

BATH AND NORTH EAST SOMERSET

CABINET

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

Wednesday, 5th December, 2012

Present:

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

112 WELCOME AND INTRODUCTIONS

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

The Chair welcomed everyone to the meeting.

113 EMERGENCY EVACUATION PROCEDURE

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

114 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Simon Allen.

115 DECLARATIONS OF INTEREST

There were none.

116 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

117 QUESTIONS FROM PUBLIC AND COUNCILLORS

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

There were no questions from the public.

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

118 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

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

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

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

119 MINUTES OF PREVIOUS CABINET MEETING

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

120 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

There were none.

121 MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

There were none.

122 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

There were none

123 DOMESTIC RETROFITTING AND THE GREEN DEAL

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

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

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

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

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

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

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

RESOLVED (unanimously)

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

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

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

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

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

124 PROPOSED VARIATION OF THE AIR QUALITY MANAGEMENT AREA FOR BATH

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

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

Councillor Crossley seconded the proposal.

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

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

RESOLVED (unanimously)

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

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

125 PROPOSED AIR QUALITY MANAGEMENT AREA FOR SALTFORD

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

Councillor Crossley seconded the proposal.

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

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

RESOLVED (unanimously)

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

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

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

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

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

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

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

RESOLVED (unanimously)

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

127 LOCAL TRANSPORT BODY

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

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

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

RESOLVED (unanimously)

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

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

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

128 SAFETY FENCING ALONG THE RIVER AVON IN BATH

Sarah Moore, a member of the public, asked

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

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

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

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

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

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

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

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

RESOLVED (unanimously)

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

129 BEECHEN CLIFF OPEN SPACE - FUTURE MANAGEMENT ARRANGEMENTS

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

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

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

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

RESOLVED (unanimously)

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

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

130 CHILDREN'S SERVICES CAPITAL PROGRAMME 2012/13

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

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

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

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

RESOLVED (unanimously)

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

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

Weston All Saints Primary - £1.8m

Castle Primary - £800k

Paulton Infants -£850k

Farrington Primary - £115k

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

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

The meeting ended at 7.30 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services

CABINET MEETING 5th December 2012

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

- Amanda Leon (Radstock Action Group)
Re: Radstock Regeneration
- Amy Lunt (Safe Streets for Widcombe)
Re: Pedestrian crossings at White Hart Junction, Widcombe
- John Sprately
Re: Radstock Jubilee Oak

