

BATH AND NORTH EAST SOMERSET COUNCIL

MINUTES OF COUNCIL MEETING

Thursday, 21st July, 2016

Present:- **Councillors** Patrick Anketell-Jones, Rob Appleyard, Tim Ball, Colin Barrett, Cherry Beath, Jasper Becker, Sarah Bevan, Colin Blackburn, John Bull, Neil Butters, Jonathan Carr, Anthony Clarke, Matt Cochrane, Paul Crossley, Chris Dando, Fiona Darey, Matthew Davies, Sally Davis, Douglas Deacon, Emma Dixon, Michael Evans, Andrew Furse, Charles Gerrish, Ian Gilchrist, Bob Goodman, Alan Hale, Liz Hardman, Donal Hassett, Deirdre Horstmann, Eleanor Jackson, Marie Longstaff, Barry Macrae, Paul May, Shaun Stephenson-McGall, Alison Millar, Robin Moss, Paul Myers, Lisa O'Brien, Bryan Organ, Lin Patterson, Christopher Pearce, Vic Pritchard, Joe Rayment, Liz Richardson, Caroline Roberts, Nigel Roberts, Dine Romero, Will Sandry, Mark Shelford, Brian Simmons, Peter Turner, Martin Veal, Karen Walker, Geoff Ward, Tim Warren, Karen Warrington and Chris Watt

Apologies for absence: **Councillors** Lisa Brett, Francine Haerberling, Steve Hedges, Steve Jeffries, Les Kew, Michael Norton, June Player and David Veale

21 EMERGENCY EVACUATION PROCEDURE

The Chairman drew attention to the emergency evacuation procedure, as set out on the agenda.

22 DECLARATIONS OF INTEREST

Councillor Will Sandry declared an 'other' interest in the 'Protect our NHS' statement under item 7, as a Council appointed member of Sirona Community Interest Company (CIC).

Councillor Paul May declared a disclosable pecuniary interest in the 'Protect our NHS' statement under item 7, as the B&NES Non-Executive Director on Sirona CIC. Councillor May left the Chamber for the duration of this item.

23 ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE

The Chairman made the customary announcements regarding mobile phones, webcasting and Councillors accessing meeting papers on their ipads.

He asked the Council to stand for a minute's silence in recognition of the lives lost and all those affected by the recent tragedy in Nice.

24 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There were no items of urgent business; however, the Chairman took the opportunity to wish the Leader a happy birthday.

25 MINUTES - 12TH MAY & 29TH JUNE

On a motion from Councillor Tim Warren, seconded by Councillor Eleanor Jackson, it was

RESOLVED that the minutes of the meetings of 12th May 2016 and 29th June 2016 be approved as a correct record and signed by the Chairman.

26 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC

Statements were made by the following people;

Pam Richards made a statement and presented a petition on behalf of Protect our NHS BANES (1550 online signatures, 259 local paper ones). Pam expressed concern about the current procurement process for local health and social care services. Full details can be read in the statement which has been placed on the Council's Minute book and attached to the online minutes. In response to a question from Councillor Vic Pritchard as to whether the consultation process had been robust and thorough, Pam responded that she did consider it had, but it was too expensive and complex. Councillor Sarah Bevan asked if Pam was aware of any bias, to which Pam responded that there were appropriate guidelines for any procurement process, but that she was concerned the Council was doing this in the first place. Councillor Jonathan Carr noted that Virgin Care Ltd run similar services in other parts of the country and asked Pam if she considered them to be fit and suitable to run the service, to which Pam responded that Councillors may be aware of serious incidences in the press and she did have concerns. The Chairman thanked Ms Richards for her statement which was referred to the Cabinet Member for Adult Social Care & Health.

John Branston made a statement concerning the proper application of planning procedure in relation to siting of purpose-built student accommodation. Full details can be read in the statement which has been placed on the Council's Minute book and attached to the online minutes. Councillor Patrick Anketell-Jones asked whether John considered any particular part of the process was not transparent and John responded that he did, in particular the pre-application planning process. The Chairman thanked Mr Branston for his statement which was referred to the Cabinet Member for Homes and Planning.

