

BATH AND NORTH EAST SOMERSET

CABINET

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

Wednesday, 6th December, 2017

Present:

Councillor Tim Warren	Leader of the Council and Conservative Group Leader
Councillor Charles Gerrish	Cabinet Member for Finance and Efficiency, Conservative Deputy Group Leader North East Somerset
Councillor Vic Pritchard	Cabinet Member for Adult Care, Health and Wellbeing
Councillor Paul Myers	Cabinet Member for Economic and Community Regeneration
Councillor Karen Warrington	Cabinet Member for Transformation and Customer Services
Councillor Paul May	Cabinet member for Children and Young People
Councillor Bob Goodman	Cabinet Member for Development and Neighbourhoods

150 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting.

151 EMERGENCY EVACUATION PROCEDURE

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

152 APOLOGIES FOR ABSENCE

Councillor Mark Shelford had sent his apologies for this meeting.

153 DECLARATIONS OF INTEREST

There were none.

154 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

155 QUESTIONS FROM PUBLIC AND COUNCILLORS

There were 19 questions from Councillors.

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

156 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

Robin Kerr (Federation of Bath Residents' Associations) read out a statement (*attached as Appendix and available on the Minute Book at Democratic Services*) where he highlighted issues around HMOs and a need for a workable Student Housing Policy.

David Redgewell read out a statement (*attached as Appendix and available on the Minute Book at Democratic Services*) where he highlighted latest rail transport developments and issues around ongoing works along A37.

Cate Le Grice-Mack read out a statement (*attached as Appendix and available on the Minute Book at Democratic Services*) where she highlighted impact of extreme traffic congestion in Bath on residents.

Mary Walsh read out a statement (*attached as Appendix and available on the Minute Book at Democratic Services*) where she highlighted impact of the latest WECA Transport VISION on Whitchurch Village and neighbouring villages.

157 MINUTES OF PREVIOUS CABINET MEETING

RESOLVED that the minutes of the meeting held on Wednesday 8th November 2017 be confirmed as a correct record and signed by the Chair.

158 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

There were none.

159 MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

There were none.

160 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

The Cabinet agreed to note the report.

161 APPROVAL FOR WEST OF ENGLAND COMBINED AUTHORITY (WECA) TRANSPORT FUNDING TO BE INCLUDED ON THE CAPITAL PROGRAMME

Councillor Dine Romero made an ad-hoc statement by expressing her concern that the Council would not get what they should from WECA funding. Councillor Romero also said that it would be useful to know what criteria were used for selecting one scheme over another. Councillor Romero expressed her concern that all current

schemes were focused entirely on roads and road improvements and nothing had been considered on sustainable travel and other transport options. Councillor Romero concluded her statement by suggesting that East of Bath Link should be called North-South connection study.

Councillor Patrick -Anketell-Jones made an ad-hoc statement by welcoming the Freezing Hill junction improvement which would help getting people to Lansdown Park and Ride quicker and easier. Councillor Anketell-Jones also said that the road from Park and Ride continues to Lansdown Road which had seen noticeable increase in traffic in recent years, and suggested that any calculation on traffic levels should not just stop at the Park and Ride but should include the roads towards the city centre.

Councillor Charles Gerrish introduced the report by saying that the Council had successfully bid to The West of England Combined Authority (WECA) for funds to develop key highway projects. On 30th October 2017 WECA had approved funding to develop schemes for:

- 1) East of Bath Link, £250k
- 2) A37 to A362 Improvements to access Somer Valley Enterprise Zone, £280k
- 3) Hicks Gate Roundabout Improvement, £460k
- 4) Freezing Hill Lane Junction Improvement, £100k

The four schemes were linked to the strategic improvements identified in the West of England Joint Transport Study and The Council Transport Strategies for Bath, Keynsham and Somer Valley. The schemes would provide significant benefits in reducing delays to vehicles using the Highway Network. The schemes were identified through the Council Transport Strategies and JTS, as the schemes were developed the options would be reviewed.

Councillor Charles Gerrish moved the recommendations.

