimes treated.

Councillor Beath noted that efforts were being made to encourage better awareness among care staff and to bring back compassion in the treatment of vulnerable people. She hoped this would progress in care homes and other institutions.

On a motion from Councillor Crossley, seconded by Councillor Ball, it was

**RESOLVED** (unanimously)

(1) To APPROVE the report and business plan of the Local Safeguarding Adults Board.

## **127 LOCAL TRANSPORT BODY**

Councillor Roger Symonds in proposing the item, said that in the past the Council had bid for transport funds through the Joint Transport Plan agreed by the West of England Partnership, and that it had been successful in getting funding for many projects. The Government had now decided to devolve funding for major schemes, and was insisting that this be done through Local Transport Bodies (LTBs). LTBs would comprise four Councillor members and two business representatives. The Government wanted LTBs to be established quickly. A revised version of the recommendations in paragraph 2 of the report had been circulated to members. He proposed that in paragraph 2.3 of the revised recommendations "Strategic Director of Place" should be replaced by "Divisional Director Planning and Transport Development". This was agreed.

Councillor Crossley seconded the proposals as amended and said that the Council was moving forward with some major transport projects in co-operation with other partner authorities. He believed that because of the high costs of highway and rail investments, it was essential that the Council co-operated with the Government's agenda.

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

**RESOLVED** (unanimously)

(1) To approve, in principle, the formation of a Local Transport Body to include the Joint Transport Executive Committee (JTEC) and two business representatives from the Local Enterprise Partnership;

(2) To agree that the necessary work is undertaken to support the creation of a formally constituted Local Transport Body, including the assurance framework to meet governance, accountability, financial management and value for money requirements to the satisfaction of DfT and the Council's own internal procedures; and

(3) To delegate to the Divisional Director Planning and Transport Development, in consultation with the Cabinet Member for Transport, the Monitoring Officer and the Section 151 Officer, to agree appropriate legal agreement to allow this new body to undertake this work, subject to appropriate financial provision being made in the February budget.

## **128 SAFETY FENCING ALONG THE RIVER AVON IN BATH**

Sarah Moore, a member of the public, asked

- (1) what provision would be made for anglers in the new safety arrangements? A fence would prevent them from fishing and the stretch of the river where it would be erected was used particularly by low-income people who were not members of fishing clubs.
- (2) Were similar safety measures being considered for the other bank? In the recent heavy rain flooding had been worse in front of Western Riverside than where it was proposed to erect stretch of the river by

Councillor David Dixon in proposing the item, said that it resulted from the tragic deaths by drowning of a number of young people in the river. The Royal Society for the Prevention of Accidents (RoSPA) had been commissioned to produce a report, which had recommended the installation of edge protection along a stretch of the river. Funding would come from the Council's budget, to be recouped through the section 106 agreement with Crest Nicholson. There would also be a £5,000 contribution from Bath Spa University. The plan was for a tubular fence with ladders down to the river. The ladders would be painted in a distinctive colour, so that they could be quickly identified by anyone who had fallen into the river. The main reason for choosing a fence was the height of the bank above the river and the consequent steep drop. The fence would be protection for pedestrians who stumbled and fell and for cyclists, who could make a misjudgement and end up in the river. It was not a complete solution, but it was a means for preventing further tragedies. The scheme had been progressed faster than even RoSPA had expected.

Councillor Beath seconded the proposal and said that the river was an important feature in Bath. She said that the rising of the river onto the steps down from Bath Western Riverside was actually a form of flood mitigation. She agreed that access to the river should be provided for anglers and hoped that the proposed scheme would allow that. However, it was a dangerous section of the river.

Councillor Crossley asked that discussions should take place with angling bodies to ensure that the fence had gates in the right places.

Councillor Ball said children congregated in large numbers to fish, most of them west of Windsor Bridge. The fishing season coincided with the time when the river was lower and the drop from the bank greater. Their safety needed to be ensured.

Councillor Romero asked who was responsible for the maintenance of life rings.

Councillor Dixon said that he would ensure that officers met with angling associations before the design of the fence was finalised. However, there could be no question of compromising safety for the sake of anglers. In reply to Councillor Romero, he said that landowners were responsible for maintaining life rings. Unfortunately, it was sometimes not worthwhile installing them because they were stolen; life rings installed by Crest Nicholson had disappeared within a few weeks. Life ropes were more satisfactory than rings. Additional safety measures were clear signage and making sure that the ladders from the banks down to the river were conspicuous.

