

BATH AND NORTH EAST SOMERSET

CABINET

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

Wednesday, 2nd December, 2015

Present:

Councillor Tim Warren	Leader of the Council and Conservative Group Leader
Councillor Liz Richardson	Cabinet Member for Homes and Planning
Councillor Patrick Anketell-Jones	Cabinet Member for Economic Development, Conservative Deputy Group Leader Bath
Councillor Charles Gerrish	Cabinet Member for Finance and Efficiency, Conservative Deputy Group Leader North East Somerset
Councillor Vic Pritchard	Cabinet Member for Adult Social Care and Health
Councillor Anthony Clarke	Cabinet Member for Transport
Councillor Martin Veal	Cabinet Member for Community Services
Councillor Michael Evans	Cabinet Member for Children's Services

55 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting.

56 EMERGENCY EVACUATION PROCEDURE

Senior Democratic Services Officer drew attention to the evacuation procedure as set out in the Agenda.

57 APOLOGIES FOR ABSENCE

There were no apologies for absence.

58 DECLARATIONS OF INTEREST

There were none.

59 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

60 QUESTIONS FROM PUBLIC AND COUNCILLORS

There were 13 questions from Councillors and 8 questions from the public. *[Copies of the questions and responses, 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.]*

61 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

Councillors Lisa Brett and Joe Rayment in a statement [*a copy of which is attached to the Minutes as Appendix 2 and on the Council's website*] expressed their concerns by the disparity between the composition of the Council and the composition of the general public in B&NES, in terms of the representations within such characteristics as: gender, age, ethnicity, socio-economic class, disability, sexual orientation and gender identity. Councillors Brett and Rayment requested that the Cabinet should approve the formation of an all-party working group to investigate ways in which the Council could become more accessible and representative of the local population.

The Chair suggested that this issue should be discussed by then Group Leaders.

Chris Beezley (FoBRA member and Chairman of Beech Avenue Residents' Association) in a statement [*a copy of which is attached to the Minutes as Appendix 3 and on the Council's website*] said that FoBRA had long pressed B&NES for a formal strategy to address the challenge of housing large numbers of students in a compact city that hosts two popular universities. The Placemaking Plan stated that student accommodation was a matter requiring a planning policy framework and policy direction at a strategic level, yet, and this was the important point, it offered no solutions. FoBRA therefore had asked for Cabinet's assurance that the long-overdue Student Housing Strategy is now developed as a matter of urgency, is regularly reviewed, engaging openly with the universities and residents, and that the Placemaking Plan is guided by it.

The Chair said that the Council had been talking to two Universities on the issues of student accommodation.

Rosemarie Naish (Chair of Clutton Parish Council) made a case for traffic calming measures in Clutton. Rosemarie Naish explained that the road through the village was narrow and it had been used as rat-run between A37 and A39. Clutton Primary School would lose lollipop person soon and for some children the walk to the school had been seen as unsafe. The Council had made a very strong traffic calming scheme which was welcomed by the Parish Council and residents, though one resident had raised numerous objections to the scheme. A revised scheme had been put in place and the same resident had objected to the scheme. Rosemarie Naish concluded her statement by highlighting the need for traffic calming measures and urged Councillor Antony Clarke (Cabinet Member for Transport) to approve a revised scheme.

Annie Kilvington said that this week had been quite significant in terms of the climate change, and that we all would have to make changes to the policies that are affecting our environment. Annie Kilvington welcomed the new Green Spaces Strategy though she was concerned that the Strategy had no reference to Park and Ride sites East of Bath, sites which were large and of enormous bio diversity value. Annie Kilvington also said that omission of those sites would permit the Council to disregard the Strategy when pursuing its determination to implement Park and Ride

plans. Annie Kilvington concluded her statement by saying that the adoption of Strategy could only be proved subject to formal due diligence and correction.

Sian James in a statement [*a copy of which is attached to the Minutes as Appendix 4 and on the Council's website*] said that she was disappointed that out of the 242 questions asked at the Full Council meeting on 12th November, as of 1st December, there were 182 with a response (75%). Sian James also said that most of these responses were incomplete; only 20 questions were actually answered; and, there were 9 valid questions that have apparently been removed from the list, with no reference as to why.

Christine Boyd in a statement [*a copy of which is attached to the Minutes as Appendix 5 and on the Council's website*] said that there should be no attempt to tie the hands of the CTE PDS Panel whilst it makes its deliberations on Park and Ride issue. Christine Boyd also asked for a public assurance that the Scrutiny Panel would be given the time and resources it needs to do this work, rather than face pressure of the Cabinet timetable.

The Chair responded that the CTE PDS Panel was not run by the Cabinet and it would be entirely down to the Chair, and members of that Panel to decide how they would want to engage in the process.

62 MINUTES OF PREVIOUS CABINET MEETING

RESOLVED that the minutes of the meeting held on Wednesday 4th November 2015 be confirmed as a correct record and signed by the Chair.

63 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

There were none.

64 MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

There were none.

65 PLACEMAKING PLAN FOR BATH AND NORTH EAST SOMERSET

Robin Kerr (Chairman of the Federation of Bath Residents' Associations) in a statement [*a copy of which is attached to the Minutes as Appendix 6 and on the Council's website*] highlighted the importance of the Placemaking Plan for Bath.

Councillor Karen Warrington said that she was here to represent residents from her Ward whose part of their land had been included in the Placemaking Plan for residential purposes. Councillor Warrington asked for an amendment of the Plan in terms of the housing development boundaries in that area.

Caroline Kay (Bath Preservation Trust) said that the Trust welcomed the conclusion of the Placemaking Plan consultation and highlighted six overarching points with the Cabinet: the Trust welcomed inclusion of the policy for Bath Central Area; the Trust congratulated officers on progressing with conservation area appraisal for Bath; the Trust had asked that the building height strategy should be robust enough and had recommended an urgent adoption of the SPD status; site ownership in terms of sites owned by the Council; the Trust had felt there was a need for robust part of the plan addressing student housing challenges; and, the land value should reflect marketing value.

Councillor Eleanor Jackson commented that Westfield had not been mentioned in the Plan as a community on its own right.

Councillor Liz Richardson said that the Placemaking Plan would provide a district-wide suite of planning policies for B&NES, complementing the strategic framework in the Core Strategy. The Core Strategy had formed Part 1 of the B&NES Local Plan and the draft Placemaking Plan would be Part 2. The Plans had been combined for clarity but it was only the Placemaking Plan part which was the subject of this report. In a few instances, the Placemaking Plan contained a policy that was intended to supersede a policy or text in the Core Strategy. The next step in the preparation process would be for the Council to comply with the statutory requirements concerning publication and receiving representations relating to the Draft Placemaking Plan (consultation would run from 16th December until 3rd February) and for Full Council to agree submission of the Draft Placemaking Plan for independent examination by an Inspector appointed on behalf of the Secretary of State. Also submitted alongside the Draft Placemaking Plan to the Secretary of State would be the schedule of public representations received by the Council. It would be for the appointed examination Inspector to consider the issues raised in the public representations in their role to assess the soundness of the Draft Placemaking Plan as with the other requirements of S20 (5) of the 2004 Act. As a result the Council would not be formally considering the representations received from the next stage.