QUESTIONS AND ANSWERS - COUNCILLORS

M 01	Question from:	Councillor Brian Webber												
<p>(a) In the recent election for a Police and Crime Commissioner how many presiding officers and poll clerks were employed at polling stations in Bath & North East Somerset, and what was the total of the payments made to them for their service on polling day? How (approximately) did those figures compare with recent elections?</p> <p>(b) If significantly more poll clerks were appointed for the PCC election than is usually the case, was this a local decision or on instruction from the Electoral Commission or the Home Office?</p> <p>(c) If Council employees are paid for service at polling stations, do they have to forgo a day of paid annual leave?</p> <p>(d) Will the cost of the PCC election be borne by the Council?</p>														
Answer from:		Councillor Paul Crossley												
<p>(a)</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 35%;">Number of Presiding Officers:</td> <td style="width: 10%; text-align: center;">108</td> <td style="width: 10%;">paid</td> <td style="width: 45%; text-align: right;">£26,950</td> </tr> <tr> <td>Number of Poll Clerks:</td> <td style="text-align: center;">205</td> <td>paid</td> <td style="text-align: right;">£32,650</td> </tr> <tr> <td colspan="3" style="border-top: 1px solid black;">Total payments to polling station staff:</td> <td style="text-align: right; border-top: 1px solid black;">£59,600</td> </tr> </table> <p>At the previous elections (Local Government elections combined with Referendum on the AV system, held in May 2011), we employed 114 Presiding Officers and 219 Poll Clerks, resulting in staff payments for £75,930.72 (combined elections attract an increase in the staff fees). As the local elections were combined with a national referendum, Bath & North East Somerset Council paid 50% of the staffing cost, while the remaining 50% was funded by central government.</p> <p>(b) At the PCC election we employed fewer staff, as fewer polling stations were used on this occasion. The Returning Officer follows the directions/advice from the Electoral Commission on polling station staffing levels.</p> <p>(c) Under current arrangements, the Council grants paid leave of absence from work during normal working hours to those employees who have been appointed by the Returning Officer to act in an official capacity at elections.</p> <p>(d) No, the election is funded by central government.</p>			Number of Presiding Officers:	108	paid	£26,950	Number of Poll Clerks:	205	paid	£32,650	Total payments to polling station staff:			£59,600
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M 02	Question from:	Councillor Brian Webber
<p>(a) The draft Scheme published for public consultation relating to the Recreation Ground Trust, Bath, relegates the role of Bath & North East Somerset Council from sole trustee to mere custodian trustee. Will that matter be referred to the Council meeting on 17 January 2013 for consideration?</p> <p>(b) The draft Scheme will, by virtue of the alteration of the charity's purposes, result in the charity taking full possession of the Sports and Leisure Centre and the car park below. On the basis of the Council's past experience and future expectations, does that mean the charity will assume a loss-making burden or will acquire gratis a profit-making operation?</p> <p>(c) Very approximately, how much does the car park below the Sports and Leisure Centre contribute annually to the Council's general revenues via the parking budget; and how much financial subsidy does the Council provide annually to the running of the Centre?</p>		
Answer from:		Councillor Paul Crossley
<p>(a) The following replies are derived from answers given to the Trust Board on the 29th November in response to similar question. Time was provided during the meeting to enable a general question and answer session involving members of the public together with ward Councillors. Several questions were raised and clearly answered.</p> <p>The publication of the draft scheme is a major step forward. Now, turning to the detail my responses are:</p> <p>As the sole trustee currently, the Council(acting as it must through the Trust Board) has as part of its proposed decision accepted that the basis on which the land is held will change. Once that substantive decision is made its consequential implementation will be a matter for the Divisional Director (Property Services) acting under delegated powers in accordance with normal practice.</p> <p>(b) The leisure centre including the car park below tends to break even in recent years; that has been the average experience at outturn taking into account client and contractor and costs in recent years, with variations of about £75K between years, up or down. The leisure centre would benefit from improvement and neither the Trust nor the Council has so far provided for this.</p> <p>The scheme does not indicate how the running of the leisure centre will be regulated but instead permits the existing uses to continue. It is in the interests of the Trust and the Council to agree a way forward that provides a sustainable arrangement so that the existing uses can continue and hopefully be improved. This matter is referred to in the Trust's letter to the Charity Commission included within the Trust Board agenda for the 29th November. The scheme permits the trust to invest in the leisure centre.</p> <p>(c) The above answer includes the income from car parking which approximates to £150,000. How this will be treated in future is dependant on the nature of the arrangement between the trust and the Council in relation to the management of the leisure centre as a whole. The net subsidy is referred to in the answer to the previous question and over the last three years on average has been nil (before depreciation).</p>		

M 03	Question from:	Councillor Tim Warren
<p>Given the impact which recent heavy rain has had in Bath and North East Somerset, including severe flooding of local highways, will the funding which was cut from drain and gulley cleansing in last year's Council budget now be restored in the forthcoming budget?</p>		
Answer from:		Councillor Roger Symonds
<p>The recent flooding of highways has resulted from heavy rain falling on already saturated ground, the insufficient capacity of rivers, watercourses and drainage systems to cope with these extreme conditions. There are no proposals to increase funding in the routine gulley cleansing budget.</p>		

M 04	Question from:	Councillor Patrick Anketell-Jones
<p>Can the Cabinet Member please detail what the cost will be of removing and replanting the Oak tree in Radstock?</p>		
Answer from:		Councillor Paul Crossley
<p>Due to the local significance of the oak tree in Radstock, the Cabinet are relocating the tree to Writhlington School to provide the best possible chance of survival. The cost of relocating the tree is £17352 (plus some internal staff time), which includes all traffic management and tree specialists who will oversee the transplanting. In addition to this, the Council is working with with Writhlington School and Norton Radstock College to propagate cuttings from the tree taken earlier this year.</p>		