On a motion from Councillor David Dixon, seconded by Councillor Beath, it was

**RESOLVED** (unanimously)

- (1) To APPROVE £140k for inclusion in the 2012/13 capital programme to allow the safety fencing to be installed before the end of 2012/13 financial year end; and
- (2) To AGREE that as part of this, £40k is released from capital contingency to be recouped in 2018/19 through s.106 funding from the Bath Western Riverside Corporate Agreement.

## 129 BEECHEN CLIFF OPEN SPACE - FUTURE MANAGEMENT ARRANGEMENTS

Councillor David Dixon in proposing the item said that officers apologised for having had to send members a supplementary late paper. He said that the proposal was an enabling one, which would allow officers to progress the matter. £500k for the project was already included in this year's capital programme. The Council would enter into an agreement with the National Trust for them to manage and maintain Beechen Cliff in perpetuity, though the Council would retain ownership. As the trees on Beechen Cliff were all about the same age, there was a risk that they would all disappear at the same time. There was also the risk of land slips, particularly after heavy rain of the kind that had occurred recently. Therefore under existing arrangements the pressure on the Council budget from maintenance costs could only increase. The proposed agreement with the National Trust would therefore be highly satisfactory from every point of view.

Councillor Bellotti seconded the proposal and said that he thought this was an extremely exciting project. He noted that although consultants had been commissioned to prepare a management plan for Beechen Cliff in 1993, little had been done since. The trees on Beechen Cliff were a notable feature of the Bath skyline, which should be preserved. The steps on the Cliff were unsafe and needed work done. This project was long overdue. He thanked Councillor Dixon for bringing it forward and asked him to thank officers for their excellent work. He thought this was an excellent example of how the value of Council spending could be multiplied through partnership working. He noted that there were high levels of membership of the National Trust in the Bath Area. The Trust provided excellent interpretive information at its sites; the information the Trust would provide in Alexandra Park would enhance the educational experience for the many children who visited it. He said that the previous administration had had the opportunity to take this project forward at the same cost, but had failed to do so. It was, he felt, to the great credit of this administration that it was taking it forward.

Councillor Ball congratulated Councillor Dixon for bringing this matter forward. Future generations would be grateful to the current administration that a distinctive feature of the Bath skyline had been preserved.

On a motion from Councillor David Dixon, seconded by Councillor Bellotti, it was **RESOLVED** (unanimously)

- (1) To ENTER into a management agreement with the National Trust whereby the future management and maintenance of Beechen Cliff is undertaken by the National Trust in perpetuity while retaining ownership of Beechen Cliff by the Council;
- (2) To TRANSFER the ownership of the adjoining fields and allotments to the National Trust as a gift;
- (3) To WORK with the National Trust as it launches a Bath World Heritage Landscape Appeal for up to £2m, the proceeds of which would initially be used to provide the necessary cost of the maintenance of Beechen Cliff and then the cost of the endowment of Beechen Cliff, and thereafter the protection and maintenance of other landscape features in the world heritage site; and
- (4) To CONTRIBUTE £500K (less the costs of immediate tree safety works), for securing the future of Beechen Cliff woodland as included for Provisional Approval in the Capital Programme for 2012/2013, subject to third party negotiations and a

detailed project proposal, with the management agreement recognising the appropriate level of future liability and subject to the agreement of the s.151 officer.

### 130 CHILDREN'S SERVICES CAPITAL PROGRAMME 2012/13

Councillor Dine Romero in proposing the item, said that the Council had a statutory duty to provide sufficient school places for every child resident in the Council's area who required a place. The growing population in the area mean that there would be a shortfall in the number of school places unless action were taken. She said that she would like to amend the second recommendation in the report by making each of the capital allocations subject to a feasibility study, and to add a third recommendation noting that the scrutiny of school planning would continue to ensure an open and transparent process.

Councillor Bellotti seconded the amended recommendations. He said that all the projects listed in the report were urgent. Unless action were taken, children would have to travel long distances to school displacing children living more locally. There should be local schools for local children without long-distance bussing. It was important that every school should be funded appropriately.

Councillor Romero said that she entirely agreed with Councillor Bellotti about the importance of local schools for local children.

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

#### **RESOLVED** (unanimously)

(1) To APPROVE the projects put forward, in line with Children's Services capital programme priorities; and

(2) To APPROVE capital allocations for inclusion in the Capital Programme for projects at the following schools with phasing as shown in the report, subject, in each case, to the approval of a feasibility study;

Weston All Saints Primary - £1.8m

Castle Primary - £800k

Paulton Infants -£850k

Farrington Primary - £115k

St Saviour's Junior and Paulton Junior- £30k

(3) To NOTE that the process of scrutiny on school planning continues to ensure an open and transparent process.

