

## BATH AND NORTH EAST SOMERSET

### CABINET

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

Wednesday, 8th May, 2013

#### **Present:**

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 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

#### **192 WELCOME AND INTRODUCTIONS**

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

The Chair welcomed everyone to the meeting.

#### **193 EMERGENCY EVACUATION PROCEDURE**

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

#### **194 APOLOGIES FOR ABSENCE**

Apologies had been received from Councillor Cherry Beath who was away on holiday.

#### **195 DECLARATIONS OF INTEREST**

There were none.

#### **196 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

There was none.

#### **197 QUESTIONS FROM PUBLIC AND COUNCILLORS**

There were 17 questions from the following Councillors: Brian Webber (5), Tim Warren (5), Charles Gerrish, Patrick Anketell-Jones (2), Vic Pritchard, Paul Myers, Geoff Ward (2).

There were no questions from members of 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.]*

## 198 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

Gillian Risbridger (Transition Transport and Built Environment Group) in a statement *[a copy of which is attached to these Minutes as Appendix 2 and on the Council's website]* asked the Cabinet to make 20mph the default speed limit for all roads in Bath at all times. She pointed out to Cabinet that the adoption of this policy would reduce the amount of signage required and could be achievable with a very small number of Traffic Regulation Orders.

Councillor Roger Symonds asked Gillian whether she knew that in January the Department for Transport had said that 20mph signs could be placed on busy roads or where there was an increasing number of pedestrians. Gillian confirmed that she was aware of that, and hoped that Cabinet would do as she had requested.

Karen Abolkheir (Stanton Wick Action Group) in a statement *[a copy of which is attached to these Minutes as Appendix 3 and on the Council's website]* spoke about the Gypsy Traveller DPD. She observed that she had not received any response to the questions asked at April Cabinet, which caused her some concern. She asked a number of further questions and asked for answers to the questions she had raised.

The Chair apologised to Karen for the apparent lack of response and asked the Divisional Director, Planning and Transport, to arrange for the responses to be resent and to copy him into the email. He also assured Karen that replies to her current statement would be provided as soon as possible.

Clarke Osborne (Stanton Wick Action Group) in a statement *[a copy of which is attached to these Minutes as Appendix 4 and on the Council's website]* spoke about the Needs Assessment report and the DPD. He also observed that he had received no responses to his questions at April Cabinet, and posed a number of new questions about the commissioning and publication process of the report.

The Chair apologised to Clarke and promised that he too would receive answers as soon as possible to his questions.

Matt McCabe (Chew Valley and Wansdyke Broadband Group and a Director of Wansdyke Telecom, a Community Interest Group) in a statement *[a copy of which is attached to these Minutes as Appendix 5 and on the Council's website]* congratulated the Cabinet on the excellent web casts. He told Cabinet that his colleague in rural Cyprus had enjoyed the web casts but regretted that his colleagues in rural north east Somerset could not watch because of their restricted bandwidth. He asked a number of questions relating to the arrangements made with Connecting Devon and Somerset.

The Chair asked Matt whether he would be willing to meet with John Wilkinson, Acting Divisional Director, Skills and Employment, to explore the points he had made.

## 199 MINUTES OF PREVIOUS CABINET MEETING

On a motion from Councillor Paul Crossley, seconded by Councillor Dine Romero (and subject to a change to reflect more accurately what Councillor Sally Davis had said to Cabinet when she presented the Panel's recommendations relating to Home to School Transport), it was

**RESOLVED** that the minutes of the meeting held on Wednesday 10<sup>th</sup> April 2013 be confirmed as a correct record and signed by the Chair.

**200 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET**

There were none.

**201 MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES**

The Chair referred to the draft notes from the Planning, Transportation and Environment PDS Panel [*a copy of which had been placed in the public gallery before the meeting and is attached to these Minutes as appendix 6 and on the Council's website*]. He observed that the Panel, at its meeting on 7<sup>th</sup> May, had agreed to dismiss the Call-in of the Dorchester Street Bus Priority Measures. The proposals, as agreed at Cabinet on 10<sup>th</sup> April, would therefore be implemented.

**202 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING**

The Cabinet agreed to note the report.

**203 THE COMMUNITY INFRASTRUCTURE LEVY FOR BATH & NORTH EAST SOMERSET**

Councillor Geoff Ward in an *ad hoc* statement welcomed the proposals which he said were a big opportunity. He referred to government guidance and asked for an assurance that the proposals were viable. He advised the Cabinet that care should be taken to avoid using the Levy as a policy tool to encourage or discourage certain types of development.

David Redgewell in an *ad hoc* statement *observed that the s106 income had been used to fund some bus services, eg no 20), and Cabinet should not forget this when setting up the CIL.*

Councillor David Laming in an *ad hoc* statement asked Cabinet to bear in mind the need for new homes bonuses to be available for residential moorings. He also emphasised that the social gain benefit must be maximised.

Councillor Tim Ball introduced the item by reminding Cabinet that the Levy would not completely replace the s106 which would be retained for some large scale developments. He assured Cabinet that proposals had been shown to be viable but assured Councillor Ward that this would be revisited. He was pleased that there was cross-party working on the proposals in a number of steering groups. He thanked David Redgewell for his observations and assured him that a steering group would consider his point. He reminded Councillor Laming that the proposals were still work in progress and that his point about residential moorings would be considered.

Councillor Ball explained to Cabinet that he intended that the plans for the Levy would make progress at the same speed as the Placemaking Plan.

He moved the proposals.

Councillor Paul Crossley seconded the proposal. He observed that the proposed Levy would be a much more flexible system and would allow the Council to spread

the infrastructure charges more fairly. He was delighted that it would also enable a meaningful amount to be passed to local neighbourhoods. He reminded Cabinet however that it would be essential to get approval of the Core Strategy if these plans were to succeed.

Councillor Roger Symonds welcomed the plans, which he said would make it clear to developers what they would have to pay. He asked Councillor Ball to explain however why in the previous 10 years the s106 had brought in £20M, while the CIL was projected to bring in only £21M over 15 years.

Councillor Ball explained that there would still be some income from s106 agreements and that this needed to be added to the projected CIL figures.

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

**RESOLVED** (unanimously)

- (1) To NOTE the work required on preparing a draft CIL Charging Schedule; and
- (2) To AGREE the revised programme for the preparation of the Bath & North East Somerset Community Infrastructure Levy and the consequential amendment to the Local Development Scheme.

## 204 GRAND PARADE & UNDERCROFT - VIABILITY STUDY

Caroline Kay (Chief Exec, Bath Preservation Trust) in a statement [*a copy of which is attached to these Minutes as Appendix 7 and on the Council's website*] said that the Trust felt that the plans were a potentially exciting step in bringing the Undercroft back into use but reserved judgement on the soundness of the business case because there was not yet enough information available.

Anne Robins (The Empire Owners Association) in a statement [*a copy of which is attached to these Minutes as Appendix 8 and on the Council's website*] said that some development would be welcomed, but there had been no information about phases 2-4 of the plans. She felt that loss of parking should have been listed as an issue, not as an objective in the report. She warned Cabinet that the Empire Owners would strongly object to any night club or casino proposals.

Alex Schlesinger (Secretary of Small Business Focus) in an *ad hoc* statement [*a copy of which is attached to these Minutes as Appendix 9 and on the Council's website*] stressed that the report had left many questions unanswered. He explained these in detail and expressed a number of concerns felt by the Guildhall Market Traders.

Councillor Patrick Anketell-Jones in an *ad hoc* statement supported the project which he said would bring benefits to the area and would be attractive. He asked if it would be possible to have a day-time visualisation of the changes, in addition to the evening one in the report. He had been encouraged by the assurances recently given to the Market traders by the Leader of the Council but asked that Cabinet would protect the stall holders' rents from being increased unfairly until the projected increase in footfall had been demonstrated. He asked Councillor David Bellotti to put at rest the minds of the Market traders by sending them the comfort letter he had promised. Finally, he asked the Cabinet to develop a strategy for markets throughout the authority's area.