Councillor Liz Richardson formally thanked to: officers for the detailed piece of work; Members of the Council for cross-party work within Local Development Framework; residents for their feedback so far; and, to number of organisations who contributed to the Plan with their feedback. Liz Richardson also said that the Council had worked with both universities in terms of student accommodation though it has been difficult to exactly predict the number of students for each year.

Councillor Liz Richardson moved the recommendations.

Councillor Charles Gerrish seconded the motion by saying that the Placemaking Plan would provide a district-wide suite of planning policies for B&NES, complementing the strategic framework in the Core Strategy. The Core Strategy forms Part 1 of the B&NES Local Plan and the draft Placemaking Plan is Part 2. The Plan would provide spatial frameworks for Bath, Keynsham, the Somer Valley & the Rural Areas. The Plan allocated sites for development where these were necessary to deliver the strategy, setting out the required land-use mix and the development principles. It also identified where we would need to protect valued assets, such as important open hillsides or Local Green Space, identifies schemes to be implemented such as road or cycleway improvements and would provide generic criteria-based planning policies.

Councillor Charles Gerrish also thanked everyone for their work on this Plan.

The Cabinet unanimously supported the motion from Councillor Richardson and acknowledged contribution from Parishes who had worked really hard on this Plan.

RESOLVED (unanimously) that the Cabinet:

- 1) Approved the Pre-submission Draft Placemaking Plan for public consultation from 16th December 2015 to 3rd February 2016,
- 2) Approved the Draft Placemaking Plan for Development Management purposes,
- 3) Delegated authority to the Divisional Director for Development, in consultation with the Cabinet Member for Homes & Planning, to make minor changes to the Draft Placemaking to correct errors and inconsistencies to the Plan prior to publication,
- 4) Recommended to Full Council that it resolves to submit the Draft Placemaking Plan, along with representations received through the public consultation, to the secretary of state for examination, and
- 5) Agreed the public consultation arrangements as printed in the report.

66 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

The Cabinet agreed to note the report.

67 SPEND OF COMMUNITY INFRASTRUCTURE LEVY INCOME

Councillor Liz Richardson said that the Community Infrastructure Levy (CIL) came into effect in B&NES in April. The use of income generated through CIL would need to be spent on infrastructure to support the District's growth plans as set out in the Council's Core Strategy. In light of the relatively limited amount of CIL income this year, rolling it forward to next year was the most appropriate option as it would provide the opportunity to make the spend more effective.

Councillor Liz Richardson moved the recommendations.

Councillor Charles Gerrish said that he was happy to second the motion to roll forward Community Infrastructure Levy received in 2015/16. The B&NES CIL came into effect in April 2015 and the process for determining spend of the CIL income was agreed by Cabinet in July 2015. Of the CIL income, 15% in a local area was handed to the communities where the income has arisen. This rises to 25% in areas with an adopted Neighbourhood Plan.

RESOLVED (unanimously) that the Cabinet agreed that the strategic income from the Community Infrastructure Levy received in 2015/16 should not be allocated this financial year but rolled forward to be added to the spending commitments for 2016/17.

68 YOUR CARE, YOUR WAY: OUTLINE BUSINESS CASE, MARKET TESTING & SERVICE OUTCOMES

Councillor Eleanor Jackson asked why the Health and Wellbeing Select Committee had not seen this paper before it came to the Cabinet.

Councillor Vic Pritchard responded that it was down to the Health and Wellbeing Select Committee to organise their workplan.

Councillor Pritchard said that over the past ten months Bath and North East Somerset Council and Bath and North East Somerset CCG had been listening to the views of local people and working together to review and develop proposals to improve the delivery of integrated community health and care services to the people and communities of Bath and North East Somerset. As a result of this work Commissioners had developed the Outline Business Case (OBC). The OBC describing proposals for achieving a local model of integrated health and care that improves outcomes and system sustainability both now and in the future. The proposals detailed within the OBC had recognised that not all aspects of community services may need to change and acknowledged the need to build on the successes of the current system and the achievements of providers and staff.

Councillor Vic Pritchard moved the recommendations.

Councillor Martin Veal seconded the motion by saying that report had been put together following extensive consultation with our communities. The Council were committed to working closely with NHS colleagues and others to improve the health and wellbeing of local residents. The Your Care, Your Way community health and care services review had been an important piece of work which would set out how we work with the NHS in future, delivering services that best meet the needs of local residents.

RESOLVED (unanimously) that the Cabinet:

- 1) Noted the findings of the consultation document as set out in the report and approve progression to the next phase.
- 2) Approved the financial planning process.
- 3) Approved the market testing and contracting approach.
- 4) Delegated, to officers, implementation of Phase 3, subject to the requirement to obtain approvals by the Joint Commissioning Committee and Governing Bodies in relation to the milestone decisions.

69 ESTABLISHMENT OF A LOCAL PROPERTY AND DEVELOPMENT COMPANY

Caroline Kay (Bath Preservation Trust - BTP) said in her statement that BTP welcomed the report and that properties owned by the Council would be put back in use, which would help meeting housing needs in the centre of Bath. The Trust would hope that there would be clear governance within the company in order to avoid sub-letting of properties. The Trust would also hope that the Council would get the best value in order to generate revenue and achieve its objectives. Caroline Kay also said that it was not clear in the report if other Councils, who undertook the same approach, were successful in this exercise nor it was clear what external and internal advice was given to the Council. Caroline Kay asked for an assurance that planning guidelines would not be breached by future tenants.

Councillor Robin Moss welcomed the principle of using assets to generate an income for the Council. In Councillor Moss' view, this may have a potential impact on

Council's budget as it would be difficult to predict with certainty what the economic situation would be in years to come. Councillor Moss also asked which external and internal advice had been taken on board, which Local Authorities had been used as model and who those Group Members who participated in the consultation were.

Councillor Dine Romero said that she had understood the need to create an additional income for the Council and asked if these properties would be subject of the 'right to buy scheme'. Councillor Romero also asked if these properties would be part of the affordable housing scheme.

Councillor Charles Gerrish welcomed the point raised by Caroline Kay in terms of sub-letting and said that he would ensure that this issue is taken forward before finalisation of any letting contract. The Council's key issue is to get sensible return on investment without the need to overcharge its tenants. The Council's objective would be to generate estimated revenue. Councillor Gerrish also said that he was not in position at this stage to announce internal and external advisors, though bullet point 5.27 of the report might give some indications on local professional advice. The new company would follow existing planning regulations. One of Local Authorities used as a model was Mendip Council (6 months in existence). Councillor Gerrish also said that Local Property and Development Company was not registered housing company so it would not be covered by Government legislation in terms of the 'right to buy' scheme. Also, in terms of affordable housing, if the company would develop additional sites then they would abide to planning rules like everyone else.

Councillor Charles Gerrish said that the proposal would the delivery of the Council's Medium Term Financial Plan for the period 2016/17 to 2019/20, with an additional £600K of recurring income targeted by the end of this period.

Councillor Charles Gerrish moved the recommendations.