The meeting ended at 7.30 pm

Chair \_\_\_\_\_

Date Confirmed and Signed \_\_\_\_\_

Prepared by Democratic Services

## Cabinet Single-Member Decisions and Responses to Recommendations from PDS Panels

published 30-Nov-12 to 4-Jan-13

Further details of each decision can be seen on the Council's Single-member Decision Register at <http://democracy.bathnes.gov.uk/mgDelegatedDecisions.aspx?&dm=3>

Date	Decision Maker
Reference	Title

03-Dec-12 Cllr Roger Symonds

**E2505 Authority to sign agreements, licences etc and issue notices for BTP**

*Authority granted as requested*

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11-Dec-12 Cllr Roger Symonds

**E2504 Award of certain contracts for Supported Bus Services**

*Certain contracts for supported bus services agreed*

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Bath & North East Somerset Council		
MEETING:	Cabinet	
MEETING DATE:	9 <sup>th</sup> January 2013	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2506
TITLE:	ODD DOWN PLAYING FIELD REDEVELOPMENT	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		

## **1 THE ISSUE**

- 1.1 To seek authorisation to draw down the capital funds paid to the Council under the terms of the Section 106 Agreement dated 8 July 2010, made between the Council and Sainsbury's Supermarkets Ltd for the purposes of developing out the Odd Down project
- 1.2 The Capital Programme approved by February 2012 Council includes budget for provisional approval for the Odd Down Playing Field (Artificial Pitch & Clubhouse) redevelopment

## **2 RECOMMENDATION**

The Cabinet agrees that:

- 2.1 £1,232k is approved for inclusion in the 2012/13 & 2013/14 Capital Programme, allowing the scheme to proceed as planned.
- 2.2 Approval of the final agreed project design and deliverables is delegated to the Divisional Director Tourism, Leisure and Culture.

## **3 FINANCIAL IMPLICATIONS**

- 3.1 The Council has received S106 funding as part of the approved Sainsbury's development which has been earmarked for use at Odd Down Playing Fields.
- 3.2 There will be no direct on-going revenue cost to the Council as a result of this development. Indirect costs will be funded from existing budgets.
- 3.3 The facilities will be required to operate on a totally self-funding basis by a suitable incorporated company via a tendering process. Construction and operation of these facilities have implications to the Councils VAT partial exemption position.

These risks are being proactively managed by working closely with the Council's VAT accountant.

3.4 The cycle track element of this scheme already has full approval to proceed and is included in the 2012/13 Capital Programme as it is funded from a British Cycling Grant.

3.5 The 2013/14 Capital programme includes a provisional Council funded budget of £200k for Playing Field Provision (subject to Council approval as part of the budget report), which could be used for enhanced changing facilities.

3.6 Cost and Funding Summary:-

Scheme	Budget 2012/13	Budget 2013/14 – 2014/15	Total Budget	Funding Source
Cycle Track Construction	£600k	0	£600k	British Cycling Grant
Artificial Pitch & Clubhouse (inc Fees & contingency)	£101k	£1,131k	£1,232k	Sainsbury S106

## 4 CORPORATE OBJECTIVES

- Creating neighbourhoods where people are proud to live
- Building a stronger economy

## 5 THE REPORT

5.1 Odd Down Playing Fields are to benefit from a significant regeneration project which will deliver a 1.5km cycling track (£600k funded by British Cycling) and the implementation of a £1.232m scheme to deliver an artificial (3G) playing pitch and a new clubhouse and changing room facility.

5.2 The £1.232m is funded from a S106 contribution from the Sainsbury development.

5.3 The project will be delivered in 3 phases

- (1) 1.5km cycling track by April 2013
- (2) The artificial pitch by April 2014
- (3) The new clubhouse and facilities by April 2014

5.4 Planning consent for the cycle track has been approved and construction of the track has been tendered and awarded and will be completed by the required date in order to ensure the funding is received from British Cycling.



- 5.5 The next step will be to tender and award the construction of the artificial pitch, estimated at £600- £700k. This will then give us an exact figure left to design and build the new club house and changing facilities.
- 5.6 In parallel to the artificial pitch tendering process, officers will then consult with all internal and external stakeholders to identify any other additional external funding to enable the best possible facilities.
- 5.7 We aim to submit application for planning for the artificial pitch by March 2013 with application for planning consent for the changing facilities to follow in 2014, once we have established any additional external funding opportunities.
- 5.8 The conditions required as a result of any additional funding will have to be assessed in the overall context of the facilities and then officers will determine whether or not the conditions are acceptable.
- 5.9 Officers will also determine the framework for future management of the facilities, namely through a long lease on the facilities themselves with a performance management contract to ensure the facilities are maintained to the required standards at all times.
- 5.10 The Council will retain an explicit option to end any agreement if the facilities are not being operated and or maintained to the agreed levels.
- 5.11 This approach will ensure the project will remain within budget at each stage.