Councillor Bob Goodman seconded the motion by saying that these four schemes were the right decision for residents of Bath and North East Somerset area. Councillor Goodman also said that he understood the concerns raised by Councillor Romero though this was just a beginning of a process, and transport developments would follow once road improvements were in place.

Councillor Paul May said that he would support the report. Councillor May also said that major consultation had been taking place on development in Whitchurch, and although that development would have significant highway impact on the village, there was no feasibility study on A37/A4 link. The community from Whitchurch and neighbouring villages would not know the exact impact due to the lack of the study. Councillor May also highlighted that if A350 improvements were going ahead then there would be significant impact on villages around A37 (starting from Farrington Gurney towards Whitchurch). Councillor May concluded his statement by expressing his concern that original JSP had highlighted need for housing and roads though, at the moment, housing had been going ahead and there was little information about roads.

The rest of the Cabinet welcomed the report and approved funding for proposed schemes.

RESOLVED (unanimously) the Cabinet agreed to approve:

- (1) the inclusion of the two new schemes listed below into the Capital Programme:
 - a) A37 to A362 Improvements to access Somer Valley Enterprise Zone, Business Case Development, £280k
 - b) Hicks Gate Roundabout Improvement, Business Case Development, £460k
- (2) the inclusion into the Revenue Budget of the two studies listed below:
 - a) East of Bath Link, Development Support, £250k
 - b) Freezing Hill Lane Junction Improvement, Feasibility and Business Case Development, £100k

162 REVENUE & CAPITAL BUDGET MONITORING, CASH LIMITS AND VIREMENTS – APRIL TO OCTOBER 2017

Councillor Richard Samuel made an ad-hoc statement by saying that the monitoring report had been disappointing with a projected budget overspend of £3.751m. Councillor Samuel expressed his concern that the officers recommendation was to use reserves to mitigate the overspend with planned savings of £1.6m now at risk. Councillor Samuel also said that previous monitoring report suggested that budget overspend was £5.12m and felt that improvement in overspend was down to drawing out money from social care. Councillor Samuel concluded his statement by hoping that next report would show an improvement in figures.

Councillor Charles Gerrish said that report format was different from previous months and it had covered a period of seven months. The report had presented an improvement from the previous report and also an impact of the actions taken since the previous projection. Paragraph 5.5 of the report highlighted cost pressures and paragraph 5.6 showed additional measures agreed with Adult Social Care - it should not to be seen as money taken out from social care. Councillor Gerrish referred at the mitigating measures in 5.8 of the report and informed the meeting that the Revenue Budget Contingency Reserve funding figure had been agreed at the February 2017 Budget. Councillor Gerrish concluded his comments by taking the meeting through each portfolio budget and highlighted some of the Capital Projects.

Councillor Charles Gerrish moved the recommendations.

Councillor Paul Myers seconded the motion by saying that based on the improvement to the position reported to October Cabinet, there was currently no requirement to use non-earmarked reserves as part of these mitigations. The Council's financial position, along with its financial management arrangements and controls, were fundamental to continuing to plan and provide services in a managed way, particularly in light of the medium term financial challenge.

The rest of the Cabinet Members highlighted financial pressures within their portfolios.

RESOLVED (unanimously) the Cabinet agreed that:

2.1 Strategic Directors should continue to work towards managing within budget in the current year for their respective service areas and develop an action plan of how this will be achieved, including not committing any unnecessary expenditure and stringent budgetary control.

2.2 This year's revenue budget position as shown in paragraph 5.3 is noted.

2.3 The mitigations that will be required shown in paragraph 5.8, if the over budget position cannot be reduced by the end of the financial year, are noted.

2.4 The capital year end forecast detailed in paragraph 5.18 of this report, is noted.

2.5 The revenue virements listed for information in Appendix 2(i) are noted.

2.6 The changes in the capital programme listed in Appendix 3(i) are noted.

163 CONSULTATION ON THE PROPOSAL TO CLOSE CAMERTON CHURCH SCHOOL

Councillor Paul May introduced the report by saying that pupil numbers at Camerton Church School had been falling for several years and for September 2017 only seven pupils in total were expected to be on roll. Despite the efforts of the Governing Body over the years to increase pupil numbers through publicity; open days; providing a pre-school nursery on site; working closely with other small schools and eventually becoming part of a federation of three schools, pupil numbers had gradually reduced. At this size, the Governing Body believed it would be extremely difficult to provide a rounded education that meets the academic, social and emotional needs of the pupils at the school. The Governing Body had therefore concluded that the school was no longer viable either educationally or financially and had asked the Council to commence the statutory process that must be followed when it is proposed to close a school.