Councillor Patrick Anketell-Jones seconded the motion by saying that the Council would need to look at innovative options and opportunities to generate income to protect frontline services. Setting up this property company would enable our vacant accommodation above shops etc. within the commercial estate to be rented into the private market.

RESOLVED (unanimously) that the Cabinet agreed to the:

- 1) Approval of the Outline Business Case for the establishment of the Company
- 2) Establishment of a Company limited by shares, for this purpose, to be wholly owned by the Council in line with the proposed structure set out in the report.
- 3) Approval of the composition of the Company's Board.
- 4) Utilisation of appropriate investment to deliver, own and manage residential and property developments on a case by case basis.
- 5) Transfer the relevant Title of the existing residential properties to the Company, subject to approval of the terms of such transfer by the Corporate Property Officer in accordance with S123 of the Local Government Act.
- 6) Delegate to the Leader the exercising of all Council functions as sole shareholder of the Company, with the exception of any changes regarding ownership of the Company.
- 7) Delegation to the Chief Executive and Strategic Director of Resources, in consultation with the Leader and the Cabinet Member for Homes & Planning,

of the approval of Council investment in the Company within approved budgetary provisions, including but not limited to the:

- i) terms of Council investment
 - ii) business cases for future development proposals to be undertaken by the Company.
 - iii) terms of any guarantee to be provided to support the provisions of the investment
 - iv) terms of any loan or equity agreement between the Council and the Company
 - v) such others matters as are regarded as necessary to enable the provision of the investment, progress of the developments and their subsequent sale, lettings and on-going management.
- 8) Delegation to the Strategic Director (Resources) in consultation with the Leader to finalise and agree the and Articles of the Company and other such matters necessary to (i) incorporate and register the Company and (ii) facilitate the objectives identified in this report.
 - 9) Full Approval of the existing Capital funding provision of £6.536M to support investment in the Company in accordance with 2.6 above.
 - 10) Note that all further decisions regarding the future level of Capital Funding for potential investment in the Company will be subject to the approval of the Full Council and form part of the Budget process for 2016/17.
 - 11) Agree that an annual report will be provided by the Company to the Council setting out its activities, performance and accounts.
 - 12) The Strategic Director (Resources) is given delegated authority to finalise the service provision arrangements between the Council and the Company for all required support services, including officer support.
 - 13) Indemnification, to the full extent permissible under the Local Authorities (Indemnities for Officers and Members) Order 2004, of the Council officers and Members in respect of any personal liability arising as a result of their appointment as directors of the Company.

70 LOCAL FLOOD RISK MANAGEMENT STRATEGY

Councillor Anthony Clarke said that under the requirements in the Flood and Water Management Act 2010 the Council had had a duty to work towards the objectives set out in the Local Flood Risk Management Strategy, as well as to comply with statutory duties as a Lead Local Flood Authority set out in the Flood & Water Management Act 2010. The Flood and Water Management Act 2010 had made Bath and North East Somerset Council a Lead Local Flood Authority and as such the Council was responsible for managing flood risk from surface water, groundwater and ordinary watercourses in the area but not from the river.

Councillor Anthony Clarke moved the recommendations.

Councillor Liz Richardson seconded the motion and thanked everyone who has worked so hard to put this together as well as all those that took part in our consultation. This was an extremely important strategy that would help ensure a co-ordinated approach to local flood risk, clarifying roles and responsibilities and ensuring management of the risk as effectively as possible.

RESOLVED (unanimously) that the Cabinet approved the adoption of the Bath & North East Somerset Council Local Flood Risk Management Strategy.

71 ADOPTION OF THE BATH AND NORTH EAST SOMERSET COUNCIL GREEN SPACE STRATEGY

Councillor Martin Veal said that the proposed Green Space Strategy 2015 would out a series of draft policies and standards for the provision of green space across the district, and a methodology for interpreting and informing the provision for these assets until 2029. This strategy would be used to prioritise the allocation of existing resources for managing the green space asset and for directing developers' and other third party funding contributions to where they would be most needed. The proposed strategy would provide a means for prioritising expenditure associated with the district's green spaces and would help the Council meet its obligations in the areas of Sustainability and the Natural Environment (as they relate to green spaces).

Councillor Martin Veal moved the recommendations.

Councillor Patrick Anketell-Jones seconded the motion that Cabinet adopt the proposed Green Space Strategy, findings of the review and associated area profiles, and agree that the findings of the report would be used when preparing an action plan for the delivery and management of the green spaces across the district from 2015-2029.

RESOLVED (unanimously) that the Cabinet adopted the proposed Green Space Strategy, findings of the review and associated area profiles, and agree that the findings of the report be used when preparing an action plan for the delivery and management of the green spaces across the district from 2015-2029.

The meeting ended at 5.40 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services

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CABINET MEETING 2nd Dec 2015

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

- Cllrs Lisa Brett and Joe Rayment
Re: Disparity between the composition of the Council and the composition of the general public in B&NES
- Chris Beezley, FoBRA member and Chairman of Beech Avenue Residents' Association
Re: Student Numbers and Accommodation Requirements
- Rosemarie Naish (Chair of Clutton Parish Council)
Re: Traffic calming measures in Clutton
- Annie Kilvington
Re: East of Bath Park and Ride
- Sian James
Re: East of Bath Park and Ride
- Christine Boyd
Re: East of Bath Park and Ride

Statements about issues on the Agenda

- Mr Robin Kerr (Chairman, Federation of Bath Residents' Associations)
Re: Placemaking Plan
- Cllr Karen Warrington
Re: Placemaking Plan
- Caroline Kay (Chief Executive of Bath Preservation Trust)
Re: Placemaking Plan
- Caroline Kay (Chief Executive of Bath Preservation Trust)
Re: Establishment of a Local Property and Development Company

QUESTIONS AND ANSWERS - COUNCILLORS

M	01	Question from:	Councillor Sarah Bevan				
<p>How can we and residents be reassured that the Curo and other social housing enterprises owned/managed shared open spaces will not be built on without specific protection measures for these much valued community play and environmentally precious green spaces?</p>							
Answer from:			Councillor Liz Richardson				
<p><i>The policy framework that is being established through the Placemaking Plan will protect community play and other open spaces and ensure new spaces are provided to meet the needs arising from new development.</i></p> <p><i>Protection of open spaces is achieved in two main ways - through proposed Policy LCR5 and additionally, through the designation of Local Green Spaces.</i></p> <p><i>Policy LCR5</i></p> <p><i>Policy LCR5 will protect open spaces (including play space) by preventing development unless clear criteria will be met. This means that open spaces could only be lost to development if there is a surplus of facilities in the local area or suitable replacement facilities of at least equivalent quality, quantity and community value are provided. Consideration of whether there is a surplus of different types of open/green space in an area is based on evidence set out in the Green Spaces Strategy (GSS) (also being considered by Cabinet on 2nd December). The GSS establishes a standard for the provision of different types of green spaces and has also assessed existing provision, thereby concluding whether there is a surplus or deficiency in a local area of these types of green space. In Cllr Bevan's Ward the main conclusions show that there is currently a deficiency in most of the types of green space assessed (see table below).</i></p>							
Ha	Amenity Green Space	Park and Recreation Ground combined	Park and Recreation Ground	Outdoor Sport (Private)	Play Space: Children	Play Space (Youth)	Accessible Natural Green Space
Current supply for Peasedown St John parish	-1.41	-4.48	-4.48	4.61	-0.07	-0.14	116.6

As such any proposals for redevelopment of Curo or other social housing enterprises housing would need to ensure re-provision of at least equivalent quality and quantity of these types of green space in this area.