Susan Charles from WWISE, the Warm Water Inclusive Swimming and Exercise Network, made a statement calling for further consideration to be given to the design of Bath and Keynsham Leisure Centre pools to accommodate the pressing needs of various demographic groups for warm water swimming. She felt that the Council was failing to capitalise on this opportunity, despite giving a commitment in 2011 to give this proper consideration. In response to a question from Councillor Tim Warren about whether Susan had contacted the St Monica's Trust, she responded that she hadn't yet done so, but that that would apply only to residents, and she was thinking of the needs of all. Councillor Tim Ball asked if Susan recognised that some people specifically needed cold water for swimming and she replied that both options should be available. In response to Councillor Lin Patterson, Susan explained that the relevant Council strategies she had referred to in her statement were the Health & Wellbeing Strategy, the Fit for Life initiative, the Children & Young People's policy

and the B&NES Equality Policy. Councillor Sarah Bevan asked if it was depth or temperature which was key, and Susan responded that it was both. Councillor Jonathan Carr asked whether the cost was justified with the current budgetary pressures and Susan explained that she had understood that capital was being invested and the loan repaid over the 20 year contract. The Chairman thanked Ms Charles for her comments which were referred to the relevant Cabinet Members.

Russell Tanner made a statement raising three particular concerns with the planning process, arising from a recent case of permission being granted in Clutton: those were consideration of the environment and the need to prioritise unused and derelict land, democratic accountability of decisions which were clearly unpopular with the community and the provision of inappropriately sized housing which was unsuitable for young people hoping to get onto the housing ladder, or older people looking to downsize. In response to a question from Councillor Sarah Bevan, Russell responded that those on a low income were particularly excluded from accessing housing. Councillor Jonathan Carr asked which particular consideration was most overlooked by current planning policy in Russell's view; to which he replied that environmental aspects were not being given due consideration and that a different approach was needed due to global warming. The Chairman thanked Mr Tanner for his comments which were referred to the Cabinet Member for Homes and Planning.

David Redgewell made a statement about the need for more dialogue at the West of England level to plan devolved bus services on a sub-regional basis. In response to a question from Councillor Jonathan Carr about priorities, David confirmed that buses were a key priority. The Chairman thanked Mr Redgewell for his comments which were referred to the Cabinet Member for Transport.

Adam Reynolds presented a petition of 636 signatures and made a statement outlining a series of measures to ensure cyclists' safety on London Road. Full details can be read in the statement which has been placed on the Council's Minute book and attached to the online minutes. In response to a question from Councillor Dine Romero about further measures to promote cycling in the east of Bath, Adam responded that there was a real difficulty with on street parking. Councillor John Bull asked for clarification on an aspect of Adam's statement about the Council needing to 'do nothing' to which he explained that it concerned an experimental TRO which was now out of sync with the loading bay one. Councillor Jonathan Carr asked about measures to further improve safety and Adam responded that measures to develop off road parking would help. The Chairman thanked Mr Reynolds for his statement which was referred to the Cabinet Member for Transport.

Susan Trail, a London Road resident, made a statement about the Gateway group which had been in limbo for over a year whilst, in the meantime, damage had been caused from the loading bays and local homes and businesses were suffering. She called for a meeting of all stakeholders to address the range of conflicting issues. Councillor Dine Romero asked for further information about the loading bays so Susan explained that the protective layer for the vaults had been removed. Councillor Lin Patterson asked how the safety of cyclists could be ensured in this busy stretch of road and Susan responded that it wasn't possible to ensure their safety, although pedestrians and cyclists seemed to sort out their shared use to a certain degree. The Chairman thanked Ms Trail for her comments which were referred to the Cabinet Member for Transport.

Alex Schlesinger made a statement also referring to the Gateway group having not met since 2015, and the need to manage the conflicting concerns of all interested parties. Full details can be read in the statement which has been placed on the Council's Minute book and attached to the online minutes. Councillor Dine Romero checked with Alex that the Gateway group had not met since March 2015, which he confirmed. Councillor Sarah Bevan asked how the Gateway group had been constituted to which Alex responded that it hadn't been clear: applications had been elicited and people selected. In response to a query from Councillor Jonathan Carr about parking, Alex clarified that they weren't seeking parking but loading as, at the moment, they couldn't even get carpets delivered, nor could trades vans or scaffolding lorries attend for any work needed. The Chairman thanked Mr Schlesinger for his statement which was referred to the Cabinet Member for Transport.

Martin Price, a resident of Walcot Terrace, read a statement on behalf of the residents of Walcot Terrace calling for the original long loading bay at Walcot Terrace to be reinstated as the safest option for cyclists, pedestrians and drivers, and the best way to protect the Terrace's Grade 2 listed buildings and vaults. Full details can be read in the statement which has been placed on the Council's Minute book and attached to the online minutes. In response to a question from Councillor Dine Romero about safer options for the cycle path, Martin responded that they were asking for the 2 sections to be joined back up. Councillor Jonathan Carr referred to a large parking facility in Cleveland Place and Martin responded that it was too far for large deliveries and supermarkets would not park up and walk deliveries from there. The Chairman thanked Mr Price for his statement which was referred to the Cabinet Member for Transport.