Councillor David Laming in an *ad hoc* statement asked that the River Regeneration Trust should be involved at an early stage because of the proximity of the river which he felt should be exploited.

Councillor David Bellotti introduced the item by saying that this was one of the most exciting projects for a number of years. The area in question had been neglected for too long. This was an opportunity to restore part of the history of Bath and to benefit the local economy. If adopted, this would be a legacy project with long-term benefits for future generations. He warned Cabinet however not to underestimate the challenges. He had been delighted that already over 15 positive responses had been received from businesses.

Councillor Bellotti assured the Cabinet that Council money would not be risked without having sufficient pre-lets in place to secure confidence in the project. He anticipated that phase 1 would produce a surplus which would be used elsewhere. He referred to the next phase, Market development and said that he felt the replacement of parked cars by market stalls must be a good thing. Phases 1 and 2 would be delivered by December 2014, taking into account the need for detailed planning applications.

He assured the Market traders that it was not his intention to increase rents or to leave them out of the plans. The intention was rather to increase footfall, which would benefit all Market traders. He assured them that the new market operator's brief would safeguard the existing excellent traders. He promised to send the requested comfort letter once the proposals before Cabinet were agreed.

He thanked Caroline Kay for her contribution. He agreed that to make it work, her points must be included in the plans. There were no plans to make any changes to the Victoria Art Gallery. He said that although the present plans did not include the archives, he was mindful of the benefits of upgrading their location.

He assured local residents that they would be fully consulted when phase 3 and 4 proposals were brought forward.

He moved the proposals.

Councillor Paul Crossley seconded the proposal by emphasising the importance of the project. He gave an assurance that nothing would be done which would be to the detriment of the Abbey project. He also assured Caroline Kay that the plans did not involve night clubs. He thanked her for the observation about the archives and agreed with her that the Guildhall basement was not the best location in which to house them.

Councillor Crossley emphasised that the Cabinet's express intention was to preserve a presence in all 3 existing centres – including the Guildhall. He assured the Market traders that the plans would make the market more vibrant and more attractive to shoppers, so that the market would thrive for another 150 years.

Councillor David Dixon read an entry he had seen on twitter in which a local businessman had said that the Undercroft was "a location to die for". He believed strongly that the key to success for the project was to increase footfall between the Guildhall Market and the Undercroft.

Councillor David Bellotti in summing up thanked the Chief Property Officer and his team for the excellent work done so far. He observed that the feedback from residents and shoppers had been very positive.

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

**RESOLVED** (unanimously)

(1) To NOTE the recommendations to deliver the overall project in phases as described in the attached Viability and Options report;

(2) To APPROVE a capital allocation of £5.29m for Phase 1, to be funded by Service Supported Borrowing;

(3) To DELEGATE the final decision to proceed is delegated to the Chief Property Officer, Leader of the Council, Cabinet Member for Community and Resources and the S151 Officer;

(4) To ASK the Chief Property Officer to submit planning permission for Phase 1 (developing the Colonnades and Empire Colonnades into restaurant space(s), including re-opening of the access routes from Boat stall Lane, Parade Gardens and Slippery Lane);

(5) To CONFIRM that a pre-let shall be agreed for the Phase 1 restaurant space(s) before the Council commits to construction works; and

(6) To AGREE that a licence shall be granted to a specialist market operator for Phase 2 – enhancing Bath Markets, including extending the market into the area of the Guildhall car park, and the possibility of providing planned street markets in High Street, Orange Grove and Grand Parade.

**205 CONNECTING COMMUNITIES: A LOCAL ENGAGEMENT FRAMEWORK FOR BATH & NORTH EAST SOMERSET**

Tony Crouch in a statement [*a copy of which is attached to these Minutes as Appendix 10 and on the Council's website*] welcomed the initiative but expressed some reservations. He felt that local communities should be taking the lead albeit with a lot of advice from the Council. He also felt that the phrase “cluster group” might put off some parish and town councils and might be misleading. Finally, he was concerned that Chew Valley and Keynsham were being proposed as separate cluster groups, despite the fact that they currently formed a single Partnership.

Councillor Paul Myers in an *ad hoc* statement said he felt that delivery of the proposals would be problematic, and cited the community asset transfer as an example. He felt that the proposals were short on actual measures to do things. He said that localism could not be imposed from above – it could only come from the community.

Councillor David Laming in an *ad hoc* statement observed the failure of the report to mention the river as an asset. He reported that the Keynsham River Group had been looking at ways to connect Keynsham back to its rivers.

Councillor Paul Crossley introduced the item by thanking Tony Crouch for his contribution and agreeing that cluster boundaries were notoriously difficult to draw; but he acknowledged his point about the Somer Valley Partnership being in 2 separate clusters, and said that the Divisional Director, Policy and Partnerships, would meet with him to discuss his points.

Councillor Crossley advised Councillor Myers that the Council had in fact handed over its first community asset only the day before. He emphasised that assets should only be handed over when they were clearly right for the community. He said that in Councillor Myers' own ward, the Town Hall and the Railway Station were assets which might possibly be transferred.

He referred to the points made by Councillor Laming and said that the proposals before Cabinet were a tool kit, not a geographic map, and so did not contain specific mention of any assets. He was delighted that this was a road map to connect all the local services – there was already good evidence of this happening in a variety of ways and was delighted to move the proposals.

Councillor David Dixon seconded the proposal. He had been the Chair of the Local Engagement Steering Group and was pleased to see the more engaging title Connecting Communities. Communities would be able to tell the Council what they wanted. He hoped that local councillors would be encouraged to act as community leaders.

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

**RESOLVED** (unanimously)

(1) To ADOPT the “Connecting Communities Framework” set out in Appendix One, along with other public service partners working through the Public Services Board;

(2) To REQUEST officers to begin the implementation of the framework through widely publicising the “Core Offer” set out in the “Connecting Communities Toolkit”;

(3) To DELEGATE authority to the Divisional Director, Policy and Partnerships in consultation with the Council Leader the detailed plans for implementing the “Local Offer” set out in the “Connecting Communities Toolkit”;

(4) To REQUEST the Divisional Director, Policy and Partnerships to work with local groups and communities to keep updated the Connecting Communities Toolkit in order to share good practice in local communities;

(5) To NOTE the Draft Action Plan set out in Appendix Three of the report; and

(6) To REQUEST a further report in 6 months updating on progress in implementing Connecting Communities.

## 206 PLACEMAKING PLAN LAUNCH DOCUMENT

The Chair referred to the draft notes from the Planning, Transportation and Environment PDS Panel [*copies of which had been placed in the public gallery before the meeting and are attached to these Minutes as Appendix 11 and on the Council's website*]. He asked Cabinet members to take into account the notes from the Panel.

Caroline Kay (Chief Exec, Bath Preservation Trust) in a statement [*a copy of which is attached to these Minutes as Appendix 12 and on the Council's website*] encouraged the Cabinet to ensure that the ambitious deadlines for adoption of the Plan which she reminded them was essential. This would require the allocation of sufficient resource to development of the Plan.

David Redgewell in an *ad hoc* statement asked the Cabinet to remember that places are for people. The Cabinet's recent proposals for bus priority in Dorchester Street were an example that they appreciated this.

Councillor Geoff Ward in an *ad hoc* statement acknowledged the very ambitious timetable but emphasised the urgent need to protect the city's heritage and views. More emphasis should be given to keeping traffic moving. The plans gave some cause for hope but there was some concern about neighbourhood plans.

Councillor David Laming in an *ad hoc* statement noted that the report expressed an intention to consult widely on the river corridor. He would watch closely to ensure that was done.

Councillor Tim Ball introduced the item by saying that this was the most important document brought for agreement for decades. He intended to continue the work by giving local people their say. He acknowledged the resource issues raised by Caroline Kay but said that the Planning Department was determined to deliver the Plan on time.

He moved the proposals.

Councillor Simon Allen in seconding the proposal noted the link between this item and the previous one. He emphasised the need from consensus and cross-party working to deliver the right policies in the time available.