Local Green Space

In addition to protection through Policy LCR5, specific open/green spaces are also designated and protected as Local Green Spaces. In order to be designated as Local Green Space it needs to meet the criteria set out in the National Planning Policy Framework (NPPF). This requires that the space is demonstrated to of special importance/significance to the local community. In relation to Cllr Bevan's Ward Peasedown Parish Council nominated a number of spaces for designation as Local Green Space. The spaces listed below are recommended for designation in the draft Placemaking Plan:

- *Bath Road Green Space*
- *Bath Road recreation Ground*
- *Beacon Hall Playground*
- *Ecewiche Green*
- *Eckweek Lane Play Area*
- *Frederick Close*
- *Land between Pippin Close and Russett Way*

For these spaces, in addition to the overarching protection through Policy LCR5, development that conflicts with the reasons for its designation or prejudices its role as a Local Green Space is prevented other than in very special circumstances.

Supplementary Question:

Thank you for your response. If Green Spaces within housing estates are already protected authority wide by Placemaking Plan policy LCR5, then why there was a call for nominations for additional protection and which Curo, for example, had opted out of?

Answer from:

Councillor Liz Richardson

The primary difference between the two allocations is that the LCR5 allocation is the requirement for the space. The secondary allocation, Local Green Space, would always stay at the exact space so it would inhibit the development.

M 02

Question from:

Councillor Karen Walker

Who would be accountable to the residents of Frederick and Albert Avenue, Peasedown St. John if they lost their green space to development? Would that be Banes for allowing Curo to have it protected under policy LCR5 ?

Answer from:

Councillor Liz Richardson

The Placemaking Plan will protect open spaces in two main ways through proposed Policy LCR5 and additionally, through the designation of Local Green Spaces (LGS).

Policy LCR5 prevents development of open space (including that serving Frederick Avenue/Albert Avenue in Peasedown) unless if it is demonstrated there is a surplus of such spaces serving the community or replacement provision of at least equivalent quantity, quality and value to the local community is made. The Green Spaces Strategy that underpins LCR5 shows there is a deficit of this type of space in Peasedown St John. Therefore, alternative replacement provision would need to be made by Curo as part of any potential redevelopment scheme in order to ensure the proposal complies with planning policy.

In addition, the LGS at Frederick Avenue has been nominated for and recommended to be designated as a LGS in the Draft Placemaking Plan. This means that development that conflicts with the reason for its designation or prejudices its role as LGS will be prevented, except in very special circumstances. This offers a high level of protection to this space.

M 03	Question from:	Councillor Neil Butters
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A local resident has informed me that her children were refused entry to the main swimming pool at the Bath Sports and Leisure Centre. She was told that children under 16 are not allowed in the main pool before 4 p.m. Is the Cabinet member aware of this apparently blanket restriction and is this consistent with the Council's Fit for Life strategy? Could he seek a more flexible approach which allows for the possibility of school inset days, parental supervision and children who wish to swim for sports training?

Answer from:	Councillor Martin Veal
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GLL (more commonly known as BETTER) took over the leisure facilities in July and have instigated numerous changes to policy, procedures and staffing. One of these changes has seen a lot of the main pool daytime sessions being reprogrammed as fitness swimming sessions suitable for adults only.

The programme changes during school holidays to ensure children can access the main pool as well as the leisure pool. GLL try to keep track of all inset days to ensure the correct programme can be put in place. On this occasion they were unaware and hence were working to their normal programme. This should have been corrected when a family arrived at the centre and they should have allowed access and the pool programme should have reverted to a holiday programme and additional staff brought in to cover this. On the day of this particular visit it would appear that an over enthusiastic member of staff was ensuring full adherence with new operating procedures NOPs and failed to speak to the General Manager who would have ensured common sense prevailed and would have made the required changes to allow access.

I can assure you GLL would never want to turn away any family wanting to access any of our facilities. The family have been offered free family swim session as way of an apology for the inconvenience caused.

M 04	Question from:	Councillor Neil Butters
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With regard to the independent transport projects review: at the Cabinet meeting of 8 July the Leader committed to published in the consultants' names, costs and the results of the review in a timely fashion; at the Cabinet meeting of 9 September the Leader said he would share the terms of reference 'before the end of September' and would report later in the Autumn. Can the Leader please provide an update on why none of this information appears to have been shared?

Answer from: Councillor Tim Warren

The independent review report is still awaited. The reviewer has confirmed the review has been completed and should be issuing it to the Council in the near future. The findings will be shared once the document has been received and reviewed by the Cabinet. The only cost to the Council was in travel expenses, and the hope is that by conducting this review it will save the Council money in the long-term. As previously stated, the review has been conducted by representatives from TfL.

M 05 **Question from:** Councillor Lisa Brett

What has happened to the £60K in compensation from the developers of the Southbourne Gardens site which was allocated by the Planning Inspector to pay for replacement allotment space for local residents?

Answer from: Councillor Liz Richardson

The £60k was paid to the Council in the week commencing 2nd November 2015. The money is now with the Council and will be passed to the allotments department for allocation and spending in accordance with the terms of the legal agreement.

M 06 **Question from:** Councillor Lisa Brett

What has happened to the funding transferred by Major Projects to the Highways Department to pay for the pavements outside Anglo Terrace, London Road, to be replaced?

Answer from: Councillor Anthony Clarke

There is a contingency sum available from the project which will be made available to undertake further work at Anglo Terrace. Work at this location was suspended during the period of Rail Replacement Service and due to the city centre's road works embargo further works on the London Road will not be delivered until the new calendar year.

M 07 **Question from:** Councillor Lisa Brett

How many children in B&NES will be homeless this Christmas?

Answer from: Councillor Michael Evans

We are only able to provide information on the families that present to the Council's Housing Options team as homeless. Whilst we are satisfied that no families with children are sleeping out, we cannot be certain that there are no 'hidden homeless' families who have chosen not to come to the Housing Options team for assistance. It should also be noted that these figures are correct as of the 1st December and could be subject to change over the Christmas period. In terms of children still dependent on their parents (usually under 18 and living in the same household), there are:

- *A total of 17 children living in temporary accommodation, of which:*
 - *3 of these are in Dartmouth Avenue, which is a supported hostel for homeless families.*
 - *14 are living in self-contained dispersed flats.*
- *We anticipate that 4 of the families in dispersed flats will have moved into permanent accommodation by Christmas.*

The Council works corporately and with a range partners to prevent homelessness for all residents, though particularly for young people under 18. This is done by providing a range of services including: the Young People's Mediation Service; high quality tenancy and housing options advice; drop-in surgeries; housing life-skill talks to schools and youth groups; bespoke support plans; and a range of supported accommodation options including the Supported Lodgings Scheme and supported housing such as Pathways and The Foyer. All of these services are commissioned by the Council to prevent or alleviate homelessness for young people. As a result I am pleased to confirm that our use of temporary accommodation is extremely low when compared to the national rate.

