

BATH AND NORTH EAST SOMERSET

CABINET

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

Wednesday, 10th July, 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 Caroline Roberts	Cabinet Member for Transport
Councillor Dine Romero	Cabinet Member for Early Years, Children and Youth
Councillor Ben Stevens	Cabinet Member for Sustainable Development

28 WELCOME AND INTRODUCTIONS

The Chair was taken by Councillor Paul Crossley, Leader of the Council.
The Chair welcomed everyone to the meeting.

29 EMERGENCY EVACUATION PROCEDURE

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

30 APOLOGIES FOR ABSENCE

There were no apologies for absence.

31 DECLARATIONS OF INTEREST

There were none.

32 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

33 QUESTIONS FROM PUBLIC AND COUNCILLORS

There were 16 questions from the following Councillors: Will Sandry (2); Sharon Ball (3); Geoff Ward (4); Charles Gerrish (3); Michael Evans; Liz Richardson, Anthony Clarke (2).

There were 3 questions from the following members of the public: Sean Moore; Lesley Mansell; Simon Whittle.

[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.]

34 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

Anthony Acton (Vice-Chair, Corston PCC) in a statement *[a copy of which is attached to these Minutes as Appendix 3 and on the Council's website]* asked for a controlled crossing and pedestrian refuge on the A39 in Corston near the church.

He presented a petition of 170 signatures to Cabinet.

The Chair referred the petition to Councillor Caroline Roberts for her response in due course.

Lin Patterson (Campaign to Save Larkhall Toilets) in a statement *[a copy of which is attached to these Minutes as Appendix 4 and on the Council's website]* reminded the Cabinet of the arguments for retaining public toilets which included public health, equality, environmental and local economy issues. She urged the Cabinet to retain the toilets in response to the 534 signature petition previously submitted.

Lesley Mansell (Chair, Radstock Town Council) in a statement said that a holistic view should be taken about the future of the Victoria Hall but she was disappointed that the views of the Town Council had been ignored. Given that 80% of respondents had asked for community use of the hall, it was not enough that only 20 hours of community use was being offered. She was concerned by the lack of consultation and felt that the hall must be returned to community use.

Councillor Eleanor Jackson in a statement *[a copy of which is attached to these Minutes as Appendix 5 and on the Council's website]* said that she was pleased the Victoria Hall was being renovated but felt that opportunities had been lost to return the hall to community use by moving the library, Town Council and youth hub into the building. She asked Cabinet to refer the issue of community use of the hall to the relevant PDS Panel.

Kirsty Hafford (Radstock Resident) in a statement *[a copy of which is attached to these Minutes as Appendix 6 and on the Council's website]* in which she supported the proposed use of Victoria Hall, Radstock, as an arts centre for community and arts events which she felt would build cross-generational links and boost community cohesion.

Judith Chubb-Whittle (Chair, Stanton Drew Parish Council) in a statement *[a copy of which is attached to these Minutes as Appendix 7 and on the Council's website]* referred to a written statement issued on behalf of Eric Pickles, Secretary of State for Communities and Local Government in which he said that the single issue of unmet demand would be unlikely to outweigh harm to the green belt.

Karen Abolkheir (Stanton Wick Action Group) in a statement *[a copy of which is attached to these Minutes as Appendix 8 and on the Council's website]* made a number of observations about the shale tip at Stanton Wick and explained why she felt that proposals to develop the site should not succeed.

Clarke Osborne (Chair, Stanton Wick Action Group) in a statement *[a copy of which is attached to these Minutes as Appendix 9 and on the Council's website]* referred to the slow progress made on the Gypsy and Travellers DPD. He asked Cabinet to ensure that officers were fully aware of recent guidance from government about the unsuitability of Gypsy and Travellers Sites in the green belt.

The Chair assured the speakers that a Q&A sheet on the Gypsy Travellers DPD would be added to the Council's website and it would be updated with responses to

any questions raised. He assured the speakers that the Cabinet was determined to bring about the right outcome.

35 MINUTES OF PREVIOUS CABINET MEETING

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

RESOLVED that the minutes of the meeting held on Wednesday 12th June 2013 be confirmed as a correct record and signed by the Chair.

36 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

There were none.

37 MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

The Chair announced that the Resources PDS Panel had referred to Cabinet their recommendations on the Community Asset Transfer. Councillor David Bellotti had attended a meeting of the Panel and had presented the Cabinet's response, which had then been published in the Weekly List.

38 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

The Chair referred to the report, copies of which had been placed into the public gallery prior to the meeting [*and copies of which are attached to these Minutes as Appendix 2 and on the Council's website*]. Cabinet agreed to note the report.

39 TWO TUNNELS PROJECT UPDATE

Councillor Caroline Roberts reminded Cabinet that the Two Tunnels had opened in April but that the proposals were to complete the remaining northern section and to provide links to Claude Avenue and the Riverside Path. Funding would come from various sources and the project would be fully funded.

She moved the proposals.

Councillor Paul Crossley seconded the proposal. He reported that in its first week of opening, 520 people per day had used the route. People now used the route to commute into Bath. It had become a tourist attraction and he wanted to see the route completed all the way from Bath to Radstock.

Councillor David Dixon said that walkers, joggers, cyclists, families and visitors all used the track which was an excellent way to reach the Odd Down Cycle Track. He knew of some cyclists who had come all the way from Bristol using the continuous cycle track to get to the Odd Down Cycle Track. He congratulated all concerned and said that the track would be improved by additional signage, which he knew was part of Councillor Roberts' plans.

He mentioned, in passing, that the Odd Down Cycle Track would be opened formally the following Saturday at 10:30am by a cycling celebrity and welcomed everyone to attend.

Councillor Caroline Roberts observed that the next paper on the agenda would agree the provision of the signage which Councillor Dixon had asked for.

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

RESOLVED (unanimously)

(1) To AGREE that, subject to agreement with Sustrans under a Memorandum of Understanding, DfT's Linking to Communities grant be accepted to complete the remaining off road section on Council land through the northern section of Linear Park, with the works to upgrade the existing permissive footpath to a permissive cycle track for use by pedestrians and cyclists to be constructed by the Council using its land ownership powers between the disused Somerset and Dorset Railway Bridge and Bellotts Road (Element 3);

(2) To NOTE that Sustrans under licence to Network Rail WILL re-open the disused Somerset and Dorset Railway bridge for pedestrians and cyclists on a temporary basis until the bridge is replaced as part of the mainline rail electrification works planned from 2015 onwards. The access arrangements on Council land through Linear Park and extent of the Works on Linear Park are to be agreed with the Council.

(3) To AGREE that the Council will enter into agreements with Network Rail for the adoption and maintenance of a new replacement foot/cycle bridge provided by Network Rail as part of the mainline rail electrification works;

(4) To ACCEPT the DfT Cycle Safety Grant for the purpose of implementing the 2 Tunnels Northern Links scheme in accordance with the grant conditions and agreed Memorandum of Understanding with Sustrans;

(5) To AGREE that subject to planning conditions being met, Claude Avenue Cycle Link is constructed by the Council between Claude Avenue and the 2 Tunnels Greenway funded by the LSTF WEST project; and

(6) To AUTHORISE the Divisional Director for Environmental Services:

(i) to negotiate and enter into any necessary agreements with Network Rail to facilitate the adoption and maintenance of the cycle/footbridge and seek to minimise future maintenance costs.

(ii) to agree the Memorandum of Understanding with Sustrans to access funding allocated to Element 3 and Northern Link projects from the DfT Cycle Safety Fund and Links to Communities Fund.

40 CYCLE SCHEMES PROGRAMME 2013/14

Duncan Hounsell in a statement *[a copy of which is attached to these Minutes as Appendix 10 and on the Council's website]* asked for a cycle-path to be installed adjacent to the Keynsham Bypass to complete the route between Saltford and Hicks Gate and asked for it to be included in the cycle audit.

Councillor Patrick Anketell-Jones in an *ad hoc* statement referred to item 20 in the list. He warned that a shared path in the section between North Parade Bridge and

Pulteney Bridge might prove a danger because it was very busy and because it included 2 blind corners.

Councillor Anthony Clarke in an *ad hoc* statement agreed with the reservations expressed by Councillor Anketell-Jones. He felt that it should always be clear that pedestrians had priority. He also referred to the new cycle path near the Globe Inn, which cyclists did not use because they preferred the road surface to the cycle path surface.

Councillor Eleanor Jackson in an *ad hoc* statement observed that there were some problems in Radstock Road. She felt that the list showed a preponderance of schemes for Bath over rural schemes. She referred to paragraph 5.4 of the report, which explained that two proposed safe cycling routes to school had not been included in the list.