Mike Hill made a statement in support of the Vice Chair of the Bath City Forum being a co-opted member. Full details can be read in the statement which has been placed on the Council's Minute book and attached to the online minutes. In response to a question from Councillor Tim Warren, Mike confirmed that he had been surprised that this had needed to come to Council. Councillor Dine Romero asked whether Mike was concerned that the Chair was from the Councillor members; to which Mike replied that he could see no reason why the Chair couldn't be a co-opted Member too. Councillor Jonathan Carr asked if Mike had been aware of any opposition to the proposal from the Task & Finish group and Mike responded that as far as he was concerned, everybody had been happy with the decision. Councillor Lin Patterson asked whether Mike was aware of the potential danger of collusion between the Chair and a co-opted member of the same political persuasion which wouldn't be in the best interests of the people of Bath; Mike responded that he wasn't aware and that anyone pursuing their own agenda shouldn't be on the Forum. The Chairman thanked Mr Hill for his statement which would be taken into consideration during the subsequent debate.

27 BATH CITY FORUM - TERMS OF REFERENCE

The Council considered a report regarding the Bath City Forum's Terms of Reference and requesting determination of the arrangements for the Vice Chair of the Forum.

On a motion from Councillor Bob Goodman, seconded by Councillor Joe Rayment, it was

RESOLVED

1. To note that the Bath City Forum has proposed a number of changes to the Terms of Reference agreed by Council for the Forum in July 2015, as set out in paragraph 5.3 of the report;
2. To note that, in accordance with the decision of the Council, the Chief Executive has, in consultation with Group Leaders, agreed the changes proposed by the Bath City Forum to its Terms of Reference, with the exception of the proposal that the Vice Chair of the Forum be a co-opted Member; and
3. To agree that the Vice Chair of the Forum be a co-opted Member.

[Notes;

1. *During debate, an unsuccessful amendment was moved by Councillor Jonathan Carr (seconded by Councillor Lin Patterson) calling for the Chairperson of the Forum to be from a different political group than the 2 previous Chairs. This was put straight to the vote following a proposal from Councillor Eleanor Jackson (seconded by Councillor Tim Warren) and passed, that the question now be put. The amendment from Councillor Carr was lost, with 2 Councillors voting in favour, 3 abstentions and all other Councillors voting against.*
2. *The substantive motion was carried with 54 Councillors voting in favour and 2 Councillors abstaining.]*

28 INDEMNITIES FOR MEMBERS & OFFICERS

The Council considered a report recommending an extension of the current indemnity to be granted to Members and officers of the Council, as recommended by the Standards Committee.

On a motion from Councillor Tim Warren, seconded by Councillor Dine Romero, it was unanimously

RESOLVED to adopt the indemnity to Members and officers in the terms set out in the appendix to the report.

29 TREASURY MANAGEMENT OUTTURN REPORT 2015/16

The Council considered a report giving details of performance against the Council's Treasury Management Strategy and Annual Investment Plan for 2015/16.

On a motion from Councillor Charles Gerrish, seconded by Councillor Paul May, it was unanimously

RESOLVED

1. To note the 2015/16 Treasury Management report to 31st March 2016, prepared in accordance with the CIPFA Treasury Code of Practice; and
2. To note the 2015/16 Treasury Management Indicators.

30 AMENDMENTS TO THE CONSTITUTION

The Council considered a report setting out several proposed amendments to the Constitution, following discussions with the Constitution Working group. The report also proposed an addition to the Council's Code of Conduct.

On a motion from Councillor Tim Warren, seconded by Councillor Robin Moss, it was unanimously

RESOLVED

1. To approve the amendments to the Council's Constitution as set out in Appendix 1 to the report; and
2. To approve the additional wording for the Council's Code of Conduct as set out in paragraph 5.4 of the report.

31 DESIGNATION OF CHIEF EXECUTIVE AS HEAD OF PAID SERVICE

The Strategic Director – People & Communities, and the Monitoring Officer, left the Chamber for consideration of this item on the agenda.

The Council considered a report advising of the arrangements for the secondment of Ashley Ayre to the post of Chief Executive, and seeking approval for his designation as Head of Paid Service with effect from 1st September 2016. The report also sought approval for the appointment of Returning Officer and Electoral Registration Officer.