## **6 RISK MANAGEMENT**

- 6.1 The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

## **7 EQUALITIES**

- 7.1 An EqIA has been completed. No adverse or other significant issues were found

## **8 RATIONALE**

- 8.1 The funds allocated through the S106 agreement will be correctly used to redevelop the sports facilities at the Odd Down Playfields.

## **9 OTHER OPTIONS CONSIDERED**

- 9.1 None.

## **10 CONSULTATION**

- 10.1 Ward Councillors; Cabinet members, Community Interest Groups; Stakeholders/Partners; Section 151 Finance Officer; Chief Executive; Monitoring Officer
- 10.2 The consultation process will be on going until the completion of the project to ensure that all stakeholders/ interested parties have had the full opportunity to mould the final design and outcome of the new facilities.

## **11 ISSUES TO CONSIDER IN REACHING THE DECISION**

11.1 Social Inclusion; Customer Focus; Sustainability; Human Resources; Property; Young People; Human Rights; Corporate; Health & Safety; Impact on Staff; Other Legal Considerations

## **12 ADVICE SOUGHT**

12.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

<b>Contact person</b>	Michael Butler- Interim Division Director Tourism Leisure and Culture 01225 395385
<b>Sponsoring Cabinet Member</b>	Councillor David Dixon
<b>Background papers</b>	N/A
<b>Please contact the report author if you need to access this report in an alternative format</b>	

Bath & North East Somerset Council		
MEETING:	Cabinet	
MEETING DATE:	16 <sup>th</sup> January 2013	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2491
TITLE:	Annual Review of Fostering, Adoptive and Special Guardianship allowances	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix 1 – proposed fostering allowances 2013/14		

## **1 THE ISSUE**

1.1 Annual review of fostering and related allowances.

## **2 RECOMMENDATION**

The Cabinet agrees:

- 2.1 To increase fostering age related allowances and permanence allowances in line with Fostering Network recommendations as set out in appendix 1
- 2.2 No change in fostering level one fees, family link rates, savings rates for children in care, or supported lodgings as set out in appendix 1
- 2.3 Small increase to level two fees – to reflect drive for in-house placements for teenagers with complex needs.
- 2.4 To note the current level of care leavers maintenance, which is linked to Job Seekers Allowance as set out in appendix 1.

### **3 FINANCIAL IMPLICATIONS**

- 3.1 It is our practice to increase the fostering age related allowances in line with that recommended by the Fostering Network. For 2013-14 this is a 2% increase. This inflationary increase would equate to £30,575 which has been incorporated in the MTSRP for Children's Service as part of the social growth items.
- 3.2 Additionally, B&NES foster carers can also qualify for a further two fees. The basic weekly fee (level one) is £50 and it is recommended that we maintain this at the same level as 2012/13, which is in line with local government pay. The additional fee is referred to as a 'level two' fee and is used to support those carers who look after our young people with particularly complex needs. There are 8 young people currently assessed as requiring the higher level two support and the small increase proposed would lead to an additional £1,658 per year. This increase in costs will be managed within overall placement budgets. The overall placement budget for children in care in 2012/13 is £4,739,128 of which £1,528,754 is allocated for in-house fostering allowances and fees.
- 3.3 The proposed small increase fee for the placement of our most vulnerable young people also reflects the need to attract more in-house carers and rely less heavily on Independent Fostering Providers. This is cost effective and allows young people to remain local and maintain links with their family, school and community.
- 3.4 Regulations require that the rate used for calculating adoption and special guardianship allowances must be based on the fostering age related allowance, which ensures that the actual cost of looking after a child is always supported when children leave care through an adoption or special guardianship order. The allowances paid will depend on individual annual financial reviews based on the new rates and any change in circumstances for families in receipt of allowances. It is anticipated that any resulting increase can be managed within the existing budget allocation for permanence allowances which is £221,651 overall.
- 3.5 Care leavers maintenance is linked to Job Seekers Allowance rates in line with regulations and guidance.

### **4 CORPORATE PRIORITIES**

- *Improving life chances of disadvantaged teenagers and young people*

### **5 THE REPORT**

- 5.1 The local authority has statutory duties to look after children in need of accommodation or care under the Children Act 1989, and statutory duties in respect of support for young people moving on from care and children adopted from care or placed with Special Guardians. The majority of children come into care to safeguard them from abuse or neglect, while others may need care following irretrievable family breakdown or because of complex needs which mean parents are unable to meet their needs. The local authority also has a duty to secure a sufficient supply of local placements for children in care.
- 5.2 Bath and North East Somerset Council prevents many children from coming into care, and achieves the safe return home of some children who do come into care short term, through excellent preventive services and partnerships working. The majority of children who do need to be in care are placed in foster placements,

many of which are within our in-house fostering service. We have been successful in recruiting and retaining local foster carers both through having a Fostering Service judged outstanding by OFSTED which ensures excellent support and through making sure that foster carers' costs are fully covered.