Councillor Vic Pritchard in an *ad hoc* statement asked if the list would be at the expense of other road schemes. He asked that Cabinet would not agree to any shared use schemes and referred to some of his own experiences.

Councillor Caroline Roberts introduced the item. She responded to Councillor Pritchard's comments by agreeing that some bus drivers in James St West did not properly appreciate the contraflow scheme but arrangements were in place to provide training. In response to Councillor Jackson she agreed that Silver Street would be considered in more detail. She agreed to look at the points made by Duncan Hounsell and by Councillors Anketell-Jones and Clarke.

Councillor Roberts explained that the Council in its budget had allocated £0.5M for cycle projects and the proposals were to allocate those funds to specific projects. Several meetings had been held with cycle groups and the list had been drawn up by prioritising on achievability. She observed that more than half of the funds were being allocated for schemes in the rural area of the authority.

She moved the proposals.

Councillor David Dixon seconded the proposal. He was delighted by the proposals. He reported that he had seen the cycle track by the Globe being heavily used by students during term time. He was delighted to see the substantial allocation of funds to the Batheaston Bridge scheme, which the local community had asked for. He was delighted to note the inclusion of the signage which would enable people to find the Odd Down Cycle Track.

Councillor Ben Stevens referred to the reservations expressed by previous speakers saying that he supported the inclusion of a shared space stretch near the weir, in his ward, because it would encourage all users to be considerate.

Councillor Paul Crossley expressed his respect for Councillor Pritchard, who he knew was a regular cyclist. He said that he was most concerned about the stretch of the Keynsham Bypass at night, which could be very dangerous for cyclists. He did not agree with the reservations expressed about shared use but agreed that great care was necessary to choose the right solution for each scheme.

Councillor Dine Romero expressed disappointment that the two schemes to improve cycling to school had not been included in the list, but said she had been assured that they would be progressed when future funding permitted.

Councillor Caroline Roberts explained that the list had been kept short so as to ensure that it was achievable.

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

RESOLVED (unanimously)

(1) To APPROVE the cycle schemes programme.

41 RIVER CORRIDOR FUND

Councillor David Laming in an *ad hoc* statement [*a copy of which is attached to these Minutes as Appendix 11 and on the Council's website*] gave special thanks to Councillors Crossley, Ball, Bellotti and Stevens for their work, and to Councillor Eleanor Jackson who was steering it through the PDS review. If agreed, this would make the Council the first in the country to undertake a detailed task and finish review of boat dwellers and their needs.

Councillor Ben Stevens introduced the item by thanking Councillor Laming for his kind words. There had been a good relationship with the Trust so far and he had been struck by what a difference could be made for angling, rowing, canoeing, boating and walking. The paper was a key part of the regeneration of the whole riverside.

He moved the proposals.

Councillor Paul Crossley seconded the proposal. He referred to the hard work also put into the issue by Councillor Cherry Beath. He reminded Cabinet that the paper was about finding solutions, at last, to the long-running problem of the riverside. He was delighted that the outreach past Newbridge contained 3 rowing clubs, plus pubs and other community facilities. He had been made aware by Councillor Laming of the opportunities afforded by the loop of river near to the Fry's site in Keynsham.

Councillor Tim Ball said the proposals were an exciting start. He said that anglers, and those living on the river, must not be forgotten. He also mentioned the wildlife aspects of the riverbank which must be protected. It was salutary to remember also that the river provided Bath's drinking water.

Councillor Ben Stevens summed up by agreeing that the issue related to all aspects of the usage of the river.

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

RESOLVED (unanimously)

(1) To APPROVE the £100,000 provisionally allocated within the 13/14 capital programme, which will be allocated by the Council to ensure the river becomes a key cultural, economic and social asset for Bath and beyond.

42 YOUTH JUSTICE PLAN 2013-14

Councillor Dine Romero introduced the item by saying that success was to be measured by progress in the 3 National Outcome Indicators shown in the Plan at paragraph 2.2. She was delighted that in All 3 measures, the south west had improved against the indicator. She moved the proposals.

Councillor Simon Allen seconded the proposal. He quoted a parent who had recently said to him that the youth offending team had "helped us during a rough time".

Councillor Paul Crossley felt that the report was a credit to the Council and attracted broad support across all the political groups.

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

RESOLVED (unanimously)

(1) To AGREE that the Youth Justice Plan fulfils the requirements of the Crime and Disorder Act 1998; and

(2) To RECOMMEND the Youth Justice Plan to Council for adoption as part of the Council's Policy and Budget Framework, within the Council budget approved in February 2013 and for submission to the youth Justice Board.

43 JOINT HEALTH & WELLBEING STRATEGY

Councillor Eleanor Jackson in an *ad hoc* statement said she felt that the report had the right priorities but was too bland and did not explain how big the challenge would be. As an example she cited the "postcode life expectancy" which meant that there were still pockets of deprivation to be addressed.

Lesley Mansell (Chair, Radstock Town Council) in an *ad hoc* statement asked for a copy of the Equality Impact Assessment.

Councillor Simon Allen introduced the item. He drew attention to the 3 themes listed in the Strategy document. He explained that the strategy was the responsibility of the Health & Wellbeing Board, whose overarching aim was to reduce inequality.

He moved the proposals.

Councillor Dine Romero seconded the proposal. She said the strategy was ambitious. It drew together a number of other plans and put health and wellbeing at the centre.

Councillor David Dixon felt that the paper was excellent and that it presented a unified picture of what the community needed. He reminded the Cabinet that health and wellbeing was not only about provision – it could also be about neighbours supporting each other.

Councillor Ben Stevens said that as a Trustee of the Golden Oldies Charity, which encouraged older people to get out and sing in choirs, he agreed with Councillor Dixon.

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

RESOLVED (unanimously)

(1) To APPROVE the Joint Health and Wellbeing Strategy; and

(2) To NOTE that a final Joint Health and Wellbeing Strategy will be submitted to Council on 14 November for approval

44 GUILDHALL MARKET CHRISTMAS MARKET

Councillor David Bellotti introduced the item. He explained that a market had been held in the car park every December since 2005. The existing traders took part and had always run it well. The proposal was to delegate authority to the Chief Property Officer to negotiate arrangements for 2013.

He moved the proposals.

Councillor Paul Crossley seconded the proposal. He said that the Christmas market had become a real feature of Bath and was always a huge success. He welcomed the market traders taking up the challenge. He emphasised that the needs of local residents must be given consideration.

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

RESOLVED (unanimously)

(1) To DELEGATE authority to the Chief Property Officer, for 2013 and in future years (if required), to decide whether to allow a market to be held in the Guildhall Car Park to run concurrently with the period of the Christmas Market, plus two additional days prior to and one day after the Guildhall Christmas Market for setting up and dismantling; and

(2) To AGREE that if consent is given to the use of the car park for this purpose, that consent will be given subject to the following conditions:

(a) that any proposed variations to the format of the market from that held in December 2009 are delegated to the Chief Property Officer.

(b) that Planning Permission and all other statutory consents are obtained and all conditions (if any) are complied with fully before the market is set up.

(c) that all necessary street trading licenses are obtained before the market is set up.

(d) that each year an operator, on behalf of the Guildhall Market Traders Association, enter a licence with the Council covering their use of the car park documenting the term and agreed covenants and obligations of each party.

(e) that appropriate alternative arrangements are made for users of the displaced parking spaces for the disabled.

(f) that if in any year any operational issues arise that are not resolved to the satisfaction of the Chief Property Officer, especially the handling of refuse, then the Council reserves the right to withdraw permission to use the car park.

(g) that if the Christmas Market does not operate the Council reserves the right to withdraw permission to use the car park.

(h) that if the Grand Parade and Undercroft project results in the market not being able to operate, the Council reserves the right to withdraw permission to use the car park.

(i) that the issue of who operates the market is delegated to the Chief Property Officer to determine.

45 JOINT RIGHTS OF WAY IMPROVEMENT PLAN

Councillor Caroline Roberts explained that the plan was a requirement of the 2000 Act. It had been produced in collaboration with Bristol and South Glos. She referred to the 4 big themes shown in paragraph 5.6 of the report. She moved the proposals.

Councillor Tim Ball seconded the proposal. He had seen the map included in the Plan, at paragraph 1.2, and felt it presented an exciting challenge.

Councillor Paul Crossley observed that the Plan would deliver substantial improvements for those with mobility problems.

On a motion from Councillor Caroline Roberts, seconded by Councillor Tim Ball, it was

RESOLVED (unanimously)

(1) To ADOPT the Rights of Way Improvement Plan 2012-2016.

46 UPDATE ON THE HERITAGE SERVICES CAPITAL INVESTMENT STRATEGY

Councillor Ben Stevens emphasised the prestige brought to the area by its heritage. The income from tourism was substantial. The budget for the proposed capital works had been approved in principle by Council in February and this report is to give Cabinet the detailed proposals. He moved the proposals.