Councillor Roger Symonds referred to the proposals for 3000 new homes on the South Stoke plateau and 1000 new homes on Combe Down. He said that local people were keen to know more about the plans. He reminded Cabinet that most journeys across the city were by bus. He favoured plans to introduce a flat fare in the city to make it viable for people to get into the city.

Councillor Tim Ball confirmed to Councillor Symonds that the local community would be consulted about the plans to provide new homes in South Stoke and Combe Down.

On a motion from Councillor Tim Ball, seconded by Councillor Simon Allen, it was

**RESOLVED** (unanimously)

(1) To AGREE the Placemaking Plan Launch document for publication as a basis for discussion;

(2) To ASK that the Placemaking Plan will return to Cabinet for consideration at subsequent stages in its preparation;



(3) To AGREE the broad programme of activity and actions contained in the introduction of the Launch Document; and

(4) To DELEGATE authority to the Divisional Director for Planning and Transport Development to make minor changes to the Launch Document in consultation with Cabinet Member for Planning and Homes to ensure clarity, consistency and accuracy across the document.

## **207 TRANSPORT IMPROVEMENT CAPITAL PROGRAMME 2013/14**

Councillor David Laming in an *ad hoc* statement reminded Cabinet that the river taxis from Lambridge could stop at the Colonnades which might substantially increase footfall.

David Redgewell in an *ad hoc* statement welcomed the programme. He reminded Cabinet that the Bath Transport Package must be fully delivered and called for the improvement of local rail stations. He supported the suggestion made by Councillor Laming about water taxis.

Councillor Roger Symonds introduced the item. He observed that the programme was intended to deal with the day to day maintenance of the transport infrastructure and was not about major development. He introduced a number of items listed in the report. He was particularly pleased to report that the station ramp would be completed, now that the hitches had been overcome, with £400K of government funding. The proposal to contribute £70K towards the £200K cost of linking the northern end of the two tunnels to the railway path was also very exciting. He moved the proposals.

Councillor Dine Romero seconded the proposal. She welcomed the wide range of projects to improve safety, particularly those outside schools.

Councillor Paul Crossley said the list of projects would address the needs of all modes of transport in the Council's area. He was delighted to see the extension from the Two Tunnels and reminded the Cabinet that the route was very well used by pedestrians as well as cyclists.

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

### **RESOLVED** (unanimously)

- (1) To APPROVE the Transport Improvement Capital Programme for 2013/14; and
- (2) To DELEGATE authority to the Group Manager, Transport and Planning Policy, in consultation with the Cabinet Member for Customer Services, to alter the programme as may prove necessary within the overall budget allocation.

The meeting ended at 8.40 pm

Chair \_\_\_\_\_

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

Prepared by Democratic Services

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## CABINET MEETING 8<sup>th</sup> May 2013

### REGISTERED SPEAKERS

Where the intention is to speak about an item on the Agenda, the speaker will be offered the option to speak near the beginning of the meeting or just before the Agenda item.

#### **Statements about issues NOT on the Agenda**

- Gillian Risbridger (Transition Transport and Built Environment Group)  
Re: Bath 20mph speed Limit Schemes
- Karen Abolkheir (Stanton Wick Action Group)  
Re: Dec 2012 ORS updated Gypsy and Travellers Accommodation Assessment
- Clarke Osborne (Stanton Wick Action Group)  
Re: Gypsy and Travellers Accommodation Assessment and the DPD
- Matt McCabe (Chew Valley and Wansdyke Broadband Group and a Director of Wansdyke Telecom, a Community Interest Company)  
Re: Rural Broadband

#### **Re: Agenda Item 13 (Grand Parade and Undercroft)**

- Caroline Kay (Chief Exec, Bath Preservation Trust)
- Anne Robbins (The Empire Owners Association)

#### **Re: Agenda Item 14 (Local Engagement Framework)**

- Tony Crouch

#### **Re: Agenda Item 15 (Placemaking Plan Launch)**

- Caroline Kay (Chief Exec, Bath Preservation Trust)

## QUESTIONS AND ANSWERS - COUNCILLORS

<b>M 01</b>	<b>Question from:</b>	Councillor Brian Webber
<p>As regards the multi-coloured hoarding alongside the derelict Cornmarket in Walcot Street –</p> <p>(a) does the Council own the hoarding?</p> <p>(b) does the Cabinet Member agree that the hoarding does not enhance or preserve the Conservation Area or the universal value of the World Heritage Site?</p> <p>(c) does the Council's apparent indifference to the condition of the hoarding contrast unfavourably with the vigour with which the Planning Department sometimes pursues minor infractions by small businesses and homeowners of the Listed Buildings legislation?</p> <p>(d) several years ago I was advised by the Director of Property Services to be patient as there were hopes that a purchaser willing to restore the Cornmarket could be found. Is that still a realistic possibility in the foreseeable future?</p> <p>(e) in the meantime, what might be done to mitigate the eyesore?</p>		
<b>Answer from:</b>		Councillor David Bellotti
<p>(a) Yes</p> <p>(b) <i>The hoarding is a necessity to secure the site. The designs on the hoarding are the result of Council sponsored art projects. These projects have been coordinated by the Fringe Arts, Centre 69 Youth centre and Bath YFC. They replaced the more conventional design. The last 're-paint' was in 2010.</i></p> <p>(c) <i>The Council is not indifferent to the condition of the hoarding. The building and hoardings are regularly inspected by the Council's void inspector and any necessary repairs quickly put in hand.</i></p> <p><i>The Council has a statutory duty to comply and enforce where necessary all planning legislation including that relating to listed buildings.</i></p> <p>(d) <i>Unfortunately the prospective developer for the Corn market withdrew at the time of the recession. Marketing agents have now just been appointed for both the Cornmarket and the Cattle Market. Initial unsolicited approaches from interested parties suggest that there is now a reasonable prospect of development.</i></p> <p>(e) <i>It is anticipated that approach to be adopted by the marketing agents will be clarified in the next few weeks. At that stage it will be possible to provide a reasonable estimate of the anticipated time period before work on the building will start. If the period is likely to be lengthy then consideration might be given to repainting. The options for this could be raised with the Arts Development team.</i></p>		

<b>M 02</b>	<b>Question from:</b>	Councillor Brian Webber
<p>At the junction of Gay Street (North) and George Street, Bath, there is a yellow box (recently refreshed) on the western side of the road. Its object (presumably) is to facilitate the exit of vehicles from Gay Street (North). How does the yellow box achieve</p>		

that object if there is no yellow box on the eastern side?

**Answer from:**

Councillor Roger Symonds

*The yellow box was installed to make it easier for vehicles exiting Gay St (north) to go straight on into Gay St (south). Before it was installed drivers wishing to make this manoeuvre had to fight their way through 2 lines of queuing traffic. By keeping the eastbound lane clear, drivers can concentrate on the westbound traffic and exit more easily by crossing the box into the westbound lane.  
If there was another box on the westbound lane, vehicles exiting Gay Street (north) would end up standing on the box, which is illegal, hence there is no box in this lane.*

**M 03**

**Question from:**

Councillor Brian Webber

Question withdrawn by Councillor Webber

**M 04**

**Question from:**

Councillor Brian Webber

Before the local planning authority took the decisions which were successfully challenged by judicial review by Gazelle Properties Limited in December 2010 and SWVAG Limited in July 2012 did the Divisional Director of Legal Services personally review the advice on which those decisions were taken?

**Answer from:**

Councillor Paul Crossley

*No. In both cases, experienced planning counsel was engaged prior to the decisions the subject of challenge being taken and advised the Council on the relevant legal issues.*

**M 05**

**Question from:**

Councillor Brian Webber

Have daytime counts of vehicle numbers been taken in Dorchester Street, Manvers Street, Pierrepont Street or North Parade (East) in the past three years? (Yes or No; I do not ask for the data to be annexed). Did the counts extend to asking drivers their destinations?