Councillor Paul May moved the recommendations.

Councillor Tim Warren seconded the motion by saying that if it was decided to close the school, these seven pupils would be able to remain at Shoscombe School and formally transfer onto the roll of Shoscombe School should they wish to. From 1 September 2018 responsibility for home to school transport for these seven pupils would transfer to the Local Authority. Alternatively, they would be free to apply to another school. Admission to another school would be subject to available places.

RESOLVED (unanimously) that the Cabinet, based on the educational, social and emotional needs of pupils, agreed to the publication of a statutory notice proposing the closure of Camerton Church School which will allow a further four week consultation period to take place.

164 WHITCHURCH VILLAGE NEIGHBOURHOOD DEVELOPMENT PLAN

Councillor Paul May introduced the report by saying that Whitchurch Village Parish Council had indicated that they would like to undertake a Neighbourhood Development Plan (NDP) in September 2014 and the Neighbourhood Area, the first

formal stage in the process, was designated by the Council on 3rd November 2014. The Plan was considered by an Independent Examiner in September 2017, who recommended that it should proceed, with modifications, to the final stage, the referendum. The referendum took place on 16th November 2017. There was a 38.5% turnout of the overall Neighbourhood Area electorate. A majority (96.5%) were in favour of using the Whitchurch Village NDP to help decide planning applications in the Neighbourhood Area. Councillor May also commended Councillor Karen Warrington for her involvement in the process and thanked all residents from Whitchurch who turned up for the referendum and at Joint Strategic Plan (JSP) events.

Councillor Paul May moved the recommendations.

Councillor Bob Goodman seconded the motion by praising Councillor May for his involvement in the process and invited residents to get engaged in the JSP consultations.

Councillor Karen Warrington also supported the Plan and commended the community for voting in huge numbers at the referendum.

Councillor Charles Gerrish also welcomed the Plan and invited all residents to get engaged with the JSP and Local Plan consultations.

RESOLVED (unanimously) the Cabinet agreed to:

Make and bring into force the Whitchurch Village Neighbourhood Development Plan, as set out in Appendix 1, as part of the Development Plan for the Whitchurch Neighbourhood Area, in accordance with Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011 and the Housing and Planning Act 2016).

The meeting ended at 5.05 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services

Statement to B&NES' Cabinet on Funding Losses – 6th Dec 17 Robin Kerr

The Council is running a series of public meetings, explaining the challenges and pressures it faces due to increasing demand for services with reduced funding, encouraging suggestions for creative ways to generate additional income.

We, in FoBRA, are pleased to hear that B&NES will prioritise 'putting residents first', and offer the following suggestion to help meet the funding gap.

The B&NES Local Plan 2016-2036 Issue & Options Paper, currently out to consultation, reports that, last year, HMOs accommodated 11,700 students. A residents' Freedom of Information request has revealed that the associated Council Tax exemptions amounted to a loss of potential annual income of about £4m, up from less than £2M in 2012/13, when student numbers were much lower. Forecast HMO demand is likely to increase this loss to £5M or £6M per annum within 3 years. Any offset provided in previous years by the Revenue Support Grant will have disappeared by then, further exacerbating the situation.

Our two universities historically provide accommodation for only about a quarter of their students, thus fuelling demand for private-sector accommodation with every increase in student numbers, and yet B&NES receives no income from Council Tax or Business Rates levied on HMOs or Purpose Built Student Accommodation, both of which could have been used for housing permanent residents or for businesses in the case of PBSAs.

Both universities have been given free rein to expand as they wish over the years and, by virtue of their charitable status, enjoy an 80% reduction in their own Business Rates. We have been reminded recently that the University of Bath, for example, has tripled in size over the past 17 years, has enjoyed revenue-free campus rental during its 51-year tenure and posted a £22.2m surplus last year, which is reportedly being ploughed back into further expansion.