Councillor Paul Crossley seconded the proposal. He felt that the creation of a foundation to assist in funding was a good way to approach the educational aspects of the project.

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

RESOLVED (unanimously)

(1) To APPROVE the capital budget for the Temple Precinct scheme, including the rephrasing illustrated in the report;

(2) To APPROVE the transfer of £130k from the underspend on the Beau Street hoard to the budget provided for the Roman Baths infrastructure project to repair the Pump Room roof in the current financial year;

(3) To NOTE that the rolling programme of infrastructure works for the Roman Baths will be reviewed for 2014/15 in order to accommodate works to renew and relocate the gas supply pipe for the site;

(4) To AGREE that the provisional capital budget for the Beau Street hoard project will be subject to further consideration following the forthcoming Stage 2 application to the Heritage Lottery Fund; and

(5) To AGREE the formation of a fundraising charitable Roman Baths Foundation whose objects would be to support education and conservation at the Roman Baths and Temple site, with the remit and governance arrangements of the Foundation to be drawn up in consultation with the Cabinet Members for Sustainable Development and Resources.

47 TREASURY MANAGEMENT OUTTURN REPORT 2012/13

Councillor David Bellotti reminded Cabinet that the council had achieved a zero increase in Council Tax for 2 years, and he intended to hold it for another 2 years. He was delighted that, having inherited borrowings of £204M, the Cabinet's plans had reduced this to £120M. By wise use of cash flow, the costs of delivery could be reduced – mainly by repaying the most expensive loans. He expected borrowing to reach no higher than £150M.

He said that the Council had invested wisely, with no funds in Iceland or the Euro zone. He moved the proposals.

Councillor Paul Crossley seconded the proposal. He referred to the consistent top quality advice which had enabled the Council to set a good example by reducing borrowing.

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

RESOLVED (unanimously)

- (1) To NOTE the 2012/13 Treasury Management Annual Report to 31st March 2013, prepared in accordance with the CIPFA Treasury Code of Practice;
- (2) To NOTE the 2012/13 actual Treasury Management Indicators;
- (3) To NOTE the Debt rescheduling actions; and
- (4) To AGREE that this Treasury Management Report and attached appendices will be reported to July Council.

48 REVENUE & CAPITAL OUTTURN 2012/13

Councillor David Bellotti, in introducing the item, referred to the underspend of £168K which was less than 0.1% of the entire budget. This was set against the background of a large number of substantial projects.

He moved the proposals.

Councillor Paul Crossley seconded the proposal. He observed that the Council was delivering projects on time, within budget and with good results. He was very pleased that the outcome had been as predicted.

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

RESOLVED (unanimously)

- (1) To NOTE the provisional revenue budget outturn underspend of £168,000 for 2012/13;
- (2) To APPROVE the revenue carry forward proposals and write-off requests;
- (3) To AGREE the transfers to Earmarked Reserves;
- (4) To APPROVE the revenue virements for 2012/13 and 2013/14;
- (5) To NOTE the resulting reserves position and that unearmarked reserves remain at the target level of £10.5m;
- (6) To NOTE the provisional outturn of the 2012/13 capital programme and funding;
- (7) To APPROVE the capital rephasing and write-off of net underspends; and
- (8) To NOTE the adjustments to the 2012/13 to 2017/18 capital programme and the final capital programme for 2012/13.

The meeting ended at 8.30 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services

CABINET MEETING 10th July 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

- Anthony Acton (Vice-Chair, Corston PCC)
Re: Petition – Road Safety, Corston A39
- Lin Patterson (Campaign to Save Larkhall Toilets)
Re: Larkhall Toilets
- Lesley Mansell (Chair, Radstock Town Council)
Re: Victoria Hall
- Councillor Eleanor Jackson
Re: Victoria Hall
- Kirsty Hafford (Radstock Resident)
Re: Victoria Hall
- Judith Chubb-Whittle (Chair, Stanton Drew Parish Council)
Re: Gypsy and Travellers DPD
- Karen Abolkheir (Stanton Wick Action Group)
Re: Gypsy Travellers and the Core Strategy
- Clarke Osborne (Chair, Stanton Wick Action Group)
Re: Core Strategy, Gypsy and Traveller and Travelling Showpeople DPD and progress on the establishment of sites for the development of pitches

Re: Agenda Item 13 (Cycle Schemes)

- Duncan Hounsell

QUESTIONS AND ANSWERS - COUNCILLORS

M 01	Question from:	Councillor Will Sandry
<p>Article 4 direction (Item 12 June Cabinet): How will this new policy be enforced and what should local residents do if they suspect a home is being converted to an HMO now that the Policy is in effect?</p>		
Answer from:		Councillor Tim Ball
<p><i>On receipt of an enforcement complaint alleging an unauthorised HMO, the planning enforcement team will need to visit and collect information from the owner, such as tenancy agreements Council tax bills, utility bills with named tenants an HMO license, register from a voluntary accreditation scheme for HMO's operated by B&NES to establish whether or not there has been a material change of use to a C4 HMO. Officers may have to serve a planning contravention notice to obtain this information if the owner is reluctant to provide it voluntarily i.e. because they are operating an HMO but think that they won't achieve permission.</i></p> <p><i>If Officers determine from their evidence that a material change of use has occurred, they may ask for a planning application as is normal practice with enforcement. Any application would be publicised in the normal way and all views taken into account. In any event they would be obliged to discuss the situation with the owner and no formal action would be taken whilst an application and possible appeal was being considered. Officers would have to determine any planning application based upon the SPD and other development management policies/material considerations and decide if there are any sustainable grounds upon which permission could be refused having regard to the fact that the National Planning Policy Framework directs Local Planning Authorities to approve planning permission for development unless there is substantial harm. Some proposals may be acceptable and gain permission.</i></p> <p><i>If no application is forthcoming Officers would have to consider the expediency of taking enforcement action, also based on the SPD and policy/material considerations and in respect of the level of harm.</i></p> <p><i>If local residents suspect that a home is being converted to an HMO they can submit an enforcement complaint form on the Council's web site at www.bathnes.gov.uk/services/planning-and-building-control/planning-enforcement and email to planning_enforcement@bathnes.gov.uk</i></p>		

M 02	Question from:	Councillor Will Sandry
<p>Additional Licensing of HMOs (Item 13 June Cabinet): Please can you give me assurance that properties that have never been accredited to the former voluntary accreditation scheme for HMOs will be targeted for inspection by housing officers as a</p>		

priority?

Answer from:

Councillor Tim Ball

Housing Services have set themselves the ambitious target of inspecting all identified licensable HMOs during the first year of the scheme. To ensure operational efficiency and to meet customer service standards inspections will initially be arranged in order of application date. However, if demand for inspections significantly exceeds operational capacity inspections will then be prioritised according to a combination of risk and date of application with those that we have little or no knowledge of, for example, non-accredited being deemed high priority.

In addition whilst conducting inspections officers will be on the ground in the scheme area and will be able to follow-up on reports of unlicensed HMOs and look for non-compliant properties. Housing Services officers will also use the records and information at their disposal as well as walking the area to further pick up on properties that have not come forward to initially encourage compliance and then follow up with enforcement where required.

M 03

Question from:

Councillor Sharon Ball

How soon will the HMO Licensing be introduced and how will conditions be enforced?

Answer from:

Councillor Tim Ball

The additional licensing scheme will be formally introduced on the 1st January 2014. Applications for licences will be accepted from the 1st October 2013. Licensable HMOs will be inspected prior to licences being issued. This initial inspection will allow officers to look for health and safety hazards and establish compliance with the licensing standards. Where sub-standard conditions or other issues are identified conditions will be placed on the licence with timescales for rectification. In addition following inspection HMOs will be 'priority rated' which will inform subsequent revisit timescales. Where subsequent non-compliances are found appropriate enforcement action will be instigated.

M 04

Question from:

Councillor Sharon Ball

It is noted that the Voluntary accreditation scheme operated by the council for HMO's that are let for Student lets is being wound up. Is there a replacement and is this something that should be taken on by the Universities in areas outside of the HMO Licensing area?

Answer from:

Councillor Tim Ball

Housing Services have written to all major stakeholders, including the two Universities, advising them of the decision to cease the current voluntary accreditation scheme and to give them the opportunity to pursue an independent scheme. To assist them we have offered our help and support in establishing such a scheme. To date there has been no commitment on whether they wish to pursue this option.

Whilst the National Landlord Association does not operate a property accreditation scheme they do have a landlord accreditation scheme which is another option that Housing Services are investigating. Similarly through the West of England Partnership a landlord proficiency certificate is also available to landlords who wish to undertake voluntary training to demonstrate their competency.