- 5.3 Since 2005 we have paid age related allowances which fully cover the cost of caring for a child, based on rates recommended nationally by the Fostering Network. These allowances are paid alongside a system of fees related to foster carers' skills and the challenges posed by some of the children we care for.
- 5.4 The Fostering Network makes recommendations annually for fostering age related allowances, based on an assessment of the real cost of caring for a child or young person of different ages. In 2011 allowances were frozen and in 2012 the recommendation was for an increase of 2.3% based on actual inflation since the allowances were last increased in 2009. For 2013 the recommendation is for a 2.0% increase in line with CPI inflation forecast for 2013. We are therefore recommending an increase in local age related allowances in line with the Fostering Network recommendation to ensure that the full cost of looking after children in our care continues to be met.
- 5.5 The scheme of fees introduced in 2005 recognises the skills of foster carers. These fees have remained static for three years. We are recommending that this remains – other than for the young people identified as having the most complex needs (level two).
- 5.6 Regulations require that the maximum rate for adoption and special guardianship allowances must be based on the fostering age related allowance, which ensures that the actual cost of looking after a child is always supported when children leave care through an adoption or special guardianship order. It is therefore recommended that the maximum permanence allowance payable be increased in line with the increase in age related allowances.
- 5.7 It is proposed that there be no change for 2013 in supported lodgings rates or the savings rate for our children in care savings scheme. This is in line with local government pay.
- 5.8 Our fee for therapeutic foster carers is linked to the local government salary scales. Salaries, and therefore these fees, are not currently expected to rise for 2013/14.
- 5.9 The maintenance rate we pay young people moving on from care to independence when required is linked to Job Seekers Allowance (JSA) rates. This link must be maintained to ensure care leavers' basic needs are met when eligible for maintenance and this link is now set out in statutory guidance which came into force from April 2011.

## **6 RISK MANAGEMENT**

- 6.1 The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

## **7 EQUALITIES**

- 7.1 No specific equality issues arise from this report. Children in care, in permanent substitute care and moving on from care are particularly vulnerable groups and the proposed allowances ensure that their living costs are fully covered.

## **8 RATIONALE**

- 8.1 The Council has duties in statute, regulations and guidance to act as a Corporate Parent and provide placements for children in its care, to promote adoption, special guardianship and residence orders as forms of permanence and to maintain and support young people moving on from care to adulthood. The proposal in this report ensures that basic living costs for these vulnerable children and young people continue to be met by the Council acting as Corporate Parent.

## **9 OTHER OPTIONS CONSIDERED**

- 9.1 A revised local scheme of fees and allowances for foster carers was introduced in April 2005. Our age related allowances since 2005 have been based on the Fostering Network recommended rates and thus cover the full direct and additional costs of looking after a child in foster care. This was based on the Council's commitment to meet the full cost of looking after children for whom we are the Corporate Parent. Foster carers face day to day costs which increase or decrease in line with inflation, and this is taken into account by the Fostering Network in making its recommendation. Reducing or freezing allowances for Bath and North East Somerset carers against the Fostering Network recommendation would depart from the Council's 2005 commitment to cover the full costs to foster carers of looking after children and effectively ask carers to subsidise these costs. This option would risk significant damage to our efforts to recruit and retain local carers.
- 9.2 The scheme of fees introduced in 2005 recognises the skills of foster carers. These fees have been frozen for three years but a small increase is recommended for the enhanced fee – to ensure competitiveness with Independent Providers and continue with the effective growth of our in-house provision.

## **10 CONSULTATION**

- 10.1 *Section 151 Finance Officer; Monitoring Officer*
- 10.2 Report copied to relevant officers for comment.

## **11 ISSUES TO CONSIDER IN REACHING THE DECISION**

- 11.1 *Social Inclusion; Human Resources; Young People;*

## **12 ADVICE SOUGHT**

- 12.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

<b>Contact person</b>	<i>Pete Campbell, Care and Young People Service Manager <b>pete_campbell@bathnes.gov.uk</b> 01225 477914</i>
<b>Sponsoring Cabinet Member</b>	<i>Councillor Dine Romero Cabinet Member for Early Years, Children and Youth with responsibility for Skills and Employment</i>
<b>Background papers</b>	
<b>Please contact the report author if you need to access this report in an alternative format</b>	

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## PROPOSED FOSTERING ALLOWANCES AND OTHER RATES FOR 2013/14

### ***Fostering allowances***

The age related fostering allowance is set at the level recommended by the Fostering Network which is based on the direct cost of looking after an average child in each age band, plus 50% to reflect the additional costs of looking after a child in care.