M 05	Question from:	Councillor Tim Warren
<p>When will the results of the consultations on the proposed 20mph limits be published for public viewing?</p>		
Answer from:		Councillor Roger Symonds
<p>There are 15 schemes in total and these are on a two year rolling programme. We are currently progressing scheme No. 7 Radstock/Westfield.</p> <p>Only 1 of the 15 schemes has gone through the formal consultation process to date, this being the Southdown and Twerton scheme and the results of the consultation have been published on the Democratic Services web page (Officer Delegated decisions).</p>		

Once the other schemes have gone through the formal consultation process the results will also be published on the Democratic Services web page (Officer Delegated decisions).

M 06	Question from:	Councillor Geoff Ward
What is the expected impact on our Planning Department of the proposed HMO Article 4 Direction? With permitted development rights removed throughout Bath, how many applications per year do you expect to receive and what will be the estimated cost to the Authority? Are sufficient resources available and have this been budgeted for?		
Answer from:		Councillor Tim Ball
<p>Implementation of the Article 4 Direction over HMOs in Bath will entail costs to the Planning Service. These are non-recoupable because no fee can be charged for applications triggered by the Article 4 direction. Exact costs will depend on actual numbers of applications. It is estimated that approximately 75 extra applications could be triggered a year, and this could incur direct costs to Planning Services of around £30,000.</p> <p>The additional costs relate to:</p> <ul style="list-style-type: none">• Dealing with additional applications (assumptions, based on current activity, have been made about proportion going to appeal or to committee which incurs further cost);• Increased enforcement activity; and• Increased third party enquiries. <p>Any additional costs from this activity will need to be accommodated within the Planning Service budget.</p>		

M 07	Question from:	Councillor Geoff Ward
On Additional Licensing for HMOs, what is the potential impact on the existing Housing team and are sufficient resources available? How will the HMO licensing scheme address the neighbouring residents concerns in respect waste management, noise, untidy and unkempt gardens and car parking etc?		
Answer from:		Councillor Tim Ball
<p><i>Introducing additional licensing for all HMOs across the three south Bath wards of Oldfield, Westmoreland & Widcombe would bring between 700 and 1400 additional HMOs into licensing. This is a significant operation task which would require additional resources. Based upon our experience of licensing, and that of other authorities, the increased resources required equate to 4 FTE per 1,000 HMOs licensed. However,</i></p>		

fees can be levied to cover the administration costs of licensing including publicity, back-office functions & inspections and as such licensing should be cost neutral to the Council.

The primary purpose of HMO licensing is to improve housing standards. It allows the Local Housing Authority (LHA) to ensure that conditions, amenity & fire safety standards comply with current legislative standards. As such the principle beneficiaries of licensing are tenants. However, some LHAs use the licence as a vehicle to improve the management of the property and to respond to complaints by local residents about the appearance and behaviour of tenants. Hence licences often contain conditions relating to the number of waste receptacles required and management conditions, such as, that the landlord takes reasonable steps to minimise any nuisance, alarm or harassment by tenants etc. It also requires the responsible person to provide a 24hr contact number which can then be used to help expedite complaint resolution. The licence cannot restrict car parking.

M 08	Question from:	Councillor Geoff Ward
With this new emphasis on a strategic measure for the management of HMOs in Bath, is it possible that there will be reduced resources for enforcement activities?		
	Answer from:	Councillor Tim Ball
<i>Introducing additional licensing for all HMOs across the three south Bath wards of Oldfield, Westmoreland & Widcombe would bring between 700 and 1400 additional HMOs into licensing. This is a significant operation task which would require additional resources. However, fees can be levied to cover the administration costs of licensing including publicity, back-office functions & inspections, and as such, licensing should be cost neutral to the Council. As such it will not be at the expense of the existing enforcement activities undertaken by Housing Services.</i>		

M 09	Question from:	Councillor Tim Warren
In the Medium Term Service and Resource Plan for Place, it states that the Council expects to raise an additional £300,000 from additional parking charges next year. Given the Cabinet Member's decision to drop proposals to implement parking charges at Council car parks which are currently free, how much of this £300,000 does the Council now anticipate will be raised?		
	Answer from:	Councillor Roger Symonds
The Council's Medium Term Service and Resource Plan is currently out for consultation and the changes referred to will have to be considered as part of the Council's overall budget preparation process.		