M 08	Question from:	Councillor Lisa Brett
<p>The previous administration allocated a budget of £1M to improve youth & community facilities to the East of Bath. On becoming Cabinet Member for C&YP Cllr. Evans agreed to undertake a review of options for this budgeted allocation of funds. Can Cllr. Evans confirm that this review has now been completed and provide a copy of the Officers report?</p>		
Answer from:		Councillor Michael Evans
<p><i>In the February 2014 Budget, the Council granted Provisional Approval for up to £1m for this project, subject to the development of a specific business case which was not ultimately forthcoming. I therefore undertook to review if an alternative scheme would be appropriate and work is underway to look at enhancements and refurbishment of the Riverside Youth Hub, this is still in progress with the aim of producing a Project initiation Document within the next few weeks, I would be happy to share information with Councillor Brett and other colleagues in due course as the project takes shape.</i></p>		

M 09	Question from:	Councillor Lisa Brett
<p>Could Cllr. Anketell-Jones kindly explain what this administration are proposing to do to</p>		

support the Cleveland Pools Trust and ensure that the £4.1M secured for Bath from Heritage Lottery subject to £650k in matched funding is in fact granted?

Answer from:

Councillor Patrick Anketell-Jones

Cllr Brett will be aware of the background to this project, in that this is a Council owned property and in 2004 the Council agreed to allow the Cleveland Pools Trust to take forward a project to re-open the pools in preference to commercial sale of the land and buildings. The Council's Property Services Team worked closely with the Trust to put in place the necessary contractual arrangements concerning a lease and other documentation.

The 2014/15 budget included provisional approval of the sum of £200k to contribute to match funding as part of a bid to the Heritage Lottery Fund. This bid was successful with a grant of £366,200 awarded in July 2014 as stage 1 (development phase) funding.

Council liaison into the project is provided via an officer who sits on the monthly project board. We understand that the application for the second round of Heritage Lottery funding will be submitted in August 2016. This submission will require fundraising and we understand that this is underway in accordance with a fundraising strategy which in turn sits under the business plan.

The financial management for this project resides with the Cleveland Pools Trust. Aside from the £200k allocation outlined previously, the Council has not been approached to provide further financial assistance at this stage. Any request would be duly considered through the normal budgetary processes.

This administration remains very supportive of this project. The Leader of the Council, the Chief Executive and I visited the Pools in November and were happy to follow this with a message of support which is to be posted on the project web-site to give confidence to other potential supporters. We are also currently discussing the possibility of providing office accommodation for the Trust's project manager and we continue to devote officer time in order to stay fully engaged with progress.

M 10

Question from:

Councillor Dine Romero

With reference to the East of Bath Transport Solution would the Cabinet Member confirm the point(s) of contact and interaction between the LDF steering group and CTE PDS with regard to the forthcoming review?

Answer from:

Councillor Anthony Clarke

Louise Fradd, as the Director of Place and Peter Dawson, Group Manager for Transport, will provide the primary officer support to both the LDF and C, T&E PD&S and provide the necessary linkages.

M 11	Question from:	Councillor Dine Romero
<p>Given the importance of 'getting this right' would the Cabinet Member confirm that no decision on a site will be taken before CTE PDS has properly examined all the evidence on the process so far, and all potential solutions?</p>		
Answer from:	Councillor Anthony Clarke	
<p><i>The Cabinet does not intend on taking a decision on a preferred site for an East of Bath Park & Ride until both the LDF Steering Group and the CT&E PD&S Panel have had a chance to undertake the work set out in the motion agreed at the November Full Council meeting, a process which should enable Cabinet to select a preferred site early next year as stated within the Council motion.</i></p>		
Supplementary Question:		
<p>Do you agree that order of process should be the most logical order and not the one written in the motion at the last Council? In particular, the Communities, Transport and Environment PDS Panel ought to come before the re-affirmation of the commitment to the Park and Ride?</p>		
Answer from:	Councillor Anthony Clarke	
<p><i>The two processes are different and addressing different issues so I don't agree with your question.</i></p>		
Supplementary Question:		
<p>Could you explain why they are different?</p>		
Answer from:	Councillor Anthony Clarke	
<p><i>The Local Development Framework Steering Group review is to look at all the options for the location of an East of Bath Park & Ride prior to Cabinet selecting a preferred site early next. The Communities, Transport and Environment Policy Development & Scrutiny Panel is to undertake an open and transparent public scrutiny, examining a wide range of integrated transport solutions.</i></p>		

M 12	Question from:	Councillor Dine Romero
<p>Would the Cabinet Member ensure that no professional bodies or consultants will be commissioned before the conclusion of the CTE PDS work on the East of Bath Transport Solution?</p>		
Answer from:	Councillor Anthony Clarke	

We will continue the work commissioned to develop solutions to the transport problems of Bath and I would be reluctant to give this assurance as it is quite possible the officers might require such assistance including, for instance, in support of the LDF Steering Group.

M 13

Question from:

Councillor Cherry Beath

With reference to the Placemaking Plan, what can the Council do to ensure the growth of the Universities, with regard to accommodation needs for students, is balanced with delivering housing targets in B&NES?

Answer from:

Councillor Liz Richardson

Balancing competing demands for space does not mean that these demands are treated equally, where there is potential conflict between them. The Plan favours the delivery of new 'conventional' housing and the retention of the existing 'conventional' housing stock over meeting the combined aspirations of the Universities. Due to the effect of Policy B5 this has been the case in the Enterprise Area, City Centre and on the MoD sites since the adoption of the Core Strategy. This does not block student accommodation absolutely but it requires an assessment of its effect on delivering 7,000 conventional houses and office space. Given the number of blocks permitted to date and the residual supply of land available for conventional housing and office space, the scope for more blocks is very limited, but not exhausted.

The Placemaking Plan is a key part of the Council's policy framework which now supplements the Core Strategy by allocating future development sites within the Policy B5 areas for a mixture of other uses (e.g. housing and office space), thereby implicitly making them unavailable for student accommodation. Sites that are not allocated or sites outside the specified areas could be available for student blocks. In addition, in July 2003 the Council made an Article 4 Direction which has slowed down the rate of increase in HMOs. The SPD accompanying the Direction can be changed to further manage HMOs if the net 7,000 dwellings for the city is at risk.

The Universities will need to manage their aspirations within this context. The University of Bath will have to rely on its own (non-Green Belt) estate for follow-on accommodation, more so than currently, if it is to grow at high levels. Bath Spa University has less flexibility as a landowner and may therefore have to manage expectations or endeavour to find hitherto unknown (and deliverable) sites. None have been identified during the preparation of the Plan.

A detailed assessment of this issue is presented in Section 2F of the Draft Placemaking Plan and the related policies for the university campuses.