During debate, Councillors paid tribute to the current Chief Executive, Dr Jo Farrar as this was her last Council meeting.

On a motion from Councillor Tim Warren, seconded by Councillor Dine Romero, it was unanimously

RESOLVED

1. to note the secondment of Ashley Ayre to the post of Chief Executive on a spot salary of £151,500.00 per annum within the approved pay range;
2. to approve the designation of the postholder as Head of Paid Service under section 4 of the Local Government & Housing Act 1989 with effect from 1st September 2016; and
3. to approve the designation of the Head of Legal and Democratic Services and Council Solicitor as Returning Officer and Electoral Registration Officer, with effect from 1st September 2016.

32 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS

The Chairman made reference to the questions from Councillors Joe Rayment and Eleanor Jackson, and agreed responses, which had been circulated to the meeting.

Councillor Joe Rayment made a statement calling upon Councillors to be mindful of language they used in the Chamber and refrain from making negative comments about age or other protected characteristics. Members took on board his comments.

The meeting ended at 8.45 pm

Chairman

Date Confirmed and Signed

Prepared by Democratic Services

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COUNCIL 21st JULY 2016

PUBLIC STATEMENTS

List of registered public speakers

1. Pam Richards - Protect our NHS B&NES (statement included)
2. John Branston - Petition on Wansdyke Business Site (statement included)
3. Susan Charles
after meeting - Warm water exercise & swimming in Bath (statement added)
4. David Redgewell - Devolution deal, transport issues
5. Russell Tanner - Planning policies
6. Adam Reynolds - Petition on cycling in B&NES (statement included)
7. Susan Trail - Cycling on London Road
8. Alex Schlesinger - Walcot buildings TRO (statement included)
9. Martin Price - Walcot Terrace (statement included)
10. Mike Hill - Bath City Forum membership (statement included)

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Statement to Bath and NE Somerset Council from Protect Our NHS BANES

My name is Pam Richards and I am speaking on behalf of Protect Our NHS BANES, this is a local network which aims to protect local NHS and care services from privatisation, fragmentation and closure.

You will be aware that Bath and NE Somerset Clinical Commissioning Group together with Bath and NE Somerset Council are undertaking a procurement process for local health and social care community services currently run by Sirona (a not for profit Community Interest Company).

Protect Our NHS BANES feels strongly that the cost of running the market in health care and putting contracts out to tender is wasteful and this money could be better spent on services for patients. We regret that it has been necessary for the Council to engage in an expensive, time consuming and disruptive procurement process that has cost BANES over £1 million particularly when current services elicit high levels of patient satisfaction and are cost effective. We believe that the objective of developing quality community services to meet changing needs and priorities could have been achieved by negotiating a new contract with the existing provider at a fraction of the cost.

There are two bidders for the £70 million p.a. contract - Sirona working in partnership with Avon and Wiltshire Mental Health Partnership NHS Trust, Bath and North East Somerset Enhanced Medical Services, Dorothy House Hospital Care and the Royal United Hospital NHS Foundation Trust. The other bidder is Virgin Care Ltd, a private limited company with share capital.

Protect Our NHS BANES objects strongly to the possibility that local services and the staff members currently employed may be handed over to a private company whose first priority is to its shareholders. The NHS is not for sale, and public money from the NHS purse should not go into private pockets.

We have further concerns about Virgin Care Ltd which relate to its financial status. Its accounts show that since 2010 it has made an annual loss of between £9 - £10 million, the accumulated loss stands at £73 million. The loss exceeds the share capital by nearly £20 million. A liability of this size would normally indicate a company on the verge of failing. It seems extraordinary that the CCG and Council are even considering placing a contract for vital community services with a company that has such a risky financial status.

Virgin Care registers an annual loss, it therefore pays no tax in the UK. However, the company structure of the Virgin Group is complex, to say the least. The parent group (Virgin Group Holdings Ltd) is based in Jersey and the headquarters are based in the British Virgin Islands. It is important that the Council and the CCG investigate the offshore status of the parent company to satisfy themselves that future tax liabilities will be met.

We appreciate that the procurement team have had to follow strict guidelines and scoring in this competitive process. We are also aware that there is no democratic input into the selection of the preferred provider in August. However, we want the Council to know that there is strong local feeling against this contract being awarded to a private for profit company. Most members of the public that we have spoken to were totally unaware that this contract was being contested and were shocked and deeply concerned at the possibility of local services being taken over by Virgin. We have collected 1550 signatures on an online petition and 259 local signatories on a paper petition which we wish to present to you.