QUESTIONS AND ANSWERS - COUNCILLORS

There were none.

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Amanda Leon, Radstock Action Group, to Cabinet 5 December 2012

Three important points to start with:

1. On 15 November, Jane Brewer, B&NES Senior Arboricultural Officer, stated, in an email to a Radstock Action Group supporter, that 'It should be noted that, unless the tree is removed to enable a full planning consent to progress, the tree is protected by the conservation area status'. The tree in question in this instance is the Jubilee Oak in Radstock.
2. On 28 November, B&NES issued a press release (Appendix 1) about Radstock regeneration which stated that, 'There will be an information event in Spring 2013 prior to the outline planning consent application being submitted'.
3. This, together with another reference in the press release to work commencing 'Subject to the outline planning consent being secured', mean only one thing, outline planning consent has not been applied for and it follows, therefore, that the 'full planning consent' referred to by Jane Brewer (my point 1), most certainly does not exist.

Notwithstanding all of this, B&NES is pursuing its original objective and digging up an oak tree over 100 years old, and half-heartedly pretending that it will survive.

Whilst we deeply regret the loss of this iconic feature from the town centre, we are most concerned with the fact that it is being engineered as a part of a scheme which will introduce main road traffic into the centre of the town and lead to the degradation of the built and natural environment, making the town centre less attractive to shoppers, tourists and businesses alike. And yet, Paul Crossley has repeatedly stated that if there is no housing there will be no road. Does Paul Crossley now know something the rest of us don't which makes him absolutely certain the housing will happen?

How has all this come about in the face of massive local opposition?

The situation has recently been compounded by Cllr Crossley joining the board of Norton Radstock Regeneration in the wake of the departure of Nathan Hartley. As Cllr Crossley has such entrenched views on the future of Radstock, it has to be asked whether there is a clash of interests for him, and how he justifies this move, given the fact that only one person on the NRR lives in Radstock.

Sadly, it is symptomatic of a profound democratic deficit in the workings of the Council, coupled with a complete disregard for due process.

Perhaps the Cabinet could start by encouraging Cllr Crossley to reply to Radstock Action Group's letter of 29 November (Appendix 2) – we have yet to receive so much as an acknowledgement.

I do not say this lightly – I am not alone in being angry at the lack of democracy and transparency and the total contemptuous, arrogant attitude shown for Radstock and its residents.

Appendix 1: Text of B&NES Press Release

For immediate release. 28 November 2012

Action plan to get Radstock's regeneration moving unveiled

The next steps of Bath & North East Somerset Council's plans to significantly upgrade Radstock's road network in order to tackle traffic congestion and support the regeneration of the local economy have been announced.

The town's road system needs upgrading first to help reduce traffic congestion and pave the way for the additional homes and shops.

Councillor Paul Crossley (Lib-Dem, Southdown), Leader of Council, said, "There are clear steps that Bath & North East Somerset Council will be taking with our partners to get the regeneration of Radstock moving. Starting with the relocation of the Oak tree, we will obtain the necessary planning consents to deliver the road network upgrade and new homes that the town urgently needs. We've listened closely to the local community every step of the way in both the development of the road plans and the relocation of the tree.

"The improvements are part of the Council's wider plan to breathe new life into one of our area's most historic market towns which also includes bringing Victoria Hall back into use and targeting the £500,000 regeneration pot earmarked by the Cabinet as effectively as possible."

Step 1: Relocating the Oak tree

The oak tree must be removed for the road upgrade to proceed. The Council respects the historical connection the community has with the tree, and especially the friends and family of Colin Latchem. Councillors have worked closely with the family to identify a suitable site for the tree to be relocated.