QUESTIONS AND ANSWERS - PUBLIC

P 01	Question from:	38 Degrees Bath
<p>Has the Council considered how the Transatlantic Trade and Investment Partnership (TTIP), which is currently being negotiated in secret between the European Union and the United States, will curtail its ability to take democratic decisions to promote the wellbeing and prosperity of local residents and local businesses and may also impact its finances?</p> <p>This is a hugely controversial deal which could have enormous consequences for all of us. In October, a petition against it of over 3.25 million signatories (including over half a million from Britain) was delivered to the European Commission. Three days later, more than 250,000 people demonstrated in Berlin against TTIP and Ceta (the parallel treaty between the EU and Canada).</p> <p>To date, over 1,400 residents have signed a petition asking BANES Council to debate TTIP thoroughly. We are afraid that it will open up previously protected public contracts, e.g. in health, social care and education, to multinational corporations whose overriding concern is profit, not wellbeing.</p> <p>Moreover, both the EU and the US want TTIP to include an Investor-State Dispute Settlement (ISDS) system, enabling corporations to sue public authorities over any change of policy or regulation that could reduce their projected future profits, not through British courts but through a separate system of unaccountable international tribunals.</p> <p>This could encourage a corporate compensation culture, with very negative effects on the Council's finances and its ability to promote local wellbeing and prosperity. For example, under ISDS the US oil and gas company Lone Pine Resources is now suing Canada for \$250 million for lost future profits after the province of Quebec placed a moratorium on fracking beneath the St Lawrence River.</p> <p>The Local Government Association is taking a very cautious approach to TTIP.* (LGA representatives in London and Brussels are following the negotiations closely and would be a good source of further information.)</p> <p>Will the Cabinet investigate these concerns and report to full Council how BANES should:</p> <p>a) react to these aspects of TTIP and b) communicate its views to local MPs, MEPs, central government and the LGA?</p>		
Answer from:		Councillor Tim Warren
<p><i>Thank you for your question, I am aware of the debate around the Transatlantic Trade and Investment Partnership (TTIP) and broadly support the position taken on our behalf by the Local Government Association in as follows:</i></p> <p><i>“Whilst recognising the significant free trade benefits of the deal, the LGA is pressing for:</i></p> <p><i>1. Clear and specific safeguards for services delivered by councils, including education and social services. The approach is currently unsatisfactory in a deal which could have</i></p>		

public sector consequences if the drafting is not watertight.

2. The continued right for councils to determine their own service delivery models now and in the future.

3. The continued right for national governments and councils to set public policy and standards in all fields: health, safety, environmental protection, labour law, data protection, consumer protection etc.

4. A levelling up rather than a levelling down of common EU-US goods and services standards.

5. Reform or removal of the special tribunal (ISDS) mechanism in order to limit private litigation against public authorities. Talks have currently been suspended on this issue.

6. The fullest transparency in the negotiating process itself and local government representation in the negotiations via the EU's Committee of the Regions.

The LGA also note that both the European Commission and the UK government emphasise that the deal will have no negative impacts upon services delivered by Councils."

I will ask officers to keep an eye on the debates and if the Council has concerns we will feed these through the LGA who are our representative body.

P 02	Question from:	Annie Kilvington
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Item 17 of the Agenda for the Cabinet Meeting is the adoption of the Bath and North East Somerset Council Green Space Strategy. For the purposes of the strategy, natural and semi-natural green space is defined as covering a variety of spaces, including meadows, woodland, copses, river valleys and lakes, all of which share a trait of having natural characteristics and biodiversity value, and are also partly or wholly accessible for informal recreation [see page 49 of the Strategy]

In this context:

1. Does the Council agree that Sites B & F for a proposed Park & Ride to the East of Bath, both of which have clear and well used public access, and defined and legal public rights of way, fall within the definition of natural or semi-natural space?
2. If it does so agree, could the Council please confirm that Sites B & F should therefore formally be identified as natural or semi-natural space within the Green Space Strategy?
3. If it does not so agree, could it please state its reasons for disagreeing?
4. Could the Council please confirm whether Sites B & F are currently identified as natural or semi-natural space within the Green Space Strategy, as they appear not to have been included in the Bathavon North portion of the study on which the Strategy is based?
5. If Sites B & F are not currently identified as natural or semi-natural space within the Green Space Strategy, would the Council please agree that any approval of

<p>the Green Space Strategy should be made subject to the addition of these two sites as identified natural or semi-natural space?</p>		
Answer from:		Councillor Liz Richardson
<ol style="list-style-type: none"> 1. <i>No, they are land used as grazing by farmers and have not been identified in the Bathavon North section of the Green Space Strategy.</i> 2. <i>No, because the primary purpose of the sites currently is for agriculture.</i> 3. <i>The analysis carried out through the Green Space Strategy does not identify the sites.</i> 4. <i>As the sites have not been identified in the Bathavon North section, they have not been included within the Green Space Strategy.</i> 5. <i>No as set out in the above answers the sites do not fall within the scope of the Strategy.</i> 		
P 03	Question from:	Sian James
<ol style="list-style-type: none"> 1. When will all of the 242 questions raised on P&R for the full council meeting on Nov 12th be answered? 2. Tim Warren, on Radio Bristol yesterday (Thursday) talked about additional housing in Wiltshire causing additional cars into Bath. The Hill paper focuses on additional traffic caused by the Enterprise Area inside Bath drawing workers in from outside Bath. Ben Howlett talks of the 'Death Corridor' caused by HGV's and through traffic focussing on the pollution aspects on the London Road. <p>There is obviously a conflict between reducing pollution for residents and creating new jobs for non residents that will cause more traffic. Your 'strap line' is 'Putting Residents First'. Which is the priority for the cabinet? Is it putting residents first - or is it jobs for non residents?</p>		
Answer from:		Councillor Tim Warren
<ol style="list-style-type: none"> 1. <i>These have now been placed on the Council's web site.</i> 2. <i>One of the Cabinet's top six priorities, as set out at our Cabinet meeting in July, is 'improving transport'. This includes action to tackle the high levels of congestion and resulting pollution experienced in central and eastern Bath, including measures such as an East of Bath Park & Ride and link-road, as set out in our 'Putting Residents First' manifesto published before the election. Another of our top six priorities is 'creating new homes and jobs', which includes action to support and enable the thousands of new jobs that are to be created at the Bath City Riverside Enterprise Area over the coming years. The Bath Transport Strategy underpins both the Council's Core Strategy and Economic Strategy, enabling these new jobs to be created. Whilst we hope and expect that the majority of new jobs to be created in Bath over the coming years will be taken by local residents, this is not always within the Council's control and we must be realistic about the fact that many people do commute to work, and if no action is taken to provide alternative ways of getting into and out of the city then traffic will only continue to worsen in the years ahead. I do not see a conflict between creating new jobs and improving transport, indeed I believe these issues to be</i> 		