**Answer from:**

Councillor Roger Symonds

*Yes. Counts were undertaken in 2012.  
No origin and destination interviews were undertaken, but Automatic Number Plate Recognition (ANPR) cameras were used to track the movement of vehicles passing through the main exit/entry points on the southern, eastern and western sides of the city and through Dorchester Street. This is a more cost effective and comprehensive way of determining existing vehicle paths on the highway network and how traffic may re-route as a result of the proposed Dorchester St Bus Gate*

<b>M 06</b>	<b>Question from:</b>	Councillor Tim Warren
Can the Cabinet Member please confirm whether Lansdown Lane in Weston is to be included in the roll-out of 20mph limits?		
<b>Answer from:</b>	Councillor Roger Symonds	
<i>Lansdown Lane will be included in the 20mph limit from just north of Napier Road, southwards. This terminal point coincides with the existing 30mph terminal point, so vehicles travelling downhill on Lansdown Lane will enter a 20mph limit at the point where they currently enter the existing 30mph limit.</i>		

<b>M 07</b>	<b>Question from:</b>	Councillor Tim Warren
How much additional revenue does the Council expect to raise (p.a.) from the changes to evening parking charges/times at Bath car parks and what impact does the Council anticipate these changes will have on the number of vehicles using these car parks?		
<b>Answer from:</b>	Councillor Roger Symonds	
<i>The removal of a small number of tariff bands as part of the MTSRP savings is anticipated to increase income by £100k per annum. The specific changes to the evening charges are anticipated to achieve between £5k and £10k per annum of this target.</i>		
<i>Harmonising the charges in all car parks regardless of the time of day will provide a simplified charging regime for all users whilst still providing the opportunity of free parking for all after 8pm. As a number of other car parks and on-street parking areas are also available, the numbers of vehicles using the car parks is anticipated to remain similar to current levels.</i>		
<b>Supplementary Question:</b>		
How much consideration was given to the detrimental effect on the evening economy in making the decision?		
<b>Answer from:</b>	Councillor Roger Symonds	
<i>The evening charges have increased from £1.50 to under £3; but had not been increased for a number of years prior to that. Consideration was given to the impact on the evening economy. It must be said that daytime charges were not increased at all.</i>		

<b>M 08</b>	<b>Question from:</b>	Councillor Tim Warren
Can the Cabinet Member please detail what status Community Speedwatch groups will have within 20mph zones. Are Community Speedwatch groups recommended by the police and Council to continue to operate within 20mph zones and will 'warning' notices		

continue to be issued to drivers caught speeding by Community Speedwatch groups within 20mph areas?

**Answer from:**

Councillor Roger Symonds

*Police Traffic Management were asked to supply an answer to this question, which they have given as follows:*

*“To the best of my knowledge, Community Speed Watch is still possible within 20mph areas but I would remind you of the Force stance as previously stated in relation to 20mph speed restrictions; it is important that the proposed speed limit should be appropriate to the area and beneficial in road safety and environmental terms. Equally important is that the form of speed limit chosen should be self-enforcing wherever possible by various means; by existing road layout or the introduction of engineering measures. It is recognised that currently 20mph limits are mostly used in urban areas, such as residential roads (particularly narrow ones), town centres and around schools and nurseries.*

*“As a Force, we do not oppose the introduction of 20mph schemes such as are being proposed across the B&NES area, but at the same time, we continue to encourage the inclusion of engineering features to promote effective speed reducing measures.*

*“20mph speed restrictions will be treated in the same way as any other speed limit in the Avon and Somerset Police area in that enforcement will not be routine but will be intelligence led and where there is evidence of clear and excessive offending, accompanied by an aggravating factor, ASC may consider enforcement where appropriate.*

*“Thus, within a Community Speed Watch area, whilst advisory letters may be issued, enforcement criteria remain as per the force stance.”*

**M 09**

**Question from:**

Councillor Tim Warren

What spare capacity will exist on Rossiter Road once the Rossiter Road project is completed, in terms of number of vehicles per hour at peak times? How much spare capacity exists on the A36 Rossiter Road/Widcombe Parade at present?

**Answer from:**

Councillor Roger Symonds

*The information requested needs to be extracted from the modelling work undertaken by our consultant. Officers will request this information and reply direct to Councillor Warren with the information once it is available.*

**M 10**

**Question from:**

Councillor Tim Warren

What consultation was undertaken before deciding upon the pricing levels for the Odd Down cycling circuit? How much revenue does the Council anticipate it will raise from the cycling circuit each year?

**Answer from:**

Councillor David Dixon

*The Council has a 15 year obligation to British Cycling to ensure the site is well maintained as well as the formation of a Cycling User Group at the Site, with the 3 main cycling clubs in the Authority. Therefore, the Council needs to ensure that it has an on-going maintenance budget, as well as creating a ‘sinking fund’ in order that it is self-financing for the future benefit of the whole community. The Council, British Cycling and the Clubs are also ensuring that sessions are open to everyone, from pre-school*

*through to sessions for over 50's, from novice cyclists and elite racing. More sessions will be introduced, once demand dictates and resources allow.*

*2013/14 Odd Down Cycling Circuit fees and charges for the hire of the Cycling Circuit have been agreed with British Cycling (who provided funding for the circuit) and benchmarked against other similar facilities. For this initial year of operation the fees have been set low in order to help market the facility.*

*A business model was prepared in conjunction with British Cycling and we are looking at a projected income in the region of £10k, for 2013/14. Usage levels will be assessed and all charges will be reviewed in line with the budgetary process for 2014/15.*

**Supplementary Question:**

This is a great facility; but can I use it as a resident who is not a member of a cycling club?

**Answer from:**

Councillor David Dixon

*You certainly can. There are public sessions, over-50 sessions, women's sessions and child sessions. Many organisations are coming forward to book an increasing number of events.*

**M 11**

**Question from:**

Councillor Charles Gerrish

What discussions have taken place in recent times with Taylor Wimpey regarding the creation of a second access road into the Somerdale site, the need for which is specified within the Core Strategy? What has been the outcome of these discussions?

**Answer from:**

Councillor Tim Ball

*As part of the pre-application preparation by Taylor Wimpey our consultants updated the Keynsham PARAMICS micro-simulation model and a number of test scenarios were run at Taylor Wimpey's expense. Taylor Wimpey have used this work as the basis for their planning application. They remain of the view that a single access would be acceptable for their proposal. However we have made it clear that we considered that none of these scenarios (using a single access) would be acceptable to the Highways Authority as a solution to the development proposed. Subsequently Taylor Wimpey's consultants have submitted a high level review of the transport issues around the access for discussion at a meeting to be arranged.*

**M 12**

**Question from:**

Councillor Patrick Anketell-Jones

In answer to a question I tabled in January, you stated that you anticipated publishing plans to deliver ultrafast Broadband of up to 100 Mbps to the Bath Enterprise Area and wider Bath this Spring. Can you please provide an update on progress with this?