Thank you for listening.

John Branston statement to Full Council on 21st July 2016

Earlier this evening a group of us presented a petition with over 1,000 signatures to the Chair of the Planning Committee in opposition to a planning application for a development in Oldfield Park. Without touching on that specific application, there are some wider points I'd like to address.

Implementing the Article 4 Direction (HMO Cap) in 2013 was a welcome step for OP – although the stable door was rather belatedly bolted, given that the HMO concentration in the area far exceeds the 25% threshold. But it was important that the Council recognised the concept of 'fragile social balance' and the problems that come with this high density of HMOs. Concerns about social balance across the authority area are heightened when people see applications being made to put additional student housing in areas that are already saturated with HMOs, or on sites that were earmarked for key worker housing or previously approved for affordable housing, or when the sort of lower-grade industrial space that is perfect for small business and start-ups (and shown to be in high demand) comes under threat in the same way.

Once you've accepted the issue of social imbalance and the necessity of the HMO cap, the measures proposed by Cllr Sandry at Full Council in March are surely only a logical next step. These would see the council debating the introduction of additional measures to limit purpose-built student accommodation developments in areas where HMO saturation has already been reached.

Given the Universities' importance to the city and their growth aspirations, the student housing clearly has to go somewhere. But residents in affected communities also have perfectly reasonable and quite straightforward aspirations of their own which are directly at odds with some of the proposals coming forward. And the point we want to make is that the detail of the design and siting of purpose-built student accommodation must be scrutinised in the light of the impact that it will have on existing communities, who don't necessarily have a strong collective lobbying voice apart from organising ad hoc in reaction to individual developments.

As residents, we have to rely to a great degree on the planning procedure. But our own specific experience of the procedure has been quite an eye-opener... it doesn't feel geared towards an even-handed review of competing concerns. That is why it is not only important that clear planning guidance in relation to purpose-built student developments is brought forward and hopefully adopted as soon as possible, but that it is then upheld at every stage. And this is where you come in, both as individual councillors and as a council, to do what you can to support transparency of process and the upholding of agreed and adopted policy. And to ensure the interests of the communities you serve are represented, as a fundamental part of the difficult balances that you as a council are trying to strike. Please: Protect our communities! Thank you.

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WWISE Network presentation to Council Meeting – July 21st 2106

Why is the Council allowing the remodelling of both Bath & Keynsham Leisure Centres without provision for older children, young people & adults including the ever-increasing ageing population with the ailments this brings, so they can swim for leisure & recreation just because they need warmer water to do this?

In 1996 the previous warm water pool was closed in favour of an Activity pool though the main pool was heated to 32°C one day a week until 2004 when the temperature was capped at 30°C to comply with industry guidelines. The Council formed the Remedial Swimming Consultative Group to look into the way forward & following this the WWISE Network was set up with financial support from the Active Lifestyles Team to establish the extent of the need & whether alternative provision could be made. It soon became evident there was a pressing need within various demographic groups & confirmed that catering for this within the current facilities was not possible.

In 2011 it was agreed by the Council that this should be given serious consideration when the time came to refurbish or rebuild the Leisure Centres. We met with the Cabinet Members for Neighbourhoods, & also Wellbeing who both agreed this would be a valuable asset to the community because of its many benefits.

2 years ago we again raised the issue when a new contract for the leisure facilities was being negotiated and there was overwhelming support from a number of Council committees that this should be included as part of the new contract. Since then we have met with the consultants & officers involved in negotiating the contract, & also GLL and all were supportive of including such a pool.

It is with dismay therefore that we find it is not in the plans for Bath Leisure Centre nor in the initial proposals for Keynsham. In Bath a second warm water teaching pool has been included but, at 60 – 90cm/2-3ft deep, it is too shallow for older children, young people & adults. An additional 30cm/1ft depth would make all the difference and this could be quite achievable in the space available in the Leisure Centre.

Because of the nature of their conditions maybe with accompanying pain & limited mobility, the exercise options open to these people are limited but swimming is one in which they can participate for leisure & recreation as well as to help them maintain their health & fitness and lead more active lifestyles, but for this they need warm water of a suitable depth in their local Leisure Centre so they can participate with the rest of the community.