<i>integral to one another.</i>		
P 04	Question from:	Christine Boyd
<p>Can Cllr Warren give a clear undertaking that the communities, transport and environment scrutiny panel will be given the time and resources that it deems necessary to undertake an open, transparent public scrutiny, examining a wide range of integrated transport solution for the east of Bath?</p> <p>Can Cllr Warren also give assurances that no attempt will be made to tie the hands of scrutiny or direct its work programme?</p>		
Answer from:		Councillor Tim Warren
<i>Yes, in accordance with the motion passed at the November Council meeting and the process and timescale set out in the motion.</i>		
P 05	Question from:	Terry Wagstaff
<p>Would the Leader of Council provide and publish the dates of the programme of meetings of Cabinet, the Local Development Framework Steering Group and the Communities and the Transport & Environment Scrutiny Panel which are to undertake further work on Park & Ride East of Bath & an Integrated Transport Strategy, as listed in the draft minutes of the decision of Council on 12 November, 2015?</p> <p>This will enable the Parish Councils and communities East of Bath, and the many other interested parties, to plan their preparations for the engagement and public consultation on these matters by the council.</p>		
Answer from:		Councillor Tim Warren
<i>The dates of these meetings are set by the Chairs and Vice-Chairs (where relevant) of the committees, in consultation with the committee members, not by myself. I believe that an initial meeting of the LDF Steering Group is due to take place in December, with further meetings planned in the new year. The currently scheduled dates of meetings of the C,T&E PD&S Panel are published on the Council website.</i>		
P 06	Question from:	Leslie Skipper
<p>I have been looking at the council's draft budget and am interested in a paragraph which features in the People and Communities Directorate plan. The council believes a lot of money can be saved from Service Redesign with regards to People and Community. However I would like to know more about how the 'Healthy Lives, Healthy People' community grants scheme (£22k) is affected. Can you give me some examples of organisations that have previously benefited from this grant please?</p>		
Answer from:		Councillor Vic Pritchard
<i>This grant is administered by Quartet, a voluntary sector agency, on behalf of the Council. This question cannot be answered fully in time for the Cabinet meeting as the</i>		

commissioners responsible for it, who sit in the public health team, are not available in the short time between receiving the question and the deadline for approving a reply. This interim response therefore just acknowledges the question and commits to providing a full written answer within one week of the Cabinet meeting.

P 07	Question from:	Fiona Meldrum
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Tim Warren on Radio Bristol on 26th November spoke about a park and ride in the east of the city being set up to serve commuters. Which usage survey has he or the team conducted that has led him to the conclusion that commuters would use one?

Answer from:	Councillor Tim Warren
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Surveys of our existing Park & Rides show that around half of those who use these Park & Rides are commuters, with most of the remaining users being visitors. At least 4,000 people commute into Bath from the east each day, and in addition to this thousands of new jobs are due to be created at Bath's Riverside Enterprise Area in the coming years. In order to cater for both this existing and future demand, the Ch2mHill report of November 2014 concluded that: 'it is clear that enhanced park and ride around the city will be an absolutely essential requirement which the Transport Strategy will need to deliver.' And that 'Whilst modest expansions assumed to the existing capacities at the Odd Down and Lansdown sites will clearly contribute, the largest potential for car trip abstraction will be a site to the 'East of Bath'.'

P 08	Question from:	Whitelands and Tynning Green Space Group
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Having been informed by B&NES that the site that we named as the Green Batch is being recommended by officers for designation as Local Green Space, and noting that only the woodland top of the batch (previously mapped as woodland on B&NES Green Infrastructure mapping) is marked as proposed Local Green Space in the Somer Valley Pre-submission draft plan without the remainder of the batch included, and noting that the plan states that the maps will be updated prior to the consultation, we ask:

- a) is this is a mapping problem?
- b) can we be assured that this detail will be looked at by officers prior to publication of the consultation draft plan?

Answer from:	Councillor Martin Veal
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If there has been a mapping error then we will look into this. Thank you for drawing this to our attention and if there is an error we will ensure that the draft area profile maps are considered by planning policy officers and amended as appropriate.

Statement by Cllrs Rayment and Brett to the Cabinet on 2nd December 2015

We should all be concerned by the disparity between the composition of the Council and the composition of the general public in B&NES, in terms of the representations within such characteristics as: gender, age, ethnicity, socio-economic class, disability, sexual orientation and gender identity.

We believe that both the Council and political parties should be committed to ensuring that the Council is as representative of the public as possible.

The Council has a responsibility to ensure that the working of the Council does not prohibit the involvement of anyone based on gender, age, ethnicity, socio-economic class, disability, sexual orientation and gender identity.

Political parties should strive to ensure that their selection processes take into account the diversity of its local population and that they actively seek to promote involvement of underrepresented people.

We request that the Cabinet approves the formation of an all party working group to investigate ways in which the Council could become more accessible and representative of the local population.

The all party working group will have one representative from each of the political groupings.

The group will, with the assistance of officers, carry out an anonymised diversity audit of the Council, taking into account the characteristics outlined above and local demographics.

The group will consider existing evidence and input from others and will produce for the consideration of Cabinet or Council as appropriate:

- a) recommendations for how the Council could be made more accessible;
- b) a voluntary charter for political parties in B&NES to sign up to, which does not infringe on any of their constitutions, to express their support for making the Council representative of the public and with practical steps that will help to achieve this.

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Statement to B&NES Cabinet – 2nd December 2015

I am Chris Beezley, a member of FoBRA.

FoBRA has long pressed B&NES for a formal strategy to address the challenge of housing large numbers of students in a compact city that hosts two popular universities.

Predicting future student numbers is notoriously inexact, and nowhere is this demonstrated more clearly than in a B&NES' Information Paper, referred to in the draft Placemaking Plan (PMP) before you today.

Previous versions of the Paper concluded that there would be little, if any, problem housing students up to 2026, with a best-case scenario freeing-up significant numbers of HMOs and a worst-case where the 12,000 students already living in the city might increase by just 1,000. FoBRA consistently disagreed, concluding that 3,000 extra student beds could be required.

FoBRA has recently revisited the issue, and now concludes that demand is more likely to be a staggering 6,500 within 10 years.

In the draft PMP, B&NES finally accepts FoBRA's view stating that, as early as 2020, even if 1,000 extra beds were provided on campus, there is likely to be a shortfall of over 5,000 private sector beds; that is another 1,300 HMOs, 11 accommodation blocks the size of the Green Park development, or some combination of the two.

With 24,000 students, Bath already hosts one of the highest proportions of students per head of population – over a quarter – and the PMP accepts that Bath currently 'over performs as a host to higher education'. With total student numbers predicted to rise by 8,000 in 5 years, it further states:

- that there is not enough land in Bath to accommodate the universities' expansion aspirations;
- that any further accommodation blocks will be limited to 'windfall' sites not identified for other uses;
- that beyond some point the cost of developing land for student accommodation blocks becomes harmful; and
- that the current rate of increase of HMOs under Article 4 Direction is far below that needed to absorb demand.

To some, the obvious solution is to accommodate more students on campus. Universities guarantee accommodation for new entrants, which amounts to a quarter of all students. After their first year, students prefer to live in town; also both campuses are tightly constrained by Green Belt and AONB designations.

In the absence of a strategic plan, with undefined sites for future accommodation blocks and the campuses approaching capacity, short of somehow limiting student numbers, FoBRA sees no alternative other than to watch HMO numbers rapidly increase across the city, probably by another 1,000 properties over the next 5 years. Is it sustainable that students should number one-third of the population and occupy well over 4,000 HMOs exempt from Council Tax?