**Answer from:**

Councillor Cherry Beath

*There is ongoing work to develop a business case for Ultrafast Broadband to the*



*Enterprise Area and other business locations across B&NES. This includes mapping in detail the existing fibre network across Bath, understanding business need and exploring options for linking proposals to others across the West of England to access Government support through the Local Enterprise Partnership. This is complex and on-going work.*

<b>M 13</b>	<b>Question from:</b>	Councillor Patrick Anketell-Jones
<p>When the next stage of public consultation takes place on the future of the Keynsham Riverside site, how many design options will be available for public comment before a final preferred design is put to public consultation?</p>		
<b>Answer from:</b>		Councillor Cherry Beath
<p><i>The Council is currently in negotiations with Topland, the head lessees of the Riverside block, and until there is a resolution to these negotiations, the Council is unable to provide the information requested.</i></p>		

<b>M 14</b>	<b>Question from:</b>	Councillor Vic Pritchard
<p>At the last Cabinet Meeting, you stated that all the financial implications of the decisions taken at the November 2012 Council meeting were dealt with at the February budget. This is not the case and I shall therefore make a further attempt to illicit an appropriate answer on this matter.</p> <p>At the November Council Meeting, under Agenda Item 9 (also referred to as Item 62 online), an amendment was moved by myself and accepted by you which stated: 'that the Cabinet be recommended to consider the allocation of additional sums collected from the technical changes, to supplement the Social Fund which is being delegated to Local Authorities, with particular reference to vulnerable groups adversely affected by the Council Tax Support changes'.</p> <p>At the February Budget Meeting a total of £ £249,260 was allocated to the Social Fund, the amount devolved by Government. There was no additional allocation made by the Council. During the Budget debate, you stated this matter was still under consideration. However, the Cabinet has never responded to the request made in the amendment above.</p> <p>Can the Cabinet Member please explain when the Cabinet will respond to this request and whether you are still considering whether or not to supplement the Social Fund (Welfare Support Scheme) with additional Council funds? Should the Cabinet choose not to agree to Full Council's request, will the Cabinet Member please detail how the funds raised from the changes to Council Tax discounts and exemptions have been spent?</p>		
<b>Answer from:</b>		Councillor David Bellotti
<p><i>The Council Budget in February 2013 established the Social Fund with the £249K of funding devolved from central government. Throughout 2013/2014 the Cabinet will</i></p>		

*monitor the Council's Outturn Budget position on a monthly basis, including the spending against the Social Fund. In the event the current allocation of resources to the Social Fund were to be identified as insufficient, the Cabinet would be able to consider allocating additional resources for this purpose from the Council's reserves. All funds raised from the changes to council tax discounts and exemptions were fully allocated in support of the Council Budget for 2013/2014.*

**Supplementary Question:**

This is a more encouraging reply than I received previously. Is this promise to be permanent? Will you add more to the fund if the existing commitment reduces during the year?

**Answer from:**

Councillor David Bellotti

*I'm happy to give that assurance. The funds were originally from government money, and I am confident that the allocation was realistic. If necessary, we will supplement the funds.*

**M 15**

**Question from:**

Councillor Paul Myers

Several complaints have been made, both to myself and the Council, regarding the poor state of repair of the pavement on Charlton Road (between Charlton Park and the newsagents) in Midsomer Norton. This is an important pedestrian route, particularly for school children and older residents accessing the newsagents. However, the Council has so far declined to take any action.

Will the Cabinet member please look into this matter and seek to resolve this issue in consultation with myself?

**Answer from:**

Councillor Roger Symonds

*When this issue came to the attention of our highway maintenance team, the area highway inspector visited site and could not identify any defects in the locality which met with our current levels for any maintenance intervention. As the Ward Member has raised further concerns, one of our maintenance engineers and the local area traffic engineer will investigate further and will report back to Councillor Myers*

**Supplementary Question:**

I suspect the highway inspector may have visited the wrong pavement, because this does not tally with my own knowledge of the site.

**Answer from:**

Councillor Roger Symonds

*Please arrange with the highway inspector to visit the site together, so that you can walk the length of pavement and discuss what needs to be done.*

<b>M 16</b>	<b>Question from:</b>	Councillor Geoff Ward
<p>In the February Budget report agreed by Council it stated: 'A capital budget provision has been made for up to £1.8m across 2012/13 – 2014/15 to provide a 14 pitch transit site for Gypsy &amp; Travellers'. Why has the Council allocated £1.8m for a 14 pitch transit site when the Council's Needs Assessment shows it only needs 5 transit pitches?</p>		
<b>Answer from:</b>		Councillor Tim Ball
<p><i>The most recent Gypsy &amp; Traveller Accommodation Assessment (2012) has identified an immediate need for 5 transit pitches and a need for 28 permanent pitches over the period 2012-2027. The proposed site will comprise 5 transit pitches and 9/10 permanent pitches. This will therefore meet all the Council's need for transit pitches and a significant proportion of the need for permanent pitches.</i></p>		

<b>M 17</b>	<b>Question from:</b>	Councillor Geoff Ward
<p>Why does the Council anticipate that each transit traveller pitch will cost approximately £128,500 compared to the average of £62,900, according to both the Irish Traveller Movement of Great Britain and the Council's planning department? If there are funds remaining after completing the building of the traveller site, how will this spare money be used?</p>		
<b>Answer from:</b>		Councillor Tim Ball
<p><i>The capital costs of new pitch provision that meets DCLG guidance are difficult to estimate as they will be determined by a wide range of factors, including site location, size, topography and proximity to mains facilities etc. However, in 2011 and to assist in setting an estimate on the likely capital costs of such a scheme the following information was used:</i></p> <ul style="list-style-type: none"> <li><i>o Brighton &amp; Hove estimated £100,000 per pitch (2007)</i></li> <li><i>o Planning Officers Society £100,000 per pitch (2011)</i></li> <li><i>o Advice from Homes &amp; Community Agency (HCA) £100,000 - £120,000 per pitch. Based upon the then recent G&amp;T bidding round in 2011</i></li> </ul> <p><i>These costs were then used to form the evidence that to provide a 15 pitch transit site the Council would require up to £120,000 per pitch, that is, £1.8m of capital funding. As such on 14th February 2012 Council provisionally allocated up to £1.8m of revenue supported capital borrowing to provide a single 15 pitch residential or transit site developed to DCLG standards.</i></p> <p><i>Now that a site has been identified the Council is working with potential partners to determine a site specific cost. It should also be noted that the actual pitch costs to the Council will be significantly reduced by a successful conditional funding bid to the HCA and potentially development partner contributions.</i></p> <p><i>As the capital is revenue supported borrowing, and so only the capital required will be borrowed, there is effectively no spare capital.</i></p>		
<b>Supplementary Question:</b>		
<p>Can the Cabinet member not agree that in these times of austerity, a bit of austerity</p>		

should be shown in this matter too?

**Answer from:**

Councillor Tim Ball

*We have as you will have seen been successful in mitigating the council's costs by bringing in third party funding. We are minded to the need to keep costs down in times of austerity but need to ensure delivery of this site.*

## QUESTIONS AND ANSWERS - PUBLIC

There were none

## **20mph Speed Limit Statement For Cabinet**

We wholeheartedly support the introduction of 20 mph speed limits across Bath on all roads at all times. Evidence demonstrates that 20 mph areas are an inexpensive and effective way to improve road safety, cut pollution, encourage smarter travel choices and enhance the quality of life of residents and visitors. Inclusion of all roads reduces signage to the outer edge of the 20mph limit, reduces costs and lessens confusion for drivers. In Portsmouth the work required just six traffic orders and was completed in nine months. We therefore urge B&NES to adopt 20 mph as the default speed limit for all Bath City streets without delay.

We would urge Cabinet to consider inclusion of ALL main roads when giving consideration to the 20mph TRO in the following residential areas within the city of Bath:

- 5 Westmoreland/ Oldfield/ part Lyncombe / part Widcombe
- 8 Walcott/ Lansdown/ part Lambridge
- 9 Abbey/ part Kingsmead
- 11 Odd Down/ Combe Down
- 13 part Lyncombe / part Widcombe
- 14 Bathwick

### **Transition Bath Transport and Built Environment Group**

Richard Daniel, Christopher Heward, Roger Houghton, Isobel Mack, Peter Metcalfe, Gillian Risbridger, Mark Russell

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My name is Karen Abolkheir and I am a member of the Stanton Wick Action Group

I am here again in respect of the progress of the Gypsy Traveller DPD and the processing of the major Planning Application on the Shale Tip at the Old Colliery, Stanton Wick, which recently has been withdrawn.

I have had no response to the questions I asked here on the 10<sup>th</sup> April, which causes further concern.