We feel the Council is not following a number of its own Strategies & Policies and failing to capitalise on this once in a lifetime opportunity to ensure a warm water pool suitable for everyone living with short & long term conditions is included in the remodelled Leisure Centres and we ask that the design as it is proposed is given further consideration by both the Council & Greenwich Leisure.

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The work done for the London Road Gateway scheme has made cycling on London Road safer. There are moves afoot to change the scheme and make it dangerous for cycling on London Road.

In the interests of pedestrian and cyclist safety, especially children, the Council must honour previous undertakings for these cycle paths and:

1. Abandon any extension of loading/parking bays and times at Walcot Terrace.
2. Only remove the safety build out if alternative physical safety measures to protect the on-road cycle lane (such as pole cones or the Orca/Armadillo measures) are provided.
3. Confirm that the on-road (Mandatory and Advisory) cycle lanes eastbound on London Road will be permanent. The Department for Transport Traffic Signs Regulations and General Directions 2016 update no longer requires Traffic Regulation Orders to install mandatory cycle lanes.

Today I present to you a petition organised by cycling and community groups, signed by 636 people. It asks the council to do absolutely nothing. To save money and keep London Road, heading east between Morrisons junction and the Cleveland Place junction safe for cycling.

Councillors and Cabinet should recognise that this petition of 636 signatures is the tip of an iceberg of concern about safe cycling in Bath and North East Somerset. It demonstrates a real need to provide safe spaces for cycling on our major arterial routes throughout Bath AND throughout North East Somerset.

Roads, pavements and paths are part of a network. Decisions that seem to affect only a tiny location, actually have an impact on the lives and the transport choices people make miles away from the place of change.

To make cycling comfortable for all, we need good, high quality, protected cycleways - inclusive for all ages and abilities, connecting communities to schools and centres of employment. Where routes are direct, cohesive, and on main roads. Where space is taken from the carriageway and the footway is not compromised.

Two years ago 1129 people petitioned the council to not squeeze cycling out of London Road. Today 636 people are petitioning the council to keep cycling safe on London Road.

The Conservative Transport manifesto makes a key commitment, and I quote.

“Number ONE SUPPORT SUSTAINABLE TRANSPORT - To make local bus services, walking and cycling genuinely attractive, realistic transport options. “ All we ask is that this Conservative led administration honours this key manifesto commitment and keeps this small section of London Road safe for cycling by leaving it alone.

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STATEMENT TO B&NES COUNCIL

21 July 2016.

Walcot Terrace & Walcot Buildings.

My name is Alex Schlesinger: I live on Walcot Buildings and run a retail business from there.

The regeneration of the public realm on London Road has been a significant and welcome event; however, it has thrown into high relief a number of problems which relate to community relations with B&NES council and problems with the concept of community and public consultation. These are affecting residents and businesses in both Walcot Terrace and Walcot Buildings.

At the inception of the project the council set up a consultative group of local residents, known as the Gateway Group. From the start it was made clear by officers that the group would only be allowed limited input. Eventually, at a later meeting, we were actually told that we would have to accept the scheme as it was being put to us, or the whole scheme would be scrapped...including the grants for frontage renovations.

During the time that the Gateway group was meeting regularly we were shown no fewer than three different proposals for traffic regulation.

The Gateway group last met on the 26th March 2015. There was no council officer available to take notes. The group has not met since, and despite enquiries as to the status of the group it has never been officially disbanded.

Since that time, and in response to pressure from the cycle groups there have been a further two TRO schemes published, and possibly another, sixth order that has never been published. I refer to a possible sixth order because the street signage as installed is at variance to the details as published in TRO number 5, which was published 11 months *after* the last meeting of the consultative Gateway Group.

Throughout the time that the Gateway Group met, members repeatedly warned the council that residents at Walcot Terrace had benefited for a number of years from the shared use of the outer pavement: Shared between pedestrians, vehicles delivering, and cyclists. The Gateway Group was concerned that in response to approaches from cycle groups this benefit was now to be withdrawn without consultation with those residents and businesses likely to be affected. Eventually, the only change we were able to elicit was provision for hearses to park outside Messrs. Dolman.

During the time that we were discussing the earlier TRO proposals I had become concerned that some features on the TRO proposal map were not explained in the map key. I was particularly concerned about an undefined change in parking and loading for the length of Walcot Buildings. Despite repeated emails to Highways, I was unable to obtain a full explanation of their proposals.

