

Thursday, 5th May, 2022

Present:

Councillor Kevin Guy (Ch)	Leader of the Council, Liberal Democrat Group Leader
Councillor Tim Ball	Cabinet Member for Planning and Licensing
Councillor Alison Born	Cabinet Member for Adults and Council House Building
Councillor Tom Davies	Cabinet Member for Adults and Council House Building
Councillor Manda Rigby	Cabinet Member for Transport
Councillor Dine Romero	Cabinet Member for Children and Young People, Communities and Culture
Councillor Richard Samuel	Deputy Council Leader (statutory) and Cabinet Member for Economic Development and Resources
Councillor Sarah Warren	Deputy Council Leader and Cabinet Member for Climate and Sustainable Travel
Councillor David Wood	Cabinet Member for Neighbourhood Services

56 WELCOME AND INTRODUCTIONS

The Chair, Cllr Kevin Guy, welcomed everyone to the meeting.

57 EMERGENCY EVACUATION PROCEDURE

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

58 APOLOGIES FOR ABSENCE

There were no apologies for absence.

59 DECLARATIONS OF INTEREST

There were no declarations of interest.

60 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

61 QUESTIONS FROM PUBLIC AND COUNCILLORS

There were 35 questions from Councillors and no questions from members of the public.

Cllr Dr Kumar asked supplementary questions relating to question M1 and these are set out in Appendix 1 along with the responses.

Cllr Dr Kumar also raised an issue regarding the receipt of responses to the questions. He was concerned that if responses are provided only one hour before the meeting there is not sufficient time for councillors to decide whether they wish to ask supplementary questions. The Monitoring Officer confirmed that in future officers will endeavour to provide responses at around 5pm on the day before the Cabinet meeting.

[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.]

62 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

Members of the public and Councillors made statements as follows:

- Zhenya Shkil (Bath Ukraine Solidarity Campaign) – Situation in Ukraine *(a copy of which is attached as Appendix 2 to these minutes)*.
- Theresa Franklin – The High Common *(a copy of which is attached as Appendix 3 to these minutes)*.
- Sylvia Sinclair – The future of the High Common/Approach Golf Course *(a copy of which is attached as Appendix 4 to these minutes)*.
- Rachael Hushon – Procurement process for the High Common *(a copy of which is attached as Appendix 5 to these minutes)*.
- Adam Reynolds – Park & Ride Bus Contract *(a copy of which is attached as Appendix 6 to these minutes)*.
- Cllr Vic Pritchard – Journey to Net Zero *(a copy of which is attached as Appendix 7 to these minutes)*.
- David Redgewell – Transport Issues *(a copy of which is attached as Appendix 8 to these minutes)*.

Some members of the public were asked factual questions by the Cabinet Members, in order to clarify details mentioned in their statements.

63 MINUTES OF PREVIOUS CABINET MEETINGS

RESOLVED that the minutes of the following meetings be confirmed as a correct record and signed by the Chair:

Informal virtual Special Cabinet meeting – 31 March 2022

Informal virtual Cabinet meeting – 31 March 2022

Special Cabinet meeting – 1 April 2022

Cabinet meeting – 1 April 2022

64 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

There were none.

65 MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

There were none.

66 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

The Cabinet agreed to note the report.

67 JOURNEY TO NET ZERO: REDUCING THE ENVIRONMENTAL IMPACT OF TRANSPORT IN BATH

Cllr Sarah Warren introduced the report, moved the officer recommendation and made the following statement:

“In 2014, with cross party support, Bath & North East Somerset Council approved the Getting Around Bath Transport Strategy, setting out a vision and objectives for transport in Bath that recognised the importance of reducing carbon emissions, as well as restricting the intrusion of vehicles into the historic city centre. Following the council’s climate emergency declaration in 2019, Journey to Net Zero builds on that Strategy to flesh out a vision of a new transport system that will dramatically reduce transport carbon emissions from their current level of 29% of B&NES’ total. Transport is one of our top three priority areas for carbon reduction. Whilst this particular plan focuses primarily on the historic City of Bath with its unique transport challenges, it recognises throughout the importance of travel corridors between the city and the wider district.

We are all used to the convenience of driving our vehicles anywhere and at any time, but in the coming years, we need to make big changes to the way we move around. We understand, of course, that many people currently have no choice but to use their cars, as they don’t have safe cycle routes or footways they can use, or a suitable bus service. This plan provides a route map that will support future development of the facilities they will need, and as projects identified in this plan are developed, we will aim to quantify their carbon impacts.