M 05	Question from:	Councillor Sharon Ball
<p>Article 4: Many houses in the area are still being converted to an HMO and were not be completed by 1st July when the Policy came into force. How soon will the Policy be enforced and what is the exact criteria in planning terms to say when a house is an HMO as apart from an ordinary residential dwelling.</p>		
Answer from:		Councillor Tim Ball
<p><i>On receipt of an enforcement complaint alleging an unauthorised HMO, the planning enforcement team will need to visit and collect information from the owner, such as tenancy agreements Council tax bills, utility bills with named tenants an HMO license, register from a voluntary accreditation scheme for HMO's operated by B&NES to establish whether or not there has been a material change of use to a C4 HMO. Officers may have to serve a planning contravention notice to obtain this information if the owner is reluctant to provide it voluntarily i.e. because they are operating an HMO but think that they won't achieve permission.</i></p> <p><i>If Officers determine from their evidence that a material change of use has occurred, they may ask for a planning application as is normal practice with enforcement. Any application would be publicised in the normal way and all views taken into account. In any event they would be obliged to discuss the situation with the owner and no formal action would be taken whilst an application and possible appeal was being considered. Officers would have to determine any planning application based upon the SPD and other development management policies/material considerations and decide if there are any sustainable grounds upon which permission could be refused having regard to the fact that the National Planning Policy Framework directs Local Planning Authorities to approve planning permission for development unless there is substantial harm. Some proposals may be acceptable and gain permission.</i></p> <p><i>If no application is forthcoming Officers would have to consider the expediency of taking enforcement action, also based on the SPD and policy/material considerations and in respect of the level of harm.</i></p> <p><i>If local residents suspect that a home is being converted to an HMO they can submit an enforcement complaint form on the Council's web site at www.bathnes.gov.uk/services/planning-and-building-control/planning-enforcement and email to planning_enforcement@bathnes.gov.uk</i></p>		

M 06	Question from:	Councillor Geoff Ward
<p>On average, how many Council staff man-hours each week are taken in clearing the streets of gull scavenge waste and how much time is spent cleaning gull excreta from City pavements and street furniture?</p>		
Answer from:		Councillor David Dixon
<p><i>Council staff hours taken in clearing the streets of scavenged waste are approximately 70 hours a week during the peak period. It is however difficult to distinguish gull-scavenged waste from waste scavenged by other vermin and spillage due to human interference, so this time is unlikely to be totally attributable to gulls. No accurate data has been collected so the figure provided is an estimate and is based on a snap shot obtained by consulting staff.</i></p> <p><i>Time spent cleaning gull excreta from City pavements and street furniture amounts to approximately 35 hours a week. These figures do not represent year round weekly figures, more resources are allocated in the summer months and during breeding session</i></p> <p><i>Pavement and street furniture cleaning is however carried out to deal with a number of different issues which would still remain if the gull excreta did not, so it is unlikely that the cleaning schedule would reduce in this instance.</i></p>		

M 07	Question from:	Councillor Geoff Ward
<p>How many enforcement notices have been issued in the past twelve months against businesses who act irresponsibly with their waste and leave it out beyond the permitted period or overnight?</p>		
Answer from:		Councillor David Dixon
<p>43 <i>s.46 Environmental Protection Act Notices have been served for commercial receptacle related waste matters</i></p>		

M 08	Question from:	Councillor Geoff Ward
<p>Does the Cabinet Member consider that scavenged waste poses a hazard to health and to safety of City residents? Does the Council consider that the gull and pigeon excreta on our streets poses a potential threat to the health, safety and well-being of Bath residents?</p>		
Answer from:		Councillor David Dixon

The presence of scavenged waste presents a slipping risk to residents and visitors. This is why every effort is made to clear the waste as quickly as possible, through regular cleansing of streets in the City Centre. Further containerisation of waste in the city centre will minimise the amount of scavenged waste and options to achieve this are actively being explored at the moment, including the trial of gull-proof sacks which will soon be made available to over 2000 homes in the city centre.

There have been a number of research papers which consider the risk to human health from urban gulls. The “review of urban gulls and their management in Scotland” published in 2006 offers the following helpful explanation:

“Due to the feeding sites of urban gulls and their habits of scavenging waste, it is possible that they may be infected by, or be the physical carriers of, human pathogens. Persons who may inadvertently ingest materials which maybe in contact with gulls or their faeces, theoretically have a risk of contracting an infection. However, in practice this risk must be considered low because for illness to result, a person would have to ingest an infective dose and there is limited opportunity for this to occur. There is little evidence that illness is occurring in the general population, despite the fact that infection is biologically plausible.”

Supplementary Question:

Were you aware that there were over 300 cases of salmonella spondylitis – not as a result of one outbreak. Has he asked what the cause of these was/

Answer from:

Councillor David Dixon

We have done sound research and we have no evidence of any public health issue. If Councillor Ward has information to the contrary, we would like to see it because we could then obtain government funding to deal with it. At present, we are restricted to the removal of eggs.

M 09	Question from:	Councillor Geoff Ward
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Can the Cabinet Member please confirm that both the Larkhall and Weston public toilets will now remain open permanently, unless and until suitable alternatives have been found? Was the new Public Health Unit consulted on their view on the health impacts and effects which might occur as a consequence of toilet closures, especially in respect to our elderly residents?

Answer from:

Councillor David Dixon

The Weston toilets will remain open until an alternative has been agreed. Officers are working on options with Ward Councillors. The Larkhall toilets will remain open until 1st April 2014 whilst Ward Councillors and officers work through options for alternative provision.

The Health & wellbeing Board was operating in shadow form at the time that the MTSRP proposals, including toilet closures, was published. All Council services and

partners, including Public Health, were party to the draft proposals last year. An Equalities Impact Assessment (EIA) was done (now available to view on this public webpage - <http://www.bathnes.gov.uk/services/your-council-and-democracy/equality-and-diversity/equality-impact-assessments/financial-pla>) and formed part of the initial consultation with PDS panels in late 2012 on the savings proposals for the MTSRP. An overarching Equalities Impact report (which considered public health impacts) was compiled, related to the impact of all service savings proposals, during the MTSRP public consultation period, and including the Resources PDS panel, Cabinet and Council meetings in February 2013.

M 10	Question from:	Councillor Charles Gerrish
<p>Given the significant financial pressures faced by the Adult Social Care and Children's Services budgets, does the Cabinet Member agree that, when deciding how best to use the £1.7m of annual savings the Council anticipates will be made from debt restructuring, the priority should be to allocate additional funds to these areas?</p>		
Answer from:		Councillor David Bellotti
<p><i>The Government have confirmed that they are continuing to transfer funds from health to social care as they first announced in the spending review of 2010. From 2015/16 they will put together a pooled budget of £3.8b shared between NHS and local authorities to deliver better outcomes and greater efficiencies through more integrated services. Adult social care from 2015 should therefore be under reduced financial pressure.</i></p> <p><i>The Government have not cut school funding and are transferring some local authority funding to the Designated Schools Grant which could be used to fund some of the services we have previously funded. Our Council have not cut the Youth Service or the Youth Offending Service. The services we provide in our Children Centres buildings is currently the subject of Policy Development and Scrutiny and we await their report with interest.</i></p> <p><i>There are many service priorities and the £1.7m annual savings will be used to maintain services and keep council tax low and will be contained within the cabinet budget proposals which will go to Council in February 2014.</i></p>		

M 11	Question from:	Councillor Charles Gerrish
<p>As the lights in Keynsham Park fall under the responsibility of Property Services, can the Cabinet Member please explain why it takes in excess of five months to repair overhead lights in Keynsham Memorial Park?</p>		
Answer from:		Councillor David Bellotti
<p><i>Keynsham Memorial Park enjoys a prominent position in the centre of Keynsham and is</i></p>		

well utilised by the local community. Unfortunately in such a prominent public location vandalism and other anti-social behaviour present an ongoing problem.

The Park includes a number of facilities such as a skateboard park, bowling green, café and bandstand. These facilities are mainly self-contained and include their own lighting maintained by and large by the tenants. Lighting outside these areas is confined to the main paths through the park and as this is not part of the Highway falls to Property Services budgets for maintenance purposes.

Such maintenance is largely responsive resulting in contractors attending to deal with breakdowns and failures. Following a number of calls and visits to replace components over the past few months it was decided to attempt to minimise future occurrences by moving the control mechanisms to a higher more elevated level and since this was completed incidences of damage and breakdown have reduced significantly.

Supplementary Question:

I note your generic response but my question related to specific cases. I was told that one light was “awaiting parts” and another was “awaiting a cherry picker to do the job”. Neither has yet been repaired.