As the Gateway group did not meet after March 2015, there was no further public consultation other than a hastily organised meeting between councillors, officers and some residents. Even this meeting had its time and date changed at the very last minute; thus ensuring that interested parties, including myself, were unable to attend. The meeting lasted less than an hour, as much extra time had previously allocated to an earlier meeting with cycle groups, a meeting to which residents and other interested parties had been excluded.

Now, that the TRO proposals have been put into experimental practice, we have noticed further changes from TRO 5. Cyclists are now given priority to pedestrians on the pavement at Walcot Terrace, whilst at Walcot Buildings The TRO 5 proposal to prohibit loading at peak morning hours has now transformed into what appears to be a 24 hour prohibition on loading and parking. Bearing in

mind that only three properties in Walcot Buildings and none in Walcot Terrace have any rear access.

This means that in Walcot Buildings and Walcot Terrace, no fewer than eighty-three residential units and seven businesses appear to have been denied reasonable vehicular access to their premises, with no loading signs and double yellow tabs on the kerbs. This means that removal vans, delivery vans and vehicles bringing services to these Grade 2 listed properties. We already have instances such as new carpets that remain undelivered, and at one property, a specialist firm called in to make a chimney flue safe has been unable to bring its vehicle to the location. The chimney flue remains unsafe.

Indeed, the only places where loading is permitted along the whole length of London Road in question, is the adjacent Bedford Street which is immediately blocked if any large commercial vehicle stops there and at the far end of London Road, at the approach to Cleveland Bridge.

I therefore ask that there is immediate and equitable consultation with residents, businesses, pedestrian interest groups and the cycle groups, prior to any further implementation of the current TRO, be it TRO 5 or something subsequent.

**RESPONSE TO A PETITION FROM THE CYCLE LOBBY FOR DISCUSSION AT BANES GENERAL COUNCIL MEETING
21ST JULY 2016, GUILDHALL, BATH**

SUMMARY

As local residents, who are **also cyclists**, we are asking the Council to honour the undertaking, made by Tony Clarke, to **reinstate the original long loading bay at Walcot Terrace**. This bay worked well as a shared space in the past. It is, we believe, still the **safest option** for cyclists, pedestrians and drivers, and the best way to protect the Terrace's **Grade 2 listed buildings and vaults**.

BACKGROUND

Before the London Gateway Scheme, there was a **fully load-bearing bay along the entire length of Walcot Terrace**. This loading bay operated extremely well for a number of years as a **shared space used 24/7 by cyclists, pedestrians and vehicles loading and unloading**. All sections of the community cooperated well over its use.

Please note:

- There is **NO REAR ACCESS** (either pedestrian or vehicular) to properties in the Terrace. All goods and services **HAVE** to be delivered from the London Road. Without loading facilities, obstruction of traffic is inevitable – and the original loading bay was installed to avoid this.
- Walcot Terrace consists entirely of **Listed Buildings**, and is located in a Conservation Area in a World Heritage City. Adequate loading facilities are essential to the delivery of services required for the proper up-keep of the Terrace.

WHAT WE HAVE NOW:

- The long loading bay has been replaced by **one 2-car loading bay**.
This bay:
 - is insufficient for the needs of the 26 individual residential properties at Walcot Terrace. **As a result, people park on the pavement, which is no longer load-bearing**
 - is **too short** to accommodate large delivery lorries. These are forced to stop on the main carriageway of the A4. This causes **obstruction to traffic, danger to drivers exiting these vehicles and abuse from other drivers**
 - only permits loading during non-peak hours, making it **inappropriate for services** which cannot guarantee arrivals or deliveries outside peak times
 - is **under-enforced**, and used as a parking, not loading, bay by local shoppers
- **Another short bay** has been introduced at the other end of the Terrace.
This bay:
 - Is for the **exclusive** use of the local funeral directors, **NOT for public use**, and protected by locked bollards
 - Is **too short to accommodate the funeral hearse and funeral ambulance together**, so one is often parked on the pavement over the neighbouring vault.
 - Operates 24 hrs a day, so **funeral vehicles can be parked during peak hours**
 - This makes it impossible to guarantee cyclists a clear run along the Terrace at peak hours, and pointless to forbid peak-hour parking in the public bay
- The **pavement surface** between the 2 new bays has been changed to simple bricks on sand.
This surface is:
 - **Subject to movement** and already uneven in a number of places, causing puddling and trip hazards
 - **NOT load-bearing**, so vehicles parked on it **endanger the Grade 2 listed vaults** beneath. Some leaks have already emerged. If further damage occurs, this could result in **legal action** against the Council.
 - Currently, Council are unable to properly monitor the effect of these pavement changes on the listed Terrace. Although **full surveys of the vaults** were undertaken before installing the original bay, no further surveys were instigated before it was removed.