Despite what appears to be a tactical withdrawal of the Application, there remain unexplained significant errors in the processing of this major application and I ask again for answers to these relevant questions;

- Why was the application accepted and registered when by any reasonable measure it was inadequate, inaccurate and misleading? A minimum of 37 errors have been identified?
- Given the early advice on the errors and given the significance of these errors, why was the Application allowed to proceed for almost 4 months before its withdrawal by the Applicant?
- Why was the requirement waived for the Applicant to consult local residents, despite it being, major, significant and controversial?
- Officers were fully aware that the site was the subject of a special full Council meeting last June and was removed from the DPD last September, Why did they not treat the Application accordingly?
- How did a significant and misleading error relating to the size of the application site occur? (Originally stated as 0.6 hectares, later amended to 2.35 hectares but not made available to the public until after the comments period was closed)
- Why was the scale of the Application not questioned by the Planning Officers given that the measurement of the red line was 6.8 hectares?
- Why was this huge area not advised to the public?
- The Application for 12 pitches with ancillary buildings clearly indicates that each pitch would measure over 3,300 square metres. By BaNES own recommended sizing each proposed pitch would actually accommodate over 6 pitches. Or, put another way, the application site could accommodate a minimum of 72 pitches.

- Why has the Applicant has been advised that he can submit a revised application, free of charge? Where an application has significant and misleading errors and is withdrawn a new application should be made with a new fee. This is because the consultation and cost has to be repeated. But your Planning Office will know this.

The Council have a duty to all its Council tax payers to collect the correct fees, which are set on a national basis. The Council have not given us their calculation for the fees and we ask to see them?

Given the fundamental processing errors surrounding this Application we ask for the Cabinets assurance that any re-application or new application on this site will be rigorously tested before it is registered. Otherwise the perception will be that this application is favoured.

Local communities want to see reported progress on the development of the site at Lower Bristol Road and substantial progress on the Gypsy Traveller DPD. The absence of progress will naturally form assumptions that there are issues regarding either competency, complacency or equally concerning undue influence over the process and possibly a hidden agenda. This is understandable given the issues with the DPD last year and the postponement of the Cabinet debate on the issue, not once but twice. Whilst we acknowledge the pressure of work on officers with the Core Strategy, we point out that the Council have employed an officer specifically to progress the DPD. The delay serves no one except parties who may attempt to circumvent the Core Strategy and the DPD.

Thank you.



My name is Clarke Osborne; I am a resident of Stanton Wick and represent the Stanton Wick Action Group

Further to my submission at your last Cabinet meeting on 10<sup>th</sup> April, I have not received any response to the questions I raised. These were in connection with the report from ORS updating the Needs Assessment of the DPD for Gypsy, Travellers and Travelling Show People.

An amended version of the report has now been published on the Council web-site. 1 of the references to the site at Stanton Wick has been removed. The 2 references made by Maggie Smith-Bendell inexplicably remain.

To summarise the questions raised at your last meeting;

- How do the Council justify the brief for the update of the Needs Assessment including a requirement to report on individual site preferences which must seek to mislead the reader and cause concern to specific settled communities?
- Why was the procurement process for the report so rushed and why was the contract awarded in the absence of any competing bid?
- Why was the report, completed in December 2012 not published until Saturday 2<sup>nd</sup> March – 2 days before the Special Council meeting to debate the Core Strategy on the following Monday?
- Why was a member of the Gypsy and Traveller community who is not resident in the District interviewed?
- Why was the conflict of interest by Maggie Smith-Bendell not disclosed? She was an agent for the Planning Application (recently withdrawn) for the Stanton Wick site.

Following the publication of the Updated report further questions arise;

- What instructions were given to ORS to amend the report?
- What justification does the Council rely on when a comment made by a Showman regarding the Stanton Wick site was removed from the report and the two comments by Maggie Smith-Bendell allowed remaining?
- What action does the Cabinet intend to take to rectify the report and remove all the comments from the report?

We have asked the Cabinet to investigate the commissioning and acceptance of this report by their officers and to report their findings. We remain of the opinion that the Cabinet have been badly served in this instance. We feel that the evidence base is not robust or accurate enough to satisfy the inspector who will review the DPD as part of the Core Strategy.

Given the foregoing, the lack of reported progress with the DPD and a likely further Planning Application on the Stanton Wick site, we ask that the Council reassure us that no weight can or will be placed in respect of the reported preferences for the Stanton Wick site and to confirm that the Council has firmly rejected the Stanton Wick site as a possible site within the DPD and will not under any circumstances review that decision.

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Statement to Cabinet, 8 May

**Matthew McCabe, on behalf of Chew Valley and Wansdyke Broadband Groups and as a Director of the Community Interest Company, Wansdyke Telecom CIC.**

“For some time now, Chew Valley and Wansdyke Broadband Groups have been campaigning for better rural broadband for the residents and businesses of N E Somerset. Given the refusal of Connecting Devon and Somerset (CDS) to reveal any information about their planned roll out, and given their (frankly) puny targets, and reliance on the existing copper infrastructure, we have now formed a Community Interest Company, with a view to offering fibre to every home or business in NE Somerset.

We are a group of local residents with industry knowledge and expertise, and we believe that we can deliver a gigabit service. A service that is on a par with our urban centres. We have seen what others have done, for instance B4RN (Broadband for the Rural North) using only local volunteers. So we know we can do the same, as volunteers, for our communities here.

However, one of the first obstacles we’ve hit, is that we can’t apply for the relevant government funding, because criteria for applying requires us to show that we’re in an area where BT is NOT planning to offer a highspeed service. But, as I’ve already mentioned, CDS is saying nothing! I quote from CEO Sheila Wheeler: “SCC (and thus CDS) is forbidden by the contract (the one they’ve signed with BT) to release detailed information about the places that will see CDS-funded improvements to their broadband services, the improved broadband speeds and the timing of that deployment... A secondary reason is that the timing and location of improved broadband as currently planned will inevitably change between now and the end of the programme.”

So, we’re not going to tell you now, and we’re not going to tell you for the next seven years! A deliberate and unashamed obstruction to any competition for the available government money.

However, at this point I would like to make an apology. I am genuinely sorry that we did not form our CIC last year, when you were debating how to spend tax payers’ money on our rural broadband. And I realise that you really had no choice, other than to go in with CDS.

So, here we are. A lot of disappointed or angry rural residents, who don’t want to end up living in a technological backwater, getting together to create a community interest company, to deliver ultrafast rural broadband: provided by the community, for the community. And not fibre to a cabinet and copper to the home, the ‘up to 24mb/s’ that BT is offering (to those who live right next to the cabinet), but Fibre direct to the home: 1000mb/s - a genuinely high speed, future proof service.

So, my question is this. Given that BaNES is signed up to this secretive and seemingly anti-competitive contract between CDS and BT, can you now look at the nature of your relationship to CDS to see if the wording of the contract even allows you to support another delivery option, either as a council or as councillors? And if so, what support does it allow you to offer? Because we are all local volunteers working to get the best for our communities, what can you do for us?

**Written Question:** Given that BaNES is signed up to this secretive and seemingly anti-competitive contract between CDS and BT, can you now look at the nature of your relationship with CDS to see if the wording of the contract even allows to support another delivery option, either as a council or as councillors? And if so, what support are you allowed to offer?

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**Resolution of the Planning, Transport & Environment Policy Development and Scrutiny Panel in relation to the Call-In of decision E2439 'Bus priority measures in Dorchester St, Manvers St and Pierrepoint St, Bath'**

The Planning, Transport & Environment Policy Development and Scrutiny Panel held a public meeting on the 7th May 2013 to review this decision following the request of 13 Councillors for it to be reviewed (or called in). They raised concerns about the recommendations to implement this scheme before the Council had agreed a Transport Strategy and works had been completed on Rossiter Road. Councillors were also concerned about displacement of cars onto neighbouring roads, as well as the length of and measures for success of the experiment.

The Panel received a range of written and verbal evidence, interviewed the Cabinet Member for Transport, received a representation from Councillor Tim Warren on behalf of those Councillors who had signed the Call-In request and representations from other Councillors and members of the public. There were also written submissions from members of the public.

Having considered the evidence, a majority of the Panel voted to dismiss the Call-In and allow the Cabinet decision to be implemented.

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## Statement from Bath Preservation Trust to Cabinet re the Colonnades 8 May 2013

First of all, since the papers in front of you say that Bath Preservation Trust supports these proposals, I should like to say that we think that this is a potentially exciting step towards bringing the wonderful Colonnades back into useful public life. We also welcome the retention of the Guildhall as the Council HQ. We appreciate having been consulted at this stage and we would like to continue to be so.