Starting Monday 3rd December, preparatory work to relocate the tree to Writhlington School will begin. It is anticipated that the relocation will be complete by Tuesday 11th December 2012. This is the best time to move the tree in order to give it the greatest possible chance of survival in a location where people are committed to looking after it. Cuttings and acorns from the existing tree are being cultivated at Writhlington School and Norton Radstock College

Karen Emery, sister of Colin Latchem, said, "The oak tree's survival and wellbeing has been my priority since the loss of my brother in 1997. The tree became a living tribute to Colin and is extremely precious to us all. We have worked closely with the Council and its tree specialists, Norton Radstock College, and Writhlington School to save the tree and give it the best possible chance of survival. If we want to give the tree the optimum chance of relocation and indeed a healthy future, we need to take action now, whilst dormant for the winter.

"Whatever the future holds for Radstock, seeing the oak tree survive and giving it the chance to grow into the magnificent tree that it was intended to become when planted, will always be something worth fighting for."

In addition, the Council has donated a new oak tree to Radstock which will be planted in the green open space near the Council car park on Waterloo Road at 12.30pm on 1st December 2012.

Step 2: Updating the planning permission

In response to local consultation, the Council made significant changes to design of the proposed road network. This has resulted in the need for the planning application to be updated to reflect the changes. The Council anticipates submitting an updated planning application in April 2013. This application for outline planning consent will include the detail of the road scheme and pave the way for reserved matters applications for the housing and town centre development.

Clive Wiltshire, Managing Director of Linden Homes South West, said, "Linden Homes welcomes being a part of the team delivering meaningful regeneration in the centre of Radstock. We have a proven track record of creating places that people want to live and work, and we are committed to delivering much needed new homes and jobs in the town. We will be looking to submit reserved matters consent for the first two phases of development once the outline planning consent is in place."

Subject to the outline planning consent being secured, work on the road network upgrade would begin in Autumn 2013.

Step 3: Working with our partners and residents

The Leader of Council will take a place on the NRR Board as a sign of the Cabinet's commitment to getting the regeneration of the town going.

Welcoming this development, Cate Le Grice-Mack, speaking for NRR said, "Our development is an important part of the total approach to the restoration of Radstock as busy and positive place for people to live and work. While the road scheme will help to move traffic more easily, we will make sure that the 48% of our site earmarked for green space, walking, cycling will enable people to move more easily within the town. And just to reassure people - the railway will not be disconnected, and light rail is still an option for those who wish to see it happen."

There will be an information event in Spring 2013 prior to the outline planning consent application being submitted.

Appendix 2: Letter from Radstock Action Group to Paul Crossley



www.radstockactiongroup.org.uk

8 Colliers Rise, Radstock BA3 3AU

Cllr Paul Crossley
B&NES
The Guildhall
Bath BA1 5AW

29 November 2012

Dear Paul Crossley

We have a number of questions for you and look forward to receiving your detailed responses promptly:

1. You have repeatedly and publicly stated that unless there are houses built on the railway land, there will be no road. Can you confirm that this remains your position?
2. If this does, in fact, remain your position, please would you explain why you propose removing the Jubilee Oak, given the fact that there is no current, live planning application for housing? Cabinet acknowledged this at their last meeting at which we were present. Your most recent press release about Radstock also acknowledges this.
3. The road, which at least 18 months ago was estimated to be going to cost £1.2m, is an irresponsible use of public funds, especially in a period of very severe cuts. Some professionals said, at the time of the original estimate, that it was not nearly enough and it will certainly cost more if you ever get round to building it at any point in the future. How can you justify this expense when you are cutting such vital services as those for children and young people? And when the local community has repeatedly voiced its strong opposition to it? And when all current thought on traffic management is quite clearly opposed to putting increased traffic through town centres?
4. In the event of the Jubilee Oak being removed, this will constitute additional major expenditure which will almost certainly be wasted as the tree will not be able to survive. As many people have pointed out, even if you persist with the road, what reason have you got for not leaving the Oak in its present position on the roundabout proposed in the (now defunct) plans?
5. You have been asked repeatedly why there has been no safety audit for the proposed new road. Perhaps you will now answer this question.
6. Given the revised flood assessments for Radstock and the most recent weather which resulted in the land near the river being heavily waterlogged and, in the

case of St Nicholas' School field, actually flooded, would you explain how B&NES can justify building on this area as it will clearly increase flood risk with all the accompanying problems for residents, including insurance possibilities and run-off complications?