FoBRA does not advocate saddling students with further debt but feels strongly that the time is well overdue to require the universities themselves to make a significant contribution to Council income as compensation for loss of revenue that their expansionist policies have caused, and will cause. The overall loss is about £20M over the period to 2020, rising to upwards of £40M by 2025.

FoBRA also believes that Bath's student accommodation problem will not come under proper control until a workable Student Housing Policy is produced and suggests that B&NES urgently considers following Oxford City Council's lead in introducing policies which allow refusal of additional teaching space when this generates excessive demand for private-sector student accommodation. In the case of a city the size of Bath, we believe this number has already been exceeded.

This page is intentionally left blank

Please find our response to the following issues :-

RAIL

We wish to see a rolling programme of fully accessible stations with each Network Rail route having a budget eg the .Western Region should be able to provide full disabled access at Lawrence Hill, Stapleton Road, Patchway, Parson Street as part of Metro West, lifts at Weston-Super-Mare, Nailsea and Backwell and Cheltenham Spa. Rural stations Saltash, Crediton, Yeoford, Bruton, Dorchester West, Yeovil Pen Mill and Junction also need to be fully accessible. There should be no derogation to Network Rail under the Equalities Act.

First Group has been pushing hard for Network Rail to adhere to design standards for accessible railway stations to include fully accessible toilets and baby changing places.

The Access For All Programme is far too slow and needs speeding up on a Mayoral and regional basis especially around Temple Meads station North entrance.

We believe it is important to maintain buffets to be specified with railway branding by Network Rail and the DFT with adequate opening hours in the same way as they did with British Rail (Travellers Fayre). On train catering is very important to disabled people and should be maintained in the franchise agreements by the DFT and Welsh/Scottish Governments.

We are concerned over the move away from maintained buffet services to trolleys and no buffet/trolley service whatsoever on Chiltern Railways and Southern Railways.

Action Point 9, 10, 11, 12, 13, 14, 15 & 16 we want to see the delivery of fully accessible trains speeded up by 2020. The scrapping of all Pacer units in the South West, all units refurbished to PRM-TSI standards. There should be no derogation by DFT/ORR and the Welsh Government.

Action 20 all buses should be fully accessible with folding ramps including rail replacement services which should be specified by the DFT as part of franchises.

Many areas of the South West don't have fully accessible taxis and this needs to be rectified in West Dorset and Stroud.

All new franchises should have an Equalities Customer Panel including Network Rail routes and disabled mystery travellers in all franchises similar to First Group operations.

All disabled facilities should be tested.

We need to respond to the new Great Western franchise keeping it as one whole unit with Network Rail Western. We do not support a loss making West of England Seven County franchise + the line to London.

You should also respond to the South West Railways consultation Bristol - Exeter - London/Weymouth lines.

COACHES/BUSES

All coach stations should be audited and fully accessible including Megabus and National Express.

The worst examples of poor facilities are Bridgwater services, Birmingham Hill St, Newcastle library.

Coach stations and stops need improving including dropped kerbs, shelters, RTI and subsidy.

FERRIES

These should be fully accessible on estuary's and local services eg Falmouth, Bristol Harbour.

AIRPORTS

Need improvement in customer service assistance to disabled people in the Airport Master Plan.

METROBUS

It needs to be developed at Bristol Parkway with access to the station as a matter of urgency and we support the UWE - Parkway link to Cribbs Causeway.

We must not use standard wheelchair widths from the DFT as it traps my wheelchair at Temple Meads.

Thanks

DAVID REDGEWELL

Cabinet 6-Dec 2017 CATE Le Glize-Marec

No one can deny the problems of extreme traffic congestion in the World Heritage City

Very poor air quality for residents and visitors

Serious delays on the bus network

Increasing challenges and conflicts for people accessing shops and services

Bath needs an access network that meets the needs of the City and its surrounding countryside.