This journey has already begun. We are already pursuing an ambitious, wide-ranging programme of projects, including construction of cycle lanes on Upper Bristol and Beckford Roads funded through the government’s Active Travel Scheme. We were also delighted to receive substantial funding to support the transport transition earlier this year, through both the City Region Sustainable Transport Fund, and the Bus Service Improvement Plan. However, we will need still further support from government (whose environmental aspirations still fail to take the Committee for Climate Change’s latest advice seriously enough) - in the form of both investment and local powers - to create a transport system fit for a climate emergency, as outlined in the plan before you this evening.

Our vision for transport into, out of, and around Bath will bring enormous benefits in other areas of life, too. We will see improvements in public health from reduced air pollution, and through routinely building exercise into our day, when we commute more actively. We will see students able to travel independently to school on safe cycle lanes and footpaths, or by bus, setting up good habits for life. We will provide secure cycle storage, with more opportunities to share, buy and lease bikes and e-bikes. And we will see pleasanter public and residential spaces for people to enjoy spending time in, as more of us find we have a practical alternative and choose to leave our vehicles at home.

Our heritage assets will be better preserved, and can be better appreciated, without the constant onslaught of traffic pollution and noise. I also look forward to substantially reduced congestion on our road network, so that people don't waste their time, or businesses their money, sat unnecessarily in traffic. In this historic city, it is impossible to build our way out of the stranglehold that traffic has on our city through road-building. The only way to reduce congestion is to have fewer vehicles moving around, and we have set out here the vision to achieve this. This forward-looking plan will support economic growth, competitiveness and jobs in our area, whilst promoting improved choice and access to work and education.

Electric cars are, of course, a part of the answer, and I am pleased that the council will very shortly be announcing new charging facilities in our car parks. We also want to see more car clubs, so that more people don't need to own their own vehicle in future. However, electric vehicles can only be one strand of the solution, as generation of the electricity needed to power them emits carbon dioxide, as does their manufacture. And electric vehicles take up space in traffic jams just like petrol ones. The long-term solution therefore needs to look more deeply, ensuring people can make more of their journeys on foot, by bike or by public transport, whilst maintaining vehicular access for those, such as some people with disabilities, whose transport needs can only be met by car.

In the sphere of public transport, we aim to create multi-modal interchanges, traffic-free bus lanes, and universal, integrated ticketing, whilst investigating the feasibility of mass transit.

We have placed people at the centre of our Journey to Net Zero, having consulted extensively, and convened the first meeting of our new Journey to Net Zero Transport Forum, which will advise us on implementation of the plan, yesterday. One of our corporate priorities is Listening to People, and whilst it is sometimes difficult to get the details of the "how" exactly right, we really mean it. In response to the public's suggestions, we are focused on providing improvements to public transport, walking and cycling, whilst seeking to reduce the intrusion of HGVs into the city, and to maintain excellent access for blue badge holders.

We all have the power to make small changes through the individual transport decisions we take every day, but this plan recognises the transformation needed to our transport system to create places we want to live and work, with better-connected, healthier, and genuinely sustainable communities.

I would, of course, like to thank Nick Simons and the rest of the team for their hard work pulling this important document together over the last couple of years. Cabinet Members, I commend the plan to you."

Cllr Manda Rigby seconded the motion and made the following statement:

"It's clear that if we wish to get to carbon neutrality by 2030 keeping doing what we are doing and expecting a different outcome is the definition of madness. One of the 2 main levers we have, in addition to looking at building emissions, is to alter our defaults on how we travel round Bath and North East Somerset. In the paper we have in front of us, we are setting out not only a vision, but also the start of a roadmap, including existing projects, developing projects, and future projects in transport to achieve our climate emergency promise. This is a working document and has been widely consulted on. It will form, if adopted, an umbrella document for all transport related schemes...we will be hearing about Park and Rides later as an example.

I particularly want to draw out the section where we emphasise "it's not about stopping people doing things, it's about doing the same things differently" and would add "where possible".

There are some journeys which need to be done by cars, either because of a lack of alternative, or because of the needs of the user. We need to work to ensure we influence WECA as much as we can to ensure public transport in banes is protected, and with WECA to lobby central government for proper funding of buses and helping an industry in crisis become a public service again.

Active travel options are at the heart of this document, alongside creating liveable neighbourhoods. It's our role, all of us, to ensure we promote the strategies of both, by implementing the best schemes.

Adopting this document is the result of a lot of work by a lot of people...I am honoured to second it, urge you to adopt it, and then let's make net zero happen."