Answer from:

Councillor David Dixon

Please send your specific details to the relevant officer, and copy in Councillor David Bellotti. We will then deal with the lights promptly.

M 12

Question from:

Councillor Charles Gerrish

Could the Leader of Council please set out the protocol between authorities when a Council Leader or Mayor from another authority visits Bath and North East Somerset?

Answer from:

Councillor Paul Crossley

There is currently no protocol and we are reviewing the situation to determine if one is needed.

Supplementary Question:

What is the personal view of the Leader of the Council if civic leaders from other authorities visit Bath and NE Somerset without notifying the Council?

Answer from:

Councillor Paul Crossley

I would say it was rude and bad manners, particularly if he or she were to make political publicity from the visit.

M 13	Question from:	Councillor Michael Evans
<p>What systems or programmes does the Council have in place to encourage and reward excellence and outstanding achievement in schools?</p>		
Answer from:	Councillor Dine Romero	
<p><i>A. The Local Authority has a strong culture of working closely with schools and early years settings, sharing successes and promoting excellence. This is undertaken in many different ways:</i></p> <ol style="list-style-type: none"> <i>1. Three times a year there are specific Local Authority Senior Leadership meetings with Headteachers. School successes are highlighted in these meetings and good practice shared. HeadTeacher are invited to contribute to conferences where they and their school have exciting and innovative practice. In addition there are also regular Children's Service Senior leadership meetings with Chairs of Governors where schools are invited to share good practice and successes highlighted.</i> <i>2. There are a very wide range of subject specific events and newsletters illustrating good practice and specific activities and events organised by the local authority, for example:</i> <ul style="list-style-type: none"> <i>• The Director of Public Health Award Certificates are presented in whole school assemblies plus we have established an annual Awards Evening where the DPH presents certificates to schools, Early Years and FE Colleges that have achieved one. Councillors and LA Directors are invited. All successful settings are also listed on the 'roll of honour' on the website . www.DirectorofPublicHealthAward.org.uk.</i> <i>• Also we have the DPH Award HOSCARS (health Oscars) where individuals are nominated and recognised for their exceptional contribution to health and well-being within the school community and DPH Award newsletter.</i> <i>• The Anti-Bullying Strategy Group has awarded 64 small grants to schools and other settings following applications by children and young people to develop their good ideas and good practice to prevent bullying</i> <i>• Similarly, small grants have been made available for children and young people who can demonstrate they are working in Equality Teams (E-Teams) to promote inclusion and counter prejudice and discrimination in their school / setting.</i> <i>• Pupils are regularly invited to the Anti-Bullying Strategy Group to present this work</i> <i>• The Primary and Secondary Parliaments also provide a showcase for the work being done around whichever issue pupils decide to vote on - strategic leads from the LA and Public Health as well as Lead Councillors are in attendance.</i> <i>• Inclusion Quality Mark. Award and annual presentation event for school's which have undertaken good work to be inclusive</i> <i>• Dance umbrella. Two day event at The Forum showcasing school groups</i> <i>• Celebrating Fatherhood which showcased Early years Settings and Schools good practice.</i> <i>• The 0-11 Preventative Services hold an annual Celebration Evening where good practice and recognition of recently acquired qualifications are awarded by The Chairman of the Council. These particularly feature early years settings and reception classes in schools as well as schools that embrace good Play Practice.</i> <i>• The schools Financial Value Standard and internal audit themed reports highlight</i> 		

<p><i>good practice and achievements</i></p> <p>3. <i>Annually a desk top review of standards and performance of each school is undertaken and a letter sent to each school. This process identifies good and outstanding schools.</i></p> <p>4. <i>Following OfSted Inspection reports the Strategic Director for People and Communities, Divisional Director and Education Outcomes lead write to the Headteacher congratulating them on the inspection outcomes.</i></p> <p>5. <i>If there are specific achievements by schools a letter or e-mail congratulating them will be sent and the Council Communications Team will support publicity. Eg Ralph Allen school recently won the international Lego Robotics competition. An e-mail was sent to the school, further publicity provided and a follow-up event for schools to promote robotics clubs organised jointly by Education Outcomes team with Ralph Allen.</i></p> <p>6. <i>Where schools are outstanding or have outstanding features we invite heads and/or their staff to coach and support schools who are aiming to move from 'satisfactory' or 'requires improvement' to good and outstanding thus recognising outstanding performance and share good practice.</i></p>	
Supplementary Question:	
<p>I had asked not so much about good practice in schools, but whether the Council can input into inspiring the best students in maths and science might have opportunities to attend Olympiads or other events which will develop their skills?</p>	
Answer from:	Councillor Dine Romero
<p><i>A number of schools celebrate sporting achievement. I will investigate the opportunities in maths and sciences.</i></p>	

M 14	Question from:	Councillor Liz Richardson
<p>I assume Cabinet is aware of the arrival of the three draft reports by JBA regarding last autumn's floods in the Chew Valley. Please can the Leader explain why these reports are now to be held until September before general publication, when these reports were originally expected to be available at the end of May? Given that every day these reports are not released is a day less for any mitigating work to get started, can the Leader take a single member decision and release them immediately?</p>		
Answer from:		Councillor Paul Crossley
<p><i>Officers are reviewing the draft documents and will finalise these with the consultant. Due to the lead-in times in the democratic process, it is likely that formal reporting of the consultant's findings will not take place until September. I have no objection to the comprehensive reports being released in advance of this. I will arrange for the documents to be released as soon as the final version is signed off by officers.</i></p>		

Supplementary Question:	
Since this is so important to the 24 house owners who are so vulnerable to flooding, why will he not issue the report even in a draft state, to assure them that progress is being made?	
Answer from:	Councillor Paul Crossley
<i>We will issue the report as soon as it has been signed off by officers. Home owners would not want to be given incorrect information because of undue haste to publish..</i>	

M 15	Question from:	Councillor Anthony Clarke
What data has the Council collected, and will be collecting for comparison purposes, on the impact of the introduction of new parking charges at Royal Victoria Park, in particular in relation to displacement of parked cars, usage of RVP facilities and patronage of nearby businesses?		
Answer from:		Councillor Caroline Roberts
<p><i>Data on usage of the park is recorded by the Pay and Display machines and the pay by mobile system. This allows accurate data of numbers of stays and durations to be understood and behaviours modelled over time. As requested, a review will be undertaken after 6 months using this data.</i></p> <p><i>The highway, where restrictions do not apply, is free to be used for parking by any member of the public. Displacement issues are recorded by the Traffic and Safety team and appropriate resolutions programmed within the forward plan in line with all other schemes of a similar nature. In most retail locations, businesses benefit from increased ability for customers to find local available parking and increased turnover rather than large numbers of stationary vehicles parking all day as footfall drives trade and customer. Reductions in vehicle numbers does not necessarily equate to reductions in customers and the opposite is often true where customers have been unable to park due to commuter parking. However, any feedback from local businesses would be encouraged to allow a full understanding when the scheme is reviewed.</i></p> <p><i>No data is recorded by the Parks team regarding footfall within the facilities and attractions offered by the park.</i></p>		
Supplementary Question:		
Can the Cabinet member explain why the Parks Team are not recording footfall figures?		
Answer from:		Councillor Caroline Roberts
<i>The reason is well known. Use of the parks benefits all users and using the park benefits them.</i>		

M 16	Question from:	Councillor Anthony Clarke
<p>How much money has so far been raised from the introduction of new parking charges at Royal Victoria Park? Please provide the dates over what time period these calculations have been made.</p>		
Answer from:		Councillor Caroline Roberts
<p><i>The total income to date from the implementation of charges is £4142. This covers the 20 days from 11th June when charges were implemented to Wednesday 3rd July. Charges apply 6 days per week, Monday to Saturday and not on Bank Holidays in line with all other on street charges.</i></p>		

QUESTIONS AND ANSWERS - PUBLIC

P 01	Question from:	Sean Moore
<ol style="list-style-type: none"> 1. What is the council policy for items on the public pavements in BANES and does the council operate a licensing policy for such items. 2. What items are included in such a policy and is the list exhaustive. 3. How would someone apply for permission to place items on a pavement. 4. Can residents object to items placed on a pavement and if so how is the matter brought to resolution. 5. How does the council deal with vehicles that are parked fully on any pavement within BANES, or is this the responsibility of the Police. 		
Answer from:		Councillor Caroline Roberts
<ol style="list-style-type: none"> 1. <i>The Council has a footway obstructions policy to regulate items on public pavements. Items are assessed to determine whether they present an obstruction. Some items, such as tables and chairs, are licenced.</i> 2. <i>The policy was primarily introduced as a result of the widespread use of A Boards. Any item placed on the public footway, unless subject to a separate licencing arrangement, would be covered by the policy.</i> 3. <i>The applicant would need to discuss the details of the item and the purpose with the Highways Department in the first instance as certain items may be covered under different legislation.</i> 4. <i>Yes. A Highways Officer would assess any such situation and determine whether the</i> 		

matter requires further action and, if so, whether it may be resolved through co-operation from the person who placed the item or through formal enforcement.