In summary, FoBRA welcomes B&NES' acknowledgement, at last, of the extent of the challenge.

The PMP states that student accommodation is clearly a matter requiring a planning policy framework and policy direction at a strategic level, yet, and this is the important point, it offers no solutions.

FoBRA therefore seeks Cabinet's assurance that the long-overdue Student Housing Strategy is now developed as a matter of urgency, is regularly reviewed, engaging openly with the universities and residents, and that the Placemaking Plan is guided by it.

Chris Beezley

Federation of Bath Residents' Associations

B&NES Cabinet Meeting 2Dec15

My name is Sian James, I am an accountant, I am highly experienced in building financial business cases for strategic decisions in the private sector. I am normally described as a rational, pragmatic, reasonable person.

However – I am used to working with facts and data, and not having to distinguish them from spin.

I am new to Bathampton so I do not have the benefit of having lived through this last time so I personally spent many hours, days, weeks diligently reviewing the council papers on the P&R proposal – and I came up with many questions, that I thought that I would get answers to.

So then yesterday, others were contacted by Democratic Services to let them know that answers had now been posted on the website. So I eagerly went looking – and was very disappointed by what I found.

Of the 242 questions asked at the full council meeting on 12th November, as of last night (1 Dec) there were 182 with a response (75%). However, when you look at the detail, most of these responses were, at best, incomplete - a first look suggests that only 20 questions were actually answered (so really only 8% complete). Also there were 9 valid questions that have apparently been removed from the list, with no reference as to why.

I do not understand why it has taken you 16 working days to produce answers with so little content or accuracy.

Councillor Clarke - your name is against all of these answers - I trust that you have personally read all the questions and approved all of these 'answers'? Please can you confirm that this is the case?

Please can we have proper answers to our questions?

- Many questions just needed a 'Yes or No' response – but instead we got a response of meaningless 'blah blah blah' in generic Q&A's
- Some questions ask 'why',
- Some questions I know you have the answers to but you have chosen not to share the answer.

In fact, your answers to our questions read as though you are sitting there going 'lalalala'.

I'm sorry – but Bath deserves much much better than this.

We pay for you to represent us as Councillors.

You are currently misleading all of B&NES, with the lack of clarity around your proposals. We have taken the time and effort to document our questions – now please give us our answers.

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Statement to cabinet

The matter I want to talk to you about is one of trust.

I refer you to my questions and to the letter to Tim Warren from Annie Kilvington on the subject of scrutiny and councilors legal duties.

We are here today because the people of Bath have lost trust in the council. They no longer believe you are capable of, or willing to answer legitimate questions or following due process.

Cllr Warren. You have told me that you would not have set up the LDF panel or the scrutiny panel to look at Park and Ride if you had no intention of listening to them.

I now need assurances that these bodies will be unfettered by political interference as they go about this vital work.

As you know the LDF panel meets in private and there are no minutes. The only open and transparent process we can rely on therefore is the Scrutiny Review.

We request an undertaking that there will be no attempt to tie the hands of scrutiny as it makes its deliberations

We need a public assurance that the scrutiny panel will be given the time and resources it needs to do this work, rather than face pressure to fit your cabinet timetable

Annie Kilvington has eloquently and accurately set out the legal duty of the council and its members with regard to the scrutiny process.

- The role of scrutiny is to provide a check and balance on the powers of the cabinet,
- due process must be scrupulously followed.
- Members must be free to approach the task with an open mind and cannot be whipped.
- The review has to be rigorous enquiring transparent open and fair.
- The panel must be given time to invite, interrogate and review submissions from those who have wisdom to impart,

whether they are academics, professionals, parish councils or members of the public

At the end of its deliberations the panel must be free to;

- recommend one or more suitable sites
- recommend that none of the sites are suitable, or
- that the case for park and ride has not been made.

If they are not free to do so the process will be legally flawed and you will not be in a position to make a sound decision on this matter at cabinet or council

Our trust now lies in the Scrutiny process; please promise the people of Bath that you, The tory party will not interfere in the way you did with the consultation.

Placemaking plan - Speaking notes – Cabinet

I am Robin Kerr, Chairman of the Federation of Bath Residents' Associations, which is the main representative voice for residents' groups in Bath, with currently 25 full member associations, across all wards in Bath, and six affiliates, including both students' unions.

FoBRA has been tracking the Placemaking Plan for some years, as we did the Core Strategy. Its importance to Bath residents is obvious: we have studied its various versions assiduously, probably making more comments on it than any other body. Moreover, we sought meetings with the Officers drafting it, and had useful dialogue. I think some good changes and additions were incorporated, and, in return, our expectations were modified. Our most recent exchange took place last month, when we made practical comment on the version which you are discussing today.

From the start, we wanted a Student Housing Policy. My colleague Chris Beezley is going to speak about that later, but this duty cannot be shirked. Other university towns and cities have them - Loughborough, Leeds and Leicester to mention but three: and if you want to know what can happen if you don't have one, go and look at Leamington Spa, which is close to Warwick. The seemingly unstoppable expansion of our two universities, however desirable, is a ticking time-bomb threatening our citizens' ability to find homes here.

We also wanted development of brownfield before greenfield sites, and introduction of space standards for market housing. About half of English Authorities impose minimum space standards on new commercial housing, but not B&NES, with the result that many of our new-build houses are cramped, often with less space than social housing (where standards still exist). This is not worthy. Government has recently introduced a scheme to rectify this, and we commend its imposition here.

As the Plan developed, we saw the need for Central Bath to be treated as a "Place" in its own right. The most important existing asset in B&NES is the historic core of the Bath World Heritage Site and this aspect is now well treated, but with too narrow a definition of the Central Area. We urge you to expand this to stretch from Julian Road to the river: and from Bathwick Street, in the east, to Charlotte Street; in this way including nearly all the Key Elements of the World Heritage Site, as inscribed.

The Bath Transport Strategy is a key part of co-ordinated B&NES strategy and policy, and this is now recognized in the text, though, given Transport's importance, it surely should be included in the 'Vision for the City', with words such as:

"Measures will be adopted to promote sustainable transport and reduce the intrusion of vehicles, particularly in the historic core, in line with the Bath Transport Strategy."

Lastly, flooding risk: I see that you are to discuss the Local Flood Risk Management strategy later, but, to be practical, surface water and river water flooding precautions come to the same thing, as they often occur simultaneously. There is much in the Plan about mitigation of this risk in the Enterprise areas, which is understandable as otherwise no development would take place in them. However, there is a considerable likelihood of flooding some 2000 existing homes upstream, many of them Listed, and of great importance to World Heritage; yet this is hardly mentioned, and no practical measures are proposed to deal with it. Moreover, in the sections on development sites, in Central Riverside and Manvers Street, mitigation is planned for the development parts, but, scandalously, nothing for the existing properties close by, thereby condemning them to damage. In all fairness, this has to be rectified, and money found to carry out necessary work.

Robin Kerr - draft 4 and final - 2 Dec 15