However to suggest support at this stage is not quite accurate as we do of course reserve our position on any specific planning applications from these proposals. The heritage complexity of this site does require careful consideration and at the very least, we would like to see the many layers of architectural history fully and accurately recorded, and each element's significance fully respected, in the detail of any planning applications brought forward. I should also add that the trust is not commenting on the soundness of the business case as I am not sure the public report gives sufficient information to do so.

At this point, therefore we would just like to make a few observations.

First, there are significant heritage implications across the site, but in particular the treatment of Newmarket Row, described as Phase 3, would need to be handled extremely sensitively. The Trust would need to look at design solutions before coming to an opinion of whether the proposed alteration was acceptable in heritage terms. There are issues of scale here, and the Row contains Baldwin's original 1770 riverside façade for the markets.

Secondly, while the opening up of the medieval gates and lanes is a very attractive proposition, it should not be at the expense of their medieval character. Slippery Lane is so-called for a good reason and modern Health and Safety requirements should not be an excuse to lose the cobbles and the enclosed feel to these spaces.

Thirdly and in relation to Bath markets, I thought I would read you a quotation from Robert Southey, Bristolian and Poet Laureate, which dates from 1808:

*The Bath market's "excellent order and abundance surpasses anything in London, and is [as] surprising a sight as any in the place"*

It would be great to return to that position! However, we would wish to be sure that plans for a more permanent market spilling outside the boundaries of the Guildhall did not detract from the settings of the Guildhall itself and even more importantly the Abbey.

Fourthly, we note that the end use diagram shows part of the Victoria Art Gallery turned into a restaurant. Would just put down a marker that there are many people closely involved with the Victoria Art Gallery and have funded it, who would have views on this plan, and any such assertion therefore should not be presented without a clear future strategy for the Gallery itself.

Finally, we would like to have seen the marvellous Bath City Archives somehow wrapped into this project. This nationally designated Archive, with staff who win awards for their great work looking after it, is currently housed in the basements of the Guildhall in wholly inadequate space in proportion to the potential public and research interest.

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## **Grand Parade and Undercroft – Cabinet Meeting 8 May 2013**

### ***Representation***

My name is Anne Robins. I live at The Empire and represent the committee of the Empire Owners Association. The building is not an hotel.

The committee was consulted in October, and some development welcomed but many concerns documented; we have not seen evidence that they have been considered, so cannot support current proposals and request consultation.

### ***Viability and Options Report***

The report both puzzles and concerns us.

It states the opportunity is viable if delivered in four Phases, but covers only the viability of Phase 1. Are the Phase 1 financials for the minimum or maximum scheme? There are no footfall predictions, nor likely opening hours. Is there adequate contingency?

For Phase 2, we query assigning market rental income solely to the developer. There are no financials. When will there be a viability report?

It recommends Phase 2 paralleling Phase 1, but does Phase 1's success depend on Phase 2 or *vice versa*?

It focuses on benefits with little on implications, such as those for other businesses in Bath, and for residents. Would restaurants bring in mainly new customers or would existing ones lose business? There are implications for deliveries, waste, ventilation, fire barriers, noise, transport etc.

The relocation of 20 car parking spaces is included among objectives; logically this is an issue to be addressed, not an objective.

Street markets on the bus routes of Grand Parade, Orange Grove, and High Street could be highly dangerous, and undue proliferation of routine street markets could lead to our resembling the third world, rather than a World Heritage City.

### ***Specific Considerations for residents at The Empire***

We are disappointed that Phase 4, which could add so much to heritage and river views, has become very distant.

In Phase 3, the case for 2 additional storeys in Newmarket Row is not made. Height and design would be key.

We may well support development of the Colonnades, once details emerge. However the maximum scheme includes 'restaurant/leisure'. If this is code for a nightclub or casino, we oppose it.

We do not see Boatstall Lane as a feasible access route either for pedestrians or deliveries.

Safe and clear access to our underground garage is essential, but this right of way is shown as 'circulation/seating'; an oversight? Also it would be unsafe for pedestrians and Empire drivers to try to co-exist at the gated entrance point. There is no turning space in the lower lane so normal delivery vehicles cannot be used. Any trolley type alternative would cause problems of early morning or late evening noise, or conflict with garage users. Parade Gardens seems the sensible access.

We do value the covered market and support its being upgraded and expanded internally in Phase 2, but oppose the re-use of the Guildhall car park as a routine market.

The car park is unsightly, with over 25 waste bins, so could be improved. However there are many factors to consider, including waste and noise. Also access for regular painting of the Empire, and for Fire Brigade attendance at the back of it, the market, Guildhall, and Undercroft, are all essential. The Empire first floor garden requires deliveries, and the peace within it highly valued.

Finally the rear of the Guildhall is an important heritage vista which should not be obscured routinely by stalls.

### ***Conclusion***

So while some development will be welcome, current proposals are not. We ask for communication and consultation so that we can be constructive ongoing.

Statement by Alex Schlesinger, secretary of Small Business Focus, to the B&NES Council Cabinet. on 8<sup>th</sup> May 2013

## **COLONNADES AND UNDERCROFT DEVELOPMENT PROPOSALS.**

The Reports E2523 and the associated Report on Viability prepared for this B&NES Cabinet meeting, both leave us with as many questions as answers.

In the Report, E2523. Section 2.4, it is noted that the whole scheme depends on a pre-let, before even construction begins. This implies that all nett costings must presently be regarded as conjectural.

Section 2.5 discusses letting to an operator, but at present even the extent of the area of letting is open to question.

Section 3.1 states that the income shall be used to offset the cost of the Guildhall Economic Hub, but this was originally meant to be self funding.

Section 5.2 states that the scheme is only viable in four phases, but Phase 2, for the market, is not costed.

Section 5.3 lists the bodies that are supposed to have given support to the project: including the market traders. However, they have expressed to me their considerable concerns, and these were voiced at the meeting with councillors on the 8<sup>th</sup> of May.

Section 5.4 states that the scheme has been discussed with the Environmental Agency, particularly in respect of flooding. Document E2523 does not tell us what they said.

Section 5.7 notes that a pre-let agreement, which is essential to the scheme, will be engaged in Spring 2014: but we have already been told that the a market operator will be engaged in September 2013. So will the market operator be engaged irrespective of the rest of the scheme?

Section 6.2 Deals with Risk. However Item 2 of the section does not give the possible impact of failure to let, whilst Item 4 does not give the outcomes of structural questions. In other words structural surveys have not been conducted or have not been conclusive.

Item 10 deals with consultation. Conspicuous by its absence is any result of consultation with the general public who use the market on a regular basis.

Your report notes that twenty five of the Market Tenancies are protected by the Landlord and Tenant Act 1954. The professional opinion I have received today from a commercial estate agent is that the Act gives no protection where a redevelopment is proposed.

The Development Appraisal gives the conjectured income as £300,000 p.a.

However, your report E2523 puts the nett income as between £86,000 and £206,000.

There are a few more general questions that I would like you to consider.

- What city wide consultation has there been for this proposal?
- When the council hands over to a full profit-making operator, what guarantee can they give that the management policy of the market will remain under the control of the council?
- What guarantee can they give that Guildhall Market rents will not be allowed to spiral to the point where the existing traders selling useful goods are forced out?
- What guarantee can the council give that disturbance to the market traders and the public will be kept to a minimum?
- The project title is: *Grand Parade and Undercroft*. Why has the Guildhall Market been omitted from the title of official document E2523?
- Is it the intention of the council to allow the developer to use the vacated market hall as a secure and covered builders` yard during the development?
- Bearing in mind the enhanced risk of flooding of the colonnade and undercroft: will the council indemnify the operator and the tenants in case of flood?

Having read the proposals and predicted outcomes as laid out in the two documents currently under consideration; I must tell you that if the council accepts these two items as presently drawn up, you will be, ladies and gentlemen: *hostages to fortune*.