7. We are very concerned about the lack of transparency in the composition, reporting lines and remit of the Radstock Economic Forum. Please could you let us know how the forum has been constituted and how the council guarantees that it is representative of the business community and residents? Exactly how does B&NES justify the giving of £100K to this forum from a fund which was trumpeted as new money for Radstock? What will the money be spent on?
8. B&NES recently 'consulted' on possible ways of using the £500K for Radstock. What is the final decision following from this consultation?
9. Given the vast disparity between regeneration sums being spent on Keynsham and Radstock, we would like to ask B&NES to ensure that the Victoria Hall retains snooker facilities whether by using the caretaker's house or building an extension to the Hall – this would not bring parity but it would certainly enhance the community facilities in the town. If you are not prepared to do this please would you explain why this is not an option?
10. What provision are you making for reinstatement of the Radstock to Frome rail link, including Radstock Station?

Yours sincerely

Amanda Leon, Secretary, Radstock Action Group

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Statement by John Spratley to Cabinet on Wednesday 5 December 2012

Mr Crossley, Speaking as a Radstock Regeneration Stakeholder, (as all Radstock Residents are), And, therefore, because of you not being a resident of Radstock, I ask Why do you and B&NES continuously ignore the wishes and opinions, of the majority of Radstock Residents, in removing OUR Jubilee Oak Tree?

This tree was planted by and For the people of Radstock, To commemorate the Diamond Jubilee of Queen Victoria. and is still a Symbol of Radstock's Pride and Independence, so What Gives B&NES the right to destroy it? (as trying to move this 115 year old mature healthy Stag Oak will, by most expert opinions, surely Do). You use the excuse that the tree has to go, to allow Your unnecessary, unwanted, and totally impractical Road Scheme, to go ahead.

Yet YOU personally promised, that if there was no housing development on the former GWR station site, there would be NO road.

So far you have NO Full Planning Application Submitted by Linden Homes, and only the faint hope that an outline one may be forthcoming in April next year. The previous planning permission granted to Bellway Homes is now defunct, and differs so radically from any ideas mooted by Linden Homes, that no extension of it could be justified.

However YOU continue to cite the "Overwhelming Support" for your plans from local Residents, based upon the 300 or so responses to your so called Consultation exercise. R.A.G.has seen these responses and finds that the vast majority Reject your Plan, as do the over 2,500 people who signed Radstock Action Group's petition against the Scheme.

Radstock Residents, and R.A.G. are NOT against regeneration, but want plans and schemes which WE decide upon, and are suitable to OUR needs, Not what YOU and Your Lib Dem Cohorts dictate.we will have.

Previous experience with the Bath Spa Project, and other B.A.N.E.S Fiascos, lead us to expect, from them a Plan for Radstock, That will be Impractical, Unworkable and Grossly Unaffordable, and will leave a legacy of utter Chaos, which will live long after the Liberal Democrats on B&NES have been eradicated at the next elections, and that Bath and N.E.Somerset council tax payers, will be paying for, for decades!

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Safe Streets for Widcombe

Amy Lunt

I am here today to ask for your commitment to providing pedestrians in Widcombe with formal, controlled crossings in the new Rossiter Road scheme. I am speaking not only for myself, but for over 350 people who have signed a petition to that effect¹.

Our main concern is with the White Hart Junction, where Widcombe Hill and Prior Park Road meet Pulteney Road. Each of these roads has a pedestrian refuge in the middle to aid crossing. Under the new scheme, these islands will be removed. The existing T junctions will become mini roundabouts. Crossing points on Widcombe Hill and Prior Park Road will be 'courtesy crossings'.

It is our contention that courtesy crossings in this location are inappropriate and potentially dangerous, for two reasons.

First, the nature of the traffic. Both roads are extremely busy in both directions at rush hour, and traffic levels are not expected to fall once the new scheme is in place. Currently at rush hour, each road has a long line of standing traffic waiting to exit onto the Parade. When the new scheme is implemented, traffic along the Parade will be reduced and reversed. Drivers exiting Prior Park Road and Widcombe Hill will have priority, meaning there will be a constant stream of vehicles exiting these two roads.