Cllr Richard Samuel stated that Local Authorities must deal with the national problem of carbon emissions and that B&NES is doing as much as it can. If no action is taken, then this will be detrimental to future generations. A MORI survey has shown that the majority of world citizens support action being taken on climate change.

Cllr Kevin Guy also acknowledged the great threat posed by climate change.

RESOLVED (unanimously) to formally adopt the Journey to Net Zero: Reducing the Environmental Impact of Transport in Bath.

68 DECRIMINALISATION AND CIVIL ENFORCEMENT OF MOVING TRAFFIC OFFENCES

Cllr Manda Rigby introduced the report, moved the officer recommendation and made the following statement:

"I am pleased to be proposing this motion to you today and would first like to thank the officers across Parking Services and our Traffic Management teams for their efforts in delivering these motions in time for the Government's tranche 1 deadline in few weeks' time.

At the end of this month new regulations come into effect which will give councils in England the powers to use ANPR cameras to enforce a range of moving traffic restrictions, which include yellow boxes; banned turns; and no entry. Councils in London and Wales have already been using these legal powers for many years, whilst in Bath & North East Somerset as with the rest of England, we have remained reliant on the Police diverting valuable resources away from more serious crimes the actions of a small minority of motorists that feel it's okay to ignore these restrictions are to be addressed.

Having these powers will provide a consistent approach to how we can educate motorists that make simple mistakes, or those that maybe don't understand the restrictions across England and Wales, which is of benefit to the millions of visitors that come to see world famous heritage we have to offer. Being able to take proactive action ourselves to engage with these motorists will increase their awareness and help protect the safety of all road users, especially the vulnerable, and help keep public transport and other traffic moving on our busy roads.

We heard from drivers during the consultation about their concerns that these powers will be used to punish motorists that make a mistake or to raise funds for the council. We have carefully considered these concerns and I must stress that the approach that we have developed to using these new powers focusses on community engagement and motorist education. We will always consult before cameras are installed.

Indeed, our aim is to ensure that we engineer and sign these restrictions so that cameras are not required, but in some locations, it may be necessary to use them so that we can then improve driver behaviour and compliance by contacting drivers directly with a warning notice the first time they contravene a restriction at each location for the first six months that it has cameras installed.

We must remember that these are existing restrictions that all drivers are required to comply with.

The safety of school children and their families should always be a priority and in consultation with local communities, moving traffic powers may provide further opportunities to achieve this aim in different ways to meet a community need.

I am very pleased to move this motion, and hope that you can all support it."

The motion was seconded by Cllr Sarah Warren who made the following statement:

"I fully support this proposal. In particular, these powers will open up the possibility of introducing school streets. These are roads outside a school with part time restrictions on motorised traffic at school drop off and pick up times, giving a healthier, safer and pleasanter environment for everyone, and encouraging our young people to travel actively and independently to school in line with our aspirations as expressed in our Journey to Net Zero plan."

Cllr Born stated that this proposal would enable the Council to take the necessary enforcement action in residential areas to make roads safer for members of the public.

Cllr Samuel highlighted the traffic problems at the box junction at Lansdown Road/The Paragon which is often blocked and leads to congestion. He asked members to consider the provision of a pedestrian crossing in this area.

Cllr Wood stated that the Council should also lobby the government to enable it to take on responsibility for speed enforcement. Cllr Rigby agreed with this suggestion and stated that she would continue to lobby for this additional power.

RESOLVED (unanimously):

- (1) To approve an application to the Department for Transport by 20 May 2022 to acquire the powers to enforce moving traffic contraventions under the Traffic Management Act 2004 (TMA2004).
- (2) To approve the use of moving traffic enforcement powers using ANPR cameras from 1 June 2022 or the date when the Council receives the powers from the Secretary of State, whichever is the later.
- (3) To support and agree to the proposed approach for the use of moving traffic enforcement at proposed and future locations.
- (4) To incorporate moving traffic enforcement as a scheme into the Council's capital programme for 2022/23, funded by revenue through income generation. Subject to the powers being granted to the Council by the Department for Transport.
- (5) To delegate authority for the consideration of future locations for moving traffic enforcement to the Director of Place Management in consultation with the Cabinet Member for Transport.
- (6) To note a review of bus gate signage is underway at existing restrictions to ensure there is consistency across all locations and the new regulations from 31 May 2022.

69 UPDATE ON PROGRESS ON DELIVERING THE CORPORATE STRATEGY 2020-