5. Pavement parking can be inconvenient for pedestrians and especially hazardous for disabled and elderly people, those who are visually impaired and people with pushchairs and double buggies.

Parking Services can enforce via the issue of a Penalty Charge Notice against vehicles where other restrictions such as Double Yellow Lines are in place upon the highway under the Traffic Management Act 2004. Where there are no restrictions we do not have powers to issue Penalty Charge Notices.

The Police have powers under section 137 of the Highways Act 1980, which makes it an offence “to wilfully obstruct the free passage of the highway”. However, this is difficult to prove and resource intensive so rarely gets used.

Unlike Greater London, there is currently no national legislation banning the parking of all vehicles on the pavement, due to the wide range of circumstances and locations where pavement parking occurs.

P 02	Question from:	Lesley Mansell (Chair, Radstock Town Council)
<p>The consultation exercise regarding the Victoria Hall showed that over 80% of those who responded wished to see this facility retained for community use and Radstock Town Council requested that it should be put to maximum use for the community in its submission. The B&NES cabinet report shows that there will only be 20 hours per week for community usage. Space appears to be allocated despite requests to have a discussion between B&NES and Radstock Town Council.</p> <p>How does B&NES council justify ignoring the outcomes of the consultation, when was the criteria set for the allocation of space and what is this criteria and when will B&NES meet with Radstock Town Council over the future use?</p>		
Answer from:		Councillor David Bellotti
<p><i>Once the building is refurbished a sustainable way of running the facility must be in place and it became clear from further viability modelling that Sue Hill Dance Limited, a user of the Hall with significant local links, presented a viable proposition for Victoria Hall.</i></p> <p><i>The Community Consultation included support for the Dance School as well as support for community use.</i></p> <p><i>This outcome will mean that Sue Hill Dance School Limited will take on day to day liabilities, breathing fresh air into Victoria Hall with ambitious plans to develop a vibrant community facility. The lease makes provision for community use of at least 20 hours per week, clearly dependent on demand. With the amount of space available there will be plenty of flexibility and few restrictions.</i></p> <p><i>After long neglect the Council has now invested heavily in the restoration of the magnificent Victoria Hall. We have every confidence that local residents will utilise the excellent facilities that are going to be available</i></p>		

P 03	Question from:	Simon Whittle
<p>1. Can we request for what is now a fourth time that ALL references to the Stanton Wick Site are removed from the Opinion Research Services (ORS) GTAA?</p> <p>2. Could you please advise us when the final version of the ORS GTAA was accepted, whether there was any additional cost incurred, and comment on whether you think that a 3-month delay in finalising a report is acceptable, given the haste in which the tender was released and preferred supplier was instructed (just 5 days)?</p> <p>3. Can you please ask ORS whether they consider it appropriate to publish comments and site-specific preferences from a person with a potential conflict of interest, who is not actively seeking accommodation within BaNES?</p> <p>4. Can you please confirm that no weight will be placed by officers in respect of site-specific comments in the ORS report when determining planning applications?</p> <p>5. Please also confirm that there are no circumstances under which the decision made at the September-2012 Cabinet to remove the Stanton Wick site from the list of sites in the DPD will be reviewed or reversed?</p>		
Answer from:		Councillor Tim Ball
<p>1. This question has been answered before in responding to the questions raised by Mr Whittle at the Cabinet meeting on 12th June in the context of the CLG guidance. The response was as follows: The CLG guidance (PP.28 & 29) is ambiguous and is open to broad interpretation - a site specific or a general areas response can reasonably be expected to the suggested questions in the guidance. The GTAA does not seek to interpret respondees' comments but reproduces them verbatim. The inclusion of individual stakeholder's quotes regarding individual sites does not indicate an endorsement of that stakeholder's preferences, but relays specific experiences as well as locational preferences.</p> <p>2. It is convention, and in fact good practice, to review reports undertaken by consultants for accuracy and clarity. The final report (currently published on the B&NES website) was received and accepted on 26 February 2013. In order to ensure the report was clear, accurate, and robust in its content, the period of time taken to liaise with Opinion Research Services before publishing the final report is considered reasonable and acceptable. It would be irresponsible of the Council to publish the report before it was properly checked. No additional cost was incurred.</p> <p>3. This question has been forwarded to ORS. The response will be passed to Mr Whittle once it has been received.</p> <p>4. Individual planning applications must be determined in accordance with the adopted Development Plan and any other material considerations. A Plan that is at an early stage of the statutory preparation process has little weight in the determination of planning applications (NPPF para. 216). Whilst comments on individual sites, including that at Stanton Wick, have been included within the GTAA report, that does not represent an endorsement of those comments or the policy of the Council. Therefore, no weight will be given to comments made in respect of the Stanton Wick site in the ORS report in the consideration of a planning application for the development at the Stanton Wick site.</p> <p>5. Cabinet agreed at its meeting of 9 May 2012 "(7) ... <i>that only new sites will be considered for inclusion and not those already rejected through the initial site assessment</i>". The Stanton Wick site had been removed from further consideration</p>		

on viability grounds. As confirmed by Councillor Crossley at the Parishes Liaison Group meeting of 12 June 2012, the Cabinet would not reconsider 'discarded' sites. Please note: Cabinet has received a large number of questions relating to the preparation of the Gypsies, Travellers and Travelling Showpeople Site Allocations DPD and the supporting evidence. A series of Frequently Asked Questions and their answers are available on the Council's website at: <http://www.bathnes.gov.uk/services/planning-and-building-control/planning-policy/gypsies-travellers-and-travelling-showpeopl-0> A further question and answer sheet to address the questions being raised is being prepared.

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Speaking note

CORSTON'S ROAD SAFETY PETITION

Hello.

I'm Anthony Acton, and I'm Vice-Chairman of Corston's Parochial Church Council. Thank you for giving me the opportunity to present this Petition which has 170 signatures from people who use Corston church. This is in support of our Parish Council and the wider community of Corston residents. The Petition is headed "Road Safety Petition" and reads

We being residents of Corston and/or members of All Saints Church Corston, hereby petition Bath & North-East Somerset Council to provide us with a safe means of crossing the A39 highway to and from our village church.

Councillors will know that the A39 passes through Corston, but not all of you will have tried to cross it from Corston church. To help you understand our heartfelt deep concern. Drawing from past tragedies, let me set a not too unrealistic scenario. Please would you imagine it's 4.30pm and you are the driver of a fast moving coach full of tourists who are spending a week exploring the West Country and the next place on the itinerary is the World Heritage City of Bath, where they will stay overnight in a smart hotel.

Your route takes you on the A39 towards Bath. A couple of miles before you get to the Globe roundabout, the road has a fast stretch ending with a long downhill section; the speed builds to more than 50mph, then suddenly a small speed limit sign and village name, both partially hidden in an overgrown hedgerow, flashes by and you find yourself in Corston. A sharp right-hand bend is directly in front of you and you are still doing over 40mph, unavoidably your coach moves to the crown of the road and then passes across the central white line as you take the corner.

Meanwhile the children from Corston's Buzz Club have just finished their after school activity in the church. The church is on the south side of the A39, while almost the whole of Corston is on the north side, so the children have to cross the road to get home. We do have a controlled crossing by the village hall, but people leaving the church can't get to it because there is no pavement on that side of the road.

When crossing from the church to Corston Lane there is no option but to cross the A39 on the sharp bend in the road, which means if you are standing on the pavement by the church gate and look left, you can't see what's coming towards you down the hill. The only way for anyone to cross is to wait for a gap in the fast moving traffic coming from the right, then go to the central white line where you can see left up the hill, and wait there for a gap in the traffic coming at you that way.

Our nightmare is that the children get to the central white line just as the tourist's coach hurtles across it.

Believe me, this is not an unrealistic scenario. For children, read anyone using our church, which is quite a busy place – it's also regularly used for music group practice, soup lunches, and meetings, as well as the usual church services and other activities, including walkers using the public right of way footpaths on this side of the village.

All have to cross the A39, hence this petition to have B&NES council install a Pedestrian Refuge and Speed Activated Warning signs on the A39 east and west approaches to our village.

Corston Parish Council has advised me that the necessary road crossing works have been on your Council's task list, awaiting sufficient prioritisation, for over 4 years. Please could you now give this work the necessary priority to have it undertaken with immediate effect?

Thank you very much for listening, and for receiving this petition.