A city that depends for its economy on a combination of heritage and history, tourism, education and high value business and so provides better alternatives and opportunities for all residents

Local residents who wish to walk, cycle or use buses to reduce congestion suffer from access that has been designed mainly for the car not for people

crossing points that favour the car,

badly planned and maintained routes, from pavement surfaces to cycling alternatives

poor reliability for buses due to congestion,

aggressive driving and parking all over pavements

A modern City of 110,000 + residents in the 21st century depends upon service vehicles and deliveries

But look at your own leaflet: highlighting the problems on the London road, and showing a local bus surrounded by cars and local service vehicles but few if any HGVs

There are thousands of private cars being used daily to access to schools and work.

You only have to look at Google's congestion maps to see when the congestion is: 7.45 – 9 am and 3.15 – 6pm daily, but not in the school holidays

There is a clear correlation between these numbers and poor air quality that needs to be tested by some independent origin and destination work

The old expectations of being able to allow people free access into the city in any vehicle, regardless of size or emissions are simply not deliverable today

We the rate payers are paying the price in our health and from our pockets.

A new approach is needed to managing this World Heritage City and its surroundings:

*Identify the essential access needs for people who make the City function

*Look at the ideal approach that delivers clean air and a vibrant, accessible and pleasant City and work your way towards it,

In the long run this will be much cheaper than pursuing the current “predict and provide” approach to congestion

*Provide efficient, total coverage public transport from the hinterland into the City

This will no doubt require priority access for some vehicles and restriction of others.

SO Make the case with government – don't just cave in when someone says you don't have the powers: stand by our needs as citizens. Show some leadership

And certainly don't waste our money doing the "feasibility" work for a Highways England bypass scheme that is planning to bring a supremely expensive N-S expressway through two AONBs, and sundry other designated landscapes, and which was turned down by a previous public enquiry in 1992.

The link between roads and wealth was well debunked in the late 1990s: don't fall for it again, and certainly not at the cost of us, the residents.

Recent research carried out by Transport for Quality of Life (TfQL) shows that new roads simply encourage new traffic, more congestion and more pollution.

In this context the idea of an E of Bath bypass bringing "economic benefits", that benefit ~~us~~ has to be questioned by you, our elected members.

What we need from councillors and officers is imagination, learning from other cities that have bitten the traffic bullet and turned their cities into places that people are pleased to live and work

Please, for our sakes, show some vision and leadership

Cate Le Grice-Mack
Bear Flat resident

Mary Walsh speech to Cabinet 6th December 2017

My name is Mary Walsh resident of Whitchurch Village for 35 yrs member of Whitchurch Village action Group and local member of CPRE

WECA =West of England combined authority transportation plan

I am here to speak to you about the latest WECA Transport VISION with regard to Whitchurch Village and our neighbouring villages. Officers confirm that there will be no Transport Plan before the JSP consultation period ends. Now even for your Local Plan there are legal requirements for a Transport Plan which should be fully funded and implementable.

We are talking about the A37. This is not a trunk road and is not a Strategic Route. We would like to ask have you done an Origins and Destination study. Have you considered other routes? Have you completed an Economic and Justification and viability study?

This road carries huge Lorries from where? Southampton Bournemouth, Poole and anywhere else along this route, all going through Whitchurch Village. Pensford and other villages along the A37 are crippled by Lorries and the A37 is constantly being closed due to Lorries unable to pass each other through Pensford village. A new link road at Whitchurch Village to Hicksgate will not help us and will not help Pensford and other villages along this route. No, any new road must be at Chelwood. This then would link up with the Airport and Bath. This should be your consideration after your Origins and Destination study.

Do you all know where Whitchurch village is? Do you know where I am talking about? .The area is dictated by its topography Dundry Hill, a river to its left and a river to its right so it was always easier to develop North Bristol. Business does not want to be here – it takes too long to get to the Motorways because of the topography. The A37 and A4 are narrow town roads with no ability to be widened.

You must be accountable. You must be brave. You did a U turn on Bathampton Park and Ride on Green Belt. Now you should reassess your proposals for our area all on Green Belt which is likely to be challenged and even be upheld by an Inspector upon scrutiny of the unsuitability and unsustainability of 2.500 houses all on green belt and no Transport Plan. Residents in their hundreds have attended information meetings and have overwhelmingly voted against your plans for our area.

You need to be brave and look for a more viable, economic, alternative strategic route.