In the year 2011/12 age related allowances were increased by 2.3%, having been frozen in 2009/10, both years in line with Fostering Network recommendations.

For 2013/14 the Fostering Network recommendation is for an increase of 2.0%. Their recommendation is based on the CPI inflation rate forecast for 2013 in order to ensure that age related allowances continue to cover the full cost of caring for a child in each age band

#### **Current fostering allowances:**

<u>AGE BAND</u>	<u>2012/13 WEEKLY RATES</u>
0 – 4	£134.49
5 – 10	£153.20
11 – 15	£190.72
16+	£232.00

#### **Proposed fostering allowances:**

<u>AGE BAND</u>	<u>2013/14 WEEKLY RATES</u>
0 – 4	£137.18
5 – 10	£156.52
11 – 15	£194.53
16+	£236.64

## ***Fostering Fees***

Level one – basic fee for meeting criteria for high standards of foster care

2012/13 fee £50 pw

2013/14 fee £50 pw

No change, in line with local government pay.

Level two – enhanced fee for carers meeting level one and additional criteria relating to caring for children with complex needs

Current 2012/13 fees

£68.02 for children aged 5-10 yrs

£120.36 for children aged 11+ yrs.

Proposed 2013/14 fees

£70.00 for children aged 5-10 yrs

£125.00 for children aged 11+ yrs.

Small increase to reflect the need to promote in-house foster carers for the children/young people with complex needs.

Level three – fee for therapeutic foster placements

A fee based on national residential care worker grade 6 (Hay grade L), currently from £474 to £520 per week depending on length of service.

This therapeutic fee is paid for three placements where both child and carer meet very tightly assessed criteria under the therapeutic fostering scheme, funded from the pooled budget for children with multiple and complex needs and as an alternative to residential placement.

This fee will continue to be frozen in line with local government pay.

### ***Permanence (adoption, special guardianship and residence order) allowances***

The rate given is the starting point for calculation for all adoption, special guardianship and residence order allowances and reflects the direct costs of looking after an average child at each age as advised by the Fostering Network. This starting point is uprated each year in line with fostering allowances to maintain this link.

Allowances are based on assessed need, calculated and approved in accordance with the adoption and special guardianship allowance schemes set out in the child care quality manual. The standardised means test model is used to calculate allowances following local guidance.

While special guardianship allowances are assessed within the same framework as adoption allowances this link is not rigid and both schemes allow for flexibility and discretion in response to the assessed needs of the individual child and family.

#### **Current starting point for calculation (2012/13):**

<u>AGE</u>	<u>WEEKLY RATE</u>
0 – 4	£89.66
5 – 10	£102.13
11 – 15	£127.15
16 +	£154.67

#### **Proposed starting point for calculation-2% increase- (2013/14):**

<u>AGE</u>	<u>WEEKLY RATE</u>
0 – 4	£91.45
5 – 10	£104.17
11 – 15	£129.69
16 +	£157.76

***Family Link Rates***

Current daytime rate (2013/13) = £5.51 per hour

Proposed new daytime rate (from 1<sup>st</sup> April 2013) = £5.51 per hour.

No change.

Current overnight rates (2012/13)

Lower rate    £43.00

Higher rate   £53.76

Proposed overnight rates (2013/14)

Lower rate    £43.00

Higher rate   £53.76

No change.

***Savings scheme***

Weekly rate of contributions set aside by the authority for all children in care, and paid with annual interest in the event of adoption, special guardianship, residence order or leaving care aged 16 or over.

<b><u>AGE</u></b>	<b><u>RATE 12/13</u></b>	<b><u>RATE 13/14</u></b>
0 – 4	£2.14	£2.14
5 – 10	£3.24	£3.24
11 – 15	£4.75	£4.75
16 +	£6.90	£6.90

No change.

***Supported lodgings and board and lodgings rates***

**Current supported lodgings rates (2012/13):**

Rent	£65
Support	£76
Young Person contribution	£13
<b>Total received by provider</b>	<b>£154</b>

No change.

**Current supported lodgings rates (2013/14):**

Rent	£65
Support	£76
Young Person contribution	£13
<b>Total received by provider</b>	<b>£154</b>

No change.

***Care leaver maintenance***

Current rate = £56.25 per week (based on Job Seekers Allowance as required by regulations and guidance).

Proposed new rate (from 1<sup>st</sup> April 2013) = the maintenance rate will be maintained/increased in line with Job Seekers Allowance.

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Bath & North East Somerset Council		
MEETING:	Cabinet	
MEETING DATE:	16 <sup>th</sup> January 2013	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2471
TITLE:	Radstock to Frome Feasibility Study	
WARD:	Radstock	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Appendix A – Terms of Reference		

## **1 THE ISSUE**

- 1.1 A report was completed in June last year into the feasibility of reopening the Radstock to Frome Railway line. This report outlines the conclusions of this report for Cabinet.

## **2 RECOMMENDATION**

- 2.1 The Cabinet notes the conclusions of the study as outlined in paragraph 5.11
- 2.2 The Cabinet note that the majority of the disused railway line remains protected within the Local Plan Policy D9 for ‘sustainable transport purposes’ which at the moment is represented by a cycle path, NCN 24.
- 2.3 The Cabinet ask that Halcrow are asked to review their conclusions in the light of the results of the 2011 Census and the likely growth in housing in the area promoted in the Core Strategy to ascertain if their conclusions remain valid in the light of this more up to date information.
- 2.4 Ask Halcrow to consider the merits of a simple shuttle between Radstock and Westbury to allow access to the wider rail network including intercity services both to London and the South West.

### 3 FINANCIAL IMPLICATIONS

- 3.1 The Halcrow feasibility review report cost £15k and was funded from Revenue Budget Contingency Reserve.

### 4 CORPORATE OBJECTIVES

- *Promoting independence and positive lives for everyone*
- *Creating neighbourhoods where people are proud to live*

### 5 THE REPORT

- 5.1 A high level feasibility review of the potential to re-open the Radstock to Frome Railway line was commissioned from Halcrow, the Council's term consultants, earlier this year. The detailed terms of reference for the study are attached at Appendix A.
- 5.2 As the report points out Radstock is 9 miles (14 km) south-west of Bath, 17 miles (27 km) south-east of Bristol and 8 miles (13 km) north-west of Frome. The railway connecting Radstock to Frome was closed in the 1980s. Passenger services ceased in November 1959 although the Radstock to Frome line remained in occasional use for traffic to the Marcroft wagon works until July 1988. A railway alignment still exists to Radstock, diverging from the Whatley Quarry branch (Frome).
- 5.3 The former railway line is now part of the National Cycle Network, Route 24 otherwise known as Colliers' Way, a national cycle route which passes many landmarks associated with the coal field; other local roads and footpaths follow the tramways developed during the coal mining years. The cycle route currently runs from Dundas Aqueduct to Frome via Radstock, although it is intended to provide a continuous cycle route to Southampton and Portsmouth.
- 5.4 The report (Section 2 & 4) assesses the likely demand for the railways based on 2011 census journey to work data and the existing bus based public transport network available to Radstock. The report then reviews (section 3) how a service from Radstock to Frome might connect into existing rail timetables or in the event of the Bristol Metro Project being successfully implemented how a service might connect with the improved train timetable that would then be in place.
- 5.5 The report highlights a number of practical difficulties for developing a business case for this project. Firstly, the distance from Radstock to Bath and Bristol, which are the main destinations for residents, are significantly longer by rail than by road. Secondly, bus timetabled journeys times are competitive when compared to likely times by any new rail service. Thirdly, there is no obvious train service pattern which a new service using the re-opened line could fit into. Fourthly, the capital costs of re-opening the railway line are significant (estimated at over £40m) and the likely cost of running a new services is likely to be prohibitive (estimated at between £0.6m to £1.3m). The estimated Capital costs include a significant amount of risk and contingency (44%) which reflects the tentative nature of the estimates and the fact that there are likely to be many hidden and unknown costs which would have to be met if the project were to be taken forward. This



percentage is set at a recognised and appropriate level for a project at this stage. An indication of the costs are set out in the table below.

Project Management & Contingency	Station Building		Rail Infrastructure	
	%	£	%	£
Project Management	15	£1.8m	15	£25.4m
Project Design & Development	10		15	
Interfacing/Commissioning	10		15	
Network Rail Costs	15		15	
Contingency Allowance	44		44	
Total	£27.2m			
Infrastructure costs	£1.9m		£12.2m	
Infrastructure Total	£14.1m			
Grand TOTAL	£41.3m			

5.6 One factor highlighted by the report is that a re-opened line would connect to the national network at Frome which does not have frequent rail services nor are these services well connected to the wider network. As a result it is difficult to see what the best destination for the Radstock service might be. Three options are considered:

- Radstock – Bath – Bristol utilising the new service which the Greater Bristol Metro Project is expected to deliver (a ½ hourly service from Bristol to Bath) running on to Radstock. This is the most expensive option to promote given the distance the service would have to run beyond Bath.
- Radstock – Frome Shuttle and
- Radstock – Westbury Shuttle: These latter 2 options would require passengers to change trains to travel further or for the service to potentially attach to existing services. In first case there is a significant cost in waiting times for passengers changing trains in the second there is complication for train operations and expense of increase staffing levels for running the service.

5.7 Finally the report briefly discusses the prospects for a Heritage Railway. Heritage Railways can be more economical to run when they do not connect with the National rail network and do not therefore have to meet industry standards for operational matters. However this would not be the case for this branch line which would connect onto an operational line at Whatley Quarry branch line.

5.8 The combination of these factors suggests that the business case for re-opening the railway line would be very challenging. The capital funds needed to re-open the line are not available, and unlikely to be available in the foreseeable future. When these costs (with the revenue support needed to run the actual service) are taken into account there is little prospect of a positive benefit to cost ratio being demonstrated – a key criteria for taking this project forward

5.9 Sustrans who currently own the alignment of the railway as part of the National Cycle Network have expressed concern with the potential impact of a re-opened railway on their well-used facility.

- 5.10 While Medip District Council did not comment on the Halcrow report Somerset County Council when consulted stated that:

*“ the re-opening is not identified as a priority in Somerset’s Future Transport Plan or our other transport policies and the study provides no evidence to suggest the proposal should be afforded higher priority at present. Furthermore, the high costs and uncertain benefits it notes suggest the scheme is unlikely to compete effectively for funding. Therefore, based on the information available from existing technical work, we would not be in a position to support such a reopening at present, due to the requirement for ongoing subsidy. However, we remain keen to work with you to consider any new evidence that could change this situation and recognise that the scheme’s feasibility may change should development in the area alter demand. “*

- 5.11 **Conclusions:** The report estimates that the capital costs of reinstating the railway line is likely to be in the region of £40m and that the cost of providing an additional rail service to be between £0.6m to £1.3m per year depending on the option considered. The likely revenue generated by users is unlikely to cover even the lower of these costs and would therefore require a significant revenue fund to support.

## **6 RISK MANAGEMENT**

- 6.1 The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

## **7 EQUALITIES**

- 7.1 An Equalities Impact Assessment has not been completed at the present time. An assessment will be undertaken as part of the development of the Business Case for the re-opening of the station and will be more informed at that time.

## **8 RATIONALE**

- 8.1 The capital and revenue costs of re-opening the Radstock to Frome railway line are significant as outlined above. There is no appetite within the Rail industry to develop the business case for this proposal. As a result no further action is recommended subject to the additional analysis outlined in paragraph 2.3 and 2.4 above which can be commissioned without significant additional expenditure and in any event within existing budgets.

## **9 OTHER OPTIONS CONSIDERED**

- 9.1 None.

## **10 CONSULTATION**

10.1 Cabinet members; Section 151 Finance Officer; Chief Executive; Monitoring Officer

10.2 Comments have been made on the report by George Bailey and are attached as Appendix 2 to this report with a response attached at Appendix 3.

## **11 ISSUES TO CONSIDER IN REACHING THE DECISION**

11.1 Social Inclusion; Sustainability;

## **12 ADVICE SOUGHT**

12.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

<b>Contact person</b>	Peter Dawson 01225 395181
<b>Sponsoring Cabinet Member</b>	Councillor Roger Symonds
<b>Background papers</b>	<b>Radstock Frome Railway Feasibility Investigation – Halcrow</b> <b>Statement to Cabinet in October by George Bailey on behalf of the Radstock Action Group</b> <b>Response to Statement by Radstock Action Group</b>
<b>Please contact the report author if you need to access this report in an alternative format</b>	

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## Appendix A

**Terms of reference:**

- (1) What are the key benefits and constraints resulting from the reopening?
- (2) High-level capital costs estimates (including fees and contingency) of the reopening of the line and in particular:
  - a) • Track infrastructure
  - b) • Structures
  - c) • Signals
  - d) • Station infrastructure
  - e) • Rolling Stock
- (3) What level of demand is required to support a reasonable service pattern?
- (4) What would be the likely revenue support that any service might require if the line were reopened and for what period of time would that support be required?
- (5) What would a business case need to include to support this proposal, including highlighting the areas where future scheme development would need to focus in moving towards delivery?
- (6) Would it be possible to accommodate an aspiration to operate a heritage rail service on the line (Radstock to Frome line only) in addition to a conventional operation?

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