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Save Our Larkhall Public Toilets Statement to Cabinet
July 5th, 2013

First, the claim that Bath people do not need public toilets because they are a throwback to a distant era when people had outside loos is an argument of desperation which is illogical, historically inaccurate, but also wildly out of touch with the majority of people now. At the time the toilets were built people always had access to loos at home. They were never designed to substitute for a home toilet. People then and now use the public toilets at a distance from their homes. We would not have produced 534 signatures on a petition if people didn't need our clean and bright toilets.

PUBLIC HEALTH, EQUALITY AND ENVIRONMENT

The Cabinet should lift the threat to Public Toilets for public health, equality, environmental and economic reasons:

- A statistic: 14 million people in the UK suffer with a variety of urinary problems; about 7 million may have bowel problems. ¹ So, this means that approx 1 in 5 people will have these problems and need convenient, accessible loos.
- Physically, being unable to use a toilet when needed leads to many further health problems - which can include strokes and heart attacks as cited in the Telegraph this week. ²
- 3
- Knowing that they can access a toilet gives confidence to people planning their trips. If they close these people will be severely deprived; only those with strong, healthy bladders will be able to come to Larkhall, or diseased people will soil the area, spreading disease, an environmental hazard.
- Physical and mental well-being are interlinked, so: discomfort leads to anxiety, and not wanting to risk venturing out of one's home, this can lead to deteriorating health, but also social isolation, and mental distress.
- Those adversely affected are disproportionately: elderly, our area having the highest number of any area, the ill, disabled, women and children, with 3 schools nearby.
- The toilets include a disabled cubicle, accessed using a RADAR key. If they close, disabled people will be disadvantaged.
- There are no other accessible public toilets within half a mile. None of the nearby shops or buildings is suitable as an alternative.

ECONOMY

Our local economy will be hurt. People have said they will not shop in Larkhall without toilet access. It comes down to a simple, basic, human need.

The reversion to the originally scheduled closure date, from this August to next April, is not a reprieve. We cannot assume a company will agree to subsidise the £11,963 needed. Therefore, this growing campaign must continue until the toilets are saved, hopefully with your help in seeing how precisely they fall under your responsibility for public health, equality, economy and environment.

From the Telegraph 8-07-13

LOSS OF public loos a threat to life, warn experts

THE widespread closure of public conveniences could be putting lives at risk, it has been claimed.

Health experts warn that a full bladder can increase the risk of heart attacks.

Four out of 10 public lavatories have closed in the past decade. Campaigners say the situation is so bad that it is leaving people prisoners in their own homes.

Dr Clare Walton, of the Stroke Association, said: "Not being able to empty your bladder may cause a temporary increase in blood pressure which could put some at risk of stroke."

Carlisle city council has halved the number of public lavatories it owns from 14 to seven in just five years. Newcastle city council currently maintains 11 public

lavatories after closing five in 2008, while in Lancaster 16 public conveniences have been closed in the past five years.

Raymond Martin, of the British Toilet Association (BTA), said: "This is a health problem, not just a financial one."

"These cuts affect the health of the nation, with the elderly and disabled really hit hard."

Lin Patterson, for the Save Our Larkhall Public Toilets campaign
10 Brookleaze Bldgs.
Larkhall
Bath
BA1 6RA
01225 311163

¹ British Toilet Association website accessed July 2013

² Ibid

In the heady days of the 1968 great Birmingham University 'sit-in', a student on the team negotiating with the university authorities solemnly declared: 'Every student should have a role in the Refectory', and was completely bewildered when the entire company, don and student alike, fell about laughing. But he was right. Students felt it was *their* university and they should have a say in how it was run, (for example with representatives on the Refectory management committee).

Similarly, Radstock residents have had a community building on the site of the Victoria Hall since 1866 and feel it is *theirs* as Frances, Lady Waldegrave intended. 254 of them told B&NES this in the consultation, as did the fully elected RTC, who also sent a series of letters going back to May 2012 which have been ignored. (Sadly officers did not see fit to analyse for public benefit the detailed suggestions made in section 4 of the questionnaire, 'any other ideas') You could of course argue that the present proposal is better than that of the officers who tried, in August 2011 to get it turned into a 'business centre' and commercial offices, but Cllr Crossley is suffering from a serious bout of amnesia –or heatstroke- to declare as he does in today's Journal, that letting it as a commercial enterprise with a few rooms available for community groups to hire, is the only option available. When cabinet previously considered the matter, it was on the basis of the library being the anchor tenant, the sale of the library building being essential to pay for the refurbishment. If the town council and the youth hub had also moved in, as per discussions I had with officers and cabinet members in December, it could have been viable, especially if administration had been by a trust, perhaps with a link to Radstock Museum.

Of course one is pleased that the building is being renovated, though at a terrible cost in terms of the loss of a unique Victorian heritage, with sheer vandalism in the destruction of the snooker hall, and of course it is good that the Saturday morning tenant, the Susan Hill School of Dance, is flourishing and able to take on the responsibility, but if Cllr Romero had not intervened in such a timely fashion, even the vegetable garden would have been lost to our young people. It is very easy for professional politicians to emulate Margaret Thatcher, in order to 'get things done', intoning the mantra 'There is no alternative', but ownership of the building belongs to the people of Radstock: B&NES administrators are only the stewards.

Far too many historic buildings have been lost to quick fix, quick buck 'modernisation' since the 1960s. (Susan Hill runs an excellent business, but to place on her shoulders, as Cllr Crossley does in his Journal letter, responsibility for the economic regeneration of Radstock is ridiculous.) I call up on the cabinet to refer the issue of community participation to the relevant scrutiny committee and to audit expenditure properly so that we all know exactly what is going on. Democratic accountability is what we wanted in 1968. We want it now!

Cllr Eleanor Jackson. (Lab. Radstock) speaking as B&NES ward councillor and in a personal capacity *pace* Radstock Town Council.

I'm going to make a statement now about Radstock's Victoria Hall, its emerging new identity and the outcomes for its community.

To a relative newcomer like myself, Victoria Hall could have been the name of a local resident rather than a building. At first, it didn't mean much. Through enquiries I learnt that it has had many previous functions, and, until closed last year, had been a generic civic facility. Looking more closely, I read a small brown sign above the door which says 'licensed in pursuance of act of parliament for music and dancing'. Clearly, historically, this was a primary intention for this building. I'm so glad that Radstock will have that as its new core function again with Victoria Hall re-opening, this time as an Arts Centre.

I believe this will grant many commonly expressed wishes for our town:

It will create a public, easily accessible destination venue for community and arts events. A vibrant destination venue helps publicise events more easily, and Radstock will have a central go-to place for visitors and newcomers. With the vastly increased opportunity for public footfall, more people will be welcomed into the building than perhaps ever before to admire its features and enjoy the facilities.

An arts centre will address not only a local community deficit, but also a North East Somerset deficit. As part of Radstock's economic regeneration, Victoria Hall Arts Centre will attract more people to the town. The principal arts leaseholder, Bath Dance College's Performing Arts course, will be the heartbeat of the place. It will create financial resilience and partnership working with a local secondary school, as well as vital administrative infrastructure, consistent supervision of the facilities and its overall identity. The Arts Industry is worth billions to the UK and its leisure, culture and tourism industries. For our local young people who aim to work in the arts sector, the performing arts course will offer a firm foundation of qualifications and experience to increase their opportunities in the national and international arts world. The college has prioritised social inclusion by holding open events and supporting students' funding bids. This will be an excellent facility, not just for our young people, but for mixed community use by providing a locally-led steady stream of arts-based activities and events for all ages and abilities. It will authentically reflect local interests and emerging skills, and provide new experiences.

The arts, like sport, brings people together, it inspires and entertains. It can help combat social isolation, build positive cross-generational links and boost community cohesion, pride and identity.

Victoria Hall's latest incarnation is an inspiring sign of all that has been discussed for so long - Radstock's regeneration - in action.

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Judith Chubb-Whittle,

Chair of Stanton Drew Parish Council

SUBMISSION STATEMENT TO CABINET 10TH JULY 2013

Good evening Cabinet.

In the Planning Portal newsletter of 4 July 2013 is the following Written Statement titled "Planning and Travellers" by the Local Government Minister Brandon Lewis MP, issued on behalf of Eric Pickles (the Secretary of State).

"In March 2012's National Planning Policy Framework, inappropriate development in the green belt **should not** be approved except in very special circumstances. Having considered recent planning decisions by councils and the Planning Inspectorate, it has become apparent that, in some cases, the green belt is not always being given the sufficient protection that was the explicit policy intent of ministers.

The Secretary of State wishes to make clear that, in considering planning applications, although each case will depend on its facts, he considers that the **single issue of unmet demand**, whether for traveller sites or for conventional housing, is **unlikely** to outweigh harm to the green belt and other harm to constitute the 'very special circumstances' justifying inappropriate development in the green belt."