Pedestrians like me who cross these roads every day know that drivers are not focused on our safety, but on reaching their destination as quickly as possible. Drivers block "keep clear" boxes, don't indicate their intention to turn, drive on the pavement and ignore the speed limit - mini roundabouts and courtesy crossings won't change this. We do not, unfortunately, live in a culture of "shared space" – if drivers think they have priority, they will take it. A courtesy crossing, with no obligation to stop, and no refuge for pedestrians in the middle of these wide roads, is not the right solution in this environment.

Neither it is appropriate for the type of pedestrians using this junction. Crossing these roads is already dangerous and likely to become more so if this scheme is introduced in its current form, particularly for the most vulnerable in the community. Every day, many accompanied and unaccompanied children cross these roads going to and from pre-school and school. Children have the right to a safe route to school. There are many older people, some of

¹ Petitions were held at Widcombe Infant and Junior Schools, Widcombe Acorns Preschool, Widcombe Surgery, the Baptist Church and a number of business along the Parade. People were asked to sign on the school gates and by visiting houses on Widcombe Hill, Prior Park Road and the roads immediately adjacent. The petition has been signed by Widcombe Councillor Ian Gilchrist, and by every business on Widcombe Parade bar two, one of whom is completely against the entire scheme, and one who is worried about where delivery vehicles will stop.

whom might have limited mobility, vision and cognitive skills, living in this area. They must cross these roads to access vital services on the Parade.

A courtesy crossing demands a negotiation between driver and pedestrian to determine who will give way. We cannot comprehend how anybody could think it appropriate to ask children and older people to 'negotiate' with vehicles, particularly in a location such as this.

We haven't seen any baseline research on pedestrian or traffic flow at this location, although we are assured that this has been done. The only consultation carried out on the latest proposals has been by the Widcombe Association, a non representative body, and took the form of a two page document that many people haven't received or read.

We, however, have spoken to a large number of residents and visitors in Widcombe. We have knocked on doors. We have been into every business on the Parade. We have been to the schools and the pre-school. Almost everyone we have spoken to shares our view that while the scheme is fine in principle, we need formal, controlled crossings, that are recognised as such by pedestrians and drivers, and where drivers know they must stop to allow pedestrians to cross.

We understand the Widcombe Association has a "vision" for the Parade, with fewer street signs, traffic lights and road markings. But that vision is merely a folly if it results in preventing pedestrians - young and old, able bodied and disabled - from crossing the White Hart Junction safely and accessing their own schools, services and village street.

STATEMENT BY PETER DUPPA-MILLER TO CABINET, 5TH DECEMBER 2012

I am Peter Duppa-Miller.

I am speaking as the Secretary of the B&NES Local Councils Association.

The 3 Town Councils, 45 Parish Councils and 3 Parish Meetings in North East Somerset are most eager to assist with the promotion of The Green Deal within their communities - do please make use of their offer.

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Cabinet Meeting Resolution

Executive Forward Plan Reference	E2495
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Local Transport Body

Date of Meeting	5-Dec-12
The Issue	<i>DfT wish to devolve major transport scheme funding to Local Transport Bodies, with both LA and LEP representatives. This report seeks approval for arrangements which subject to DfT approval, that this change be recommended to Council.</i>
The decision	<p>(1) To approve, in principle, the formation of a Local Transport Body to include the Joint Transport Executive Committee (JTEC) and two business representatives from the Local Enterprise Partnership;</p> <p>(2) To agree that the necessary work is undertaken to support the creation of a formally constituted Local Transport Body, including the assurance framework to meet governance, accountability, financial management and value for money requirements to the satisfaction of DfT and the Council's own internal procedures; and</p> <p>(3) To delegate to the Divisional Director Planning and Transport Development, in consultation with the Cabinet Member for Transport, the Monitoring Officer and the Section 151 Officer, to agree appropriate legal agreement to allow this new body to undertake this work, subject to appropriate financial provision being made in the February budget.</p>
Rationale for decision	Participation in the Local Transport Body will enable the Council to decide where major transport funds will be spent in the future. This represents a significant opportunity for the Council to maintain transport investment within the District supporting the Core Strategy.
Other options considered	None
Declarations of Interest	

The Decision is subject to Call-In within 5 working days of publication of the decision

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