Residents have consistently raised all of these points with the council, to no avail. They have also repeatedly asked to be consulted properly over the changes. Having failed to receive an adequate response, 20 local residents are now pursuing a **formal complaint against the council**.Page 42

Examples of parking on the A4, and on the pavement at Walcot Terrace



**Clare Farquhar & Ann Carey
representing other Walcot Terrace residents, and supported by The London Road & Snow Hill Partnership.**

**Presented to Council by:
Martin Price (Walcot Terrace resident).**

Michael Hill statement to Council 21st July 2016

Vice Chair should be drawn from the co-opted membership

I would like to provide the following statement to councillors in advance of the meeting.

I am a co-opted member of the Bath City Forum, I volunteered to be part of a Task and Finish Group which had the remit of reviewing, changing and updating the Forum constitution and terms of reference. One change, which I proposed, was to make the Vice-Chair of the Forum a co-opted member, reasons for this being:

1. In the spirit of transparency and equal opportunities for all
2. Making the position non-political e.g. not influenced by any political party - a level playing field
3. enabling the running of the Forum to be inclusive to all members (and not exclusive)
4. Many co-opted members have a lot of business experience and knowledge of chairing/coordinating large meetings/forums etc. and might actually be able to enhance and/or improve Forum meetings
5. Provides the public with some reassurance that the Bath City Forum is not just another councillor led 'talking shop'

At the time as far as I am aware all those who were part of this Task and Finish Group approved of this change and so subsequently did the Forum as a whole. I have now subsequently learnt that this change has been challenged which I find frankly ridiculous and definitely not in the spirit of the Bath City Forum.

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**COUNCIL MEETING 21st JULY 2016
QUESTIONS AND ANSWERS - COUNCILLORS**

M 01	Question from:	Councillor Joe Rayment
<p>Do the political group leaders agree with me that the University of Bath should look again at its plans to cut the provision of foreign language courses for the community in light of the already strained relationships between 'town and gown', and the fact that the university occupies the land on Claverton Down for a peppercorn rent to the Council because it is an asset to the community?"</p>		
Answer from:		All Group Leaders
<p>The Council has a wide range of statutory duties and powers, including a general power of competence, and is always willing to consider how best to influence its partners where there is a demonstrable impact on local wellbeing as expressed through our Corporate Strategy priorities. However, it is not clear that the Council has sufficient locus to form a view on the University of Bath's foreign language teaching provision, or that at present there is a clear impact arising from changes to this provision on the implementation of our Corporate Strategy. It is noted that a petition has been presented to the University on this matter and that individual Group Leaders may wish to make additional remarks from the perspective of community representations made to them.</p> <p>Finally, the Council highly values its joint working with both our Universities and the Group Leaders are committed to continuing to strengthen "town and gown" relationships.</p>		

M 02	Question from:	Councillor Eleanor Jackson
<p>Do B&NES council leaders appreciate the problems of congestion and safety on the A367 running through Westfield, and when are they going to sort the issues around the "hole in the wall" at Westfield Chapel and the safety of the toucan crossing at Elm Tree Avenue?</p>		
Answer from:		Councillor Anthony Clarke
<p>The Council is takes both congestion and safety seriously and is tackling safety on main roads on a priority basis. Route reviews have been carried out across the main road network and statistically the A37, A4 and A36 have higher collision records than the A367.</p> <p>The "hole in the wall issue" is being investigated by the officers as part of the safety audit process and if further works are necessary they will be considered for the 2017/18 work programme.</p>		

M 03	Question from:	Councillor Eleanor Jackson
<p>When is the Cabinet member going to make a decision on the direction of flow of Fortescue Road, and either synchronise the left turn from Westfield with the signs in Westfield, or get those signs removed, and when will the missing Somerset pointy/finger signpost, aged about 125 years old, which was conveniently on the ward boundary, and was lost by BANES Highways, be restored? Westfield Parish Council deplore this cavalier approach to our Somerset heritage</p>		
Answer from:		Councillor Anthony Clarke
<p>Before any decision can be taken on Fortescue Road the impact on the traffic model, bus routes and road geometry needs to be assessed. Such a change would also require a revised Traffic Regulation Order to be completed through the statutory process. Officers will make their recommendations to me later this year and the public would be consulted prior to any changes being implemented. I have asked officers to liaise direct with Cllr Jackson on the missing finger post.</p>		