Furthermore, the Secretary of State has made it very clear that in **no way should islands be created in the Green Belt for gypsy & traveller accommodation.**

This would appear to relate directly to Planning application **13/01965/FUL** and to your consideration with the Gypsy & Traveller DPD.

Thank you for listening.

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APPX 8

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

I am here again in respect of the processing of the major Planning Application on the Shale Tip at the Old Colliery, Stanton Wick, which yesterday was re-advertised for 14 days due to yet another amendment. The boundary of the development has changed for the second time and the area is now 2.33 hectares, down from 2.46 hectares.

The application has been referred to the Development Control Committee but the information on the referral form is incorrect. There is no B2 on the shale tip part of the site, a former mine which was abandoned in 1958. The number of objections stated on the form is 289 rather than the 432 objections on the planning portal – even allowing for a handful of duplications, there is a big difference between 432 and 289. The 289 may refer to the number of objections to the previous application 13/00125/FUL, objections that were not transferred over to application number 13/01965/FUL, although a letter of support was transferred over.

I maintain that this application should not have been registered due to the lack of information such as properly conducted surveys on contamination and ecology, within the actual development area and for the applicant rather than the BaNES reports that were conducted for another location close by.

I would like to point out to Cabinet that this site is not plannable, there are too many hurdles that cannot be overcome:

- Gypsy Traveller sites are inappropriate development in Green Belt
- The site would have to be removed from Green Belt via a proper planning process which is likely to include consultation with the public which is time consuming and expensive
- Very Special Circumstances cannot be demonstrated. This site is remote with poor access to education, doctors and employment and is therefore unsustainable
- The Secretary of State, Eric Pickles, has made a statement regarding the inappropriateness of the inset of development of Gypsy Traveller sites within Green Belt
- Inspectors and the High Court are increasingly finding against Traveller sites in Green Belt – the needs of Gypsy Travellers do not outweigh the harm to the Green Belt.
- I cite two recent judgements – the Meriden case and the Delaney case.
- In addition the site's highway access is inappropriate for any further traffic
- Contamination and European Protected Species could leave the Council open to litigation if the application was approved.

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July 10, 2013

I have made so many representations to this Cabinet that I feel I don't have to introduce myself or my subject.

Unfortunately the lack of progress with the Gypsy and Traveller DPD, the very slow and fragmented response to questions and the inconsistency of action, brings me and one of my colleagues here again.

You will all recall the serious and detailed representations made and questions asked by the Group during the last 3 months and unfortunately the answers to some of the questions asked arrived by post from your Divisional Director of Planning and Transport only yesterday. We realize that your officers have a demanding work load but this very late arrival of answers is, unfortunately indicative of the very late arrival and from my observation, lack lustre performance that has been consistent through this process.

I would like to say that the wait has been worth it and your officers' response has been both comprehensive and convincing. Unfortunately, the answers in the majority fail to adequately explain and appear in general to be seeking to avoid the clear thrust of the questions.

Given the late arrival of the answers we feel it is best to structure a detailed response which will inevitably use more time that we have here this evening. If you are willing, will it be acceptable for our response to be circulated to the Cabinet members and can we ask that you advise officers to respond within 21 days please?

The major planning application on the Old Colliery site in Stanton Drew has been further amended, this time with an extension of the consultation period. As you will imagine the application remains full of errors and misleading statements. Can we ask the Cabinet to maintain sight of this particular application and your officers handling as it makes its way towards the Planning Committee? We must all make sure that the application is handled with the utmost diligence, care and attention.

Can we ask that the Cabinet ensures that you are aware and so are your officers, to the emerging further guidance from Westminster on prohibition of siting of Gypsy and Traveller sites in the Green Belt and, the momentum of opinion and debate in Westminster regarding the need to avoid large Gypsy and Traveller settlements and the creation of ghettos.

Can we ask that you maintain an active interest in the progress of the DPD and the provision of pitches at Lower Bristol Road and further, you quickly and positively respond to any requests of your officers for further support in manpower or facilities. We have noted your public support for the Divisional Director and your planning officers and this is laudable but, credit should be given when deserved for the particular achievement quoted. We don't think there can be any medals on this particular task.

Continued overleaf

July 10, 2013

We want this Council to prove the doubters wrong, to dispel the rumours of friendly deals and undisclosed links and we want to support the Core Strategy. We just need to see a real enthusiasm to provide information and be convinced that you value your rural communities and want to make their neighbourhoods a better place to live and work.

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

published 7-Jun-13 to 5-Jul-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

17-Jun-13 Cllrs Paul Crossley, David Bellotti, David Dixon

E2549 Response to PDS Review - Community Asset Transfer

The Cabinet Members responded to the Panel's recommendations

01-Jul-13 Cllrs Paul Crossley, David Bellotti

E2569 Victoria Hall, Radstock - Refurbishment and Occupation Arrangements

The Cabinet Members authorised the Chief Property Officer to conclude negotiations for a lease of Victoria Hall on commercial terms, in consultation with The Leader and Cabinet Members for Community Resources and Neighbourhoods. The lease will require the tenant to make the hall available to the community at a rate in line with similar facilities in the area

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I am Duncan Hounsell of the Keynsham and Saltford Liberal Democrats. We are asking for consideration of a possible cycle-path to be installed adjacent to the Keynsham Bypass. There appears to be room to put at least one dedicated cycle-path running alongside the bypass. At the moment, only the bravest cyclists ride on the carriageway yet many would want to cycle towards Brislington into Bristol if it was safer. It is the missing link between the cycle-path from Saltford and the cycle-path from the Hicks Gate roundabout into Bristol. We are already beginning to receive support from local cyclists and cycle organisations for this idea. There is a short section of path from Unity Road, Keynsham, to the Co-op supermarket which illustrates what is possible.

The existing Bristol-Bath Railway cycle path takes too long if you want to cycle to the centre or south of the city. Cycling via Keynsham is a diversion and takes you into town centre traffic. A cycle-path by the Keynsham Bypass would appear to make sense as, combined with current permitted use of the bus lane from Hicks Gate, it would allow a relatively safe, and unobstructed, ride from Saltford to Temple Meads. If we want to get people out of cars and onto bicycles, this is the sort of project that should be considered. It is a good fit with proposed development at Keynsham East by the A4 as part of B&NES revised Core Strategy.

We welcome the support of this Administration for Cycling in the B&NES area. The B&NES Cycle scheme programme for 2013-2014 includes a Cycle Audit and Review to identify gaps in the network and cycle routes for improvement. We ask that consideration of a cycle-path by Keynsham Bypass is included in your Cycle Audit and Review. Furthermore, we ask that you take the suggestion **of a cycle-path by Keynsham Bypass** to the West of England **Local Transport Body** in order that it can consider whether this proposal might form a part of the “**Cycling Major Scheme**” already shortlisted for future possible devolved major Transport Funding from the DfT. This “Cycling Major Scheme” describes as essential increasing the proportion of the urban population that is able to cycle for journeys to work, particularly to the Temple Quarter Enterprise Zone, an objective I am sure we all support. Thank-you.

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CLLR DAVID LAMING

APPX 11

Significantly, 3 years ago, almost to the day, I agreed to encourage the regeneration of our River Avon through the Bath & North East Somerset Council area.

The then Cabinet Member responsible, Terry Gazzard kindly pointed out that in his opinion it would take at least 10 years to simply get a meeting.

Well here we are 3 years down the river and we have completed a visionary river report, created a trust, appointed a locally respected businessman to Chair the River Trust, located the Boathouse alongside Pulteney Weir to be considered as the Trust Head Quarters allowing us to launch a river focused visitor and tourist exhibition and have for the first time a focal point where all users, interested groups, clubs and organisations can meet, discuss and co-ordinate.

The River Corridor has been allocated one hundred thousand pounds from this year's budget.

The River Trust is assisting with flood alleviation proposals on Green Park and North Quays, researching Archimedes Screw electrical generation on Pulteney Weir and is putting together innovative river based proposals for the 2 Keynsham Peninsulas either side of the River Chew, which should culminate in hundreds of water and land based homes - hundreds of manufacturing jobs - production of alternative energy sources, flood compensation and drought water storage.

It should also be noted that our council is the first council in the land, in the land to undertake a detailed Task and Finish Review on the difficult situations faced by Boat Dwellers and River Travellers.

All this has only been achieved by the goodwill, drive and pragmatic realism by the current Leader of the Council and members of his Cabinet both past and present.

I offer a special thank you to Councillors Crossley, Ball, Bellotti and Stevens, and a very special vote of thanks must go to Councillor Eleanor Jackson for the sterling way she has lead the team researching the Boat Dwellers and River Travellers.

Thank you very much one and all.