Alex Schlesinger. Secretary, Hon. Small Business Focus.

Bath 8<sup>th</sup> May 2013.

## Statement to Cabinet on Connecting Communities Engagement Framework on 8.5.13

I wish to make it clear I am speaking on my own behalf with experience of Partnerships within B&NES council of some 10 years which includes being Chairman of the Chew Valley Partnership since it was formed 5 years ago and Chair of the Stronger Communities Delivery Partnership.

It has for sometime been necessary to form some structure for communities of geography and interest to have some way of interacting with other partnerships and now the Public Services Board. The Stronger Communities Delivery Partnership struggled with lack of finance – it is difficult to deliver without any money, nevertheless it bought interested parties together. Another difficulty is that part of the area is NES has parish councils while Bath does not.

I therefore welcome this initiative but I do have some reservations which I am sure can be overcome.

The first is that at the moment this is a top down exercise. In my view for this to succeed it needs to change to a bottom up exercise with the communities taking the lead albeit with a lot of help and direction from the Policy & Partnership team.

The second is the term 'cluster groups'. We already have cluster groups where clusters of Parish Councils meet with B&NES where the Parishes provide written questions and written answers are provided. Some Parish Councils have viewed these as a waste of time for example Keynsham Town Council have not attended a cluster meeting for more than six years and do not feel they have missed out on anything. My concern is that the term cluster group being used again may put off some parishes and could cause unnecessary confusion.

I am also concerned about Keynsham and Chew Valley having 2 separate cluster groups while we have one Partnership currently. My concern is heightened by the fact that Keynsham is being chosen as a pilot cluster while the Chew Valley is not and they may therefore feel left behind. I notice that the Somer Valley Partnership remains intact.

I hope my concerns can be looked at seriously in an attempt to overcome them. I can advise you that parish Councils In North Somerset and South Glos are envious of the Partnership arrangements we have here in Bath & North East Somerset. One of their problems is that stronger and safety partnerships are one partnership which results in stronger issues being pushed to one side for safety issues.

Tony Crouch

8 May 2013

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## **Draft Minute from the Planning, Transport & Environment Panel – 7<sup>th</sup> May 2013**

### **Placemaking Plan Launch Document**

The Policy & Environment Manager introduced this item to the Panel. He explained that the purpose of the Placemaking Plan is to facilitate the delivery of key development sites and in a way that meets community aspirations. He added that the Placemaking Plan will complement the strategic framework in the Core Strategy by setting out detailed proposals for identified development sites including the new urban extensions proposed in the Core Strategy.

The plan is intended to be produced in a collaborative way drawing on the principles set out in the Council's emerging Local Engagement Framework. This will ensure that B&NES work closely with local communities and other key stakeholders to identify valued assets for protection, opportunities for development and necessary infrastructure requirements.

There is an aspiration to adopt the Placemaking Plan by the end of 2014, and this is acknowledged as a very ambitious programme. The details of the collaborative process of producing the Placemaking Plan will need to reflect this target programme.

In the Somer Valley and the rural areas where specific sites are not identified in the Core Strategy, preparation of the Placemaking Plan will require close working with local communities to identify appropriate sites for development within the context of the Core Strategy as well as to identify key assets to be safeguarded. However in light of the limited weight that can be attributed to the Core Strategy in advance of the Inspector's report due later this year, there will still be pressure for new development linked to the National Planning Policy Framework (NPPF) in the interim.

The document will be presented to the Cabinet on May 8th and it is hoped that a draft plan will be in place at the end of the year.

The aspiration to adopt the Placemaking Plan by the end of 2014 has the political support of the cross party LDF Steering Group, who recognise the benefits that the Placemaking Plan will provide to the communities of Bath and North East Somerset, and to enabling the delivery of corporate priorities such as the Enterprise Area, and housing delivery. They support the collaborative approach towards the production of the Placemaking Plan, whilst recognising the need for this to be tempered with the demands of the programme.

Mr David Redgewell addressed the Panel. He spoke of his concerns regarding the lack of a link to sustainable transport in the document. He added that all sites should be well served by bus services and that developer contributions should be sought for these to be provided.

Councillor David Martin asked how residents in Bath would be consulted on the plan as they had no Parish Council facility available to them.

The Policy & Environment Manager replied that they were working on ways in which to engage with Bath residents and in the process of drawing up a timetable of activities for the next six months.

Councillor David Martin suggested that the final document should contain maps when referring to sites.

The Policy & Environment Manager replied that indeed the final document would contain maps and diagrams when referring to sites.

Councillor David Martin suggested that the section on energy minerals could be expanded further to explain coal bed methane and shale gas extraction. He also asked for a reassurance that resources were in place to meet the ambitious timescale for the plan.

The Divisional Director for Planning and Transport replied that it was indeed a very challenging but achievable programme that relied upon input from across the Council. He added that Members would also need to support officers in this process to provide a focus.

Councillor Ben Stevens commented that the cover report for the item appeared to be critical of Neighbourhood Planning.

The Divisional Director for Planning and Transport replied that officers were not against Neighbourhood Planning and were simply asking whether that route or this is the best. He added that he felt the public were keen to see what this process had to offer.

Councillor Ben Stevens asked if any comment could be given on the progress of the Freshford Neighbourhood Plan.

The Policy & Environment Manager replied that he was aware of a large amount of support for the plan and that the community had put a great deal of effort into it.

Councillor Geoff Ward commented that he felt Neighbourhood Plans should be promoted. He added that Economic Regeneration should be considered a priority within the plan and that a realignment of priorities would almost certainly gain support from the Conservative group. He also wished to highlight that the plan does not mention the use of brown field sites in the first instance.

Councillor Liz Richardson asked if the plan provided any protection to areas such as Whitchurch given the lack of an approved Core Strategy.

The Policy & Environment Manager replied that until the Inspector gives his judgement on the Core Strategy there remains a window of vulnerability.

The Chairman wished to thank officers on their production of the plan and acknowledged the pressures that they were currently working under.

The Panel **RESOLVED** to:

- (i) ask that their comments on the Placemaking Plan Launch Document be passed to the Cabinet meeting on May 8th 2013;
- (ii) approve the broad programme of activity and actions contained in the introduction of the Launch Document; and
- (iii) support the collaborative approach that the Council is proposing to take with the production of the Placemaking Plan.



### **Bath Preservation Trust Statement to Cabinet re Placemaking Plan 8/5/13**

Bath Preservation Trust welcomes the fact that the Cabinet is considering this paper, which identifies the work ahead. The report states that the timetable before you is ambitious, but it is the Trust's view that it is essential to meet it. Until the Placemaking Plan is in place, the Local Plan is incomplete, and as a result we believe that Bath remains vulnerable to applications for inappropriate development which may succeed at Appeal as a result. Indeed this was evident in the Development Control Committee which preceded this meeting.

We would therefore encourage Councillors to reassure themselves by checking with the Planning Policy officers whether they have sufficient resources actually to deliver the Placemaking Plan to this timetable.

We note that the Report recognises the added challenges in Bath itself, as it is unparished and there is not an obvious 'community' with which to consult. Yet it is Bath that is the World Heritage Site, of which 60% is a conservation area including all of the Central Area, and which contains the largest development sites both within and outwith the City boundary. Some of the crucial elements of the evidence base for the Placemaking Plan, for instance a compliant conservation area character appraisal for Bath, are not even remotely in place: we have been suggesting that the Council should get on with this for years now and lack of resources has always been given as the reason for lack of progress.

It is therefore even more important that enough resources are directed towards delivering the appropriate evidence base for the Bath Placemaking Plan. We are not convinced that the Council does have sufficient capacity in its planning policy team to deliver to this timetable, and while third sector parties potentially have a role to play, working with volunteers alone can be difficult against a really challenging timetable.

We would ask Councillors to look again at whether further resources can be found to direct to the Placemaking Plan to achieve the fastest realistic timetable possible given its crucial importance in managing the appropriate development of the City over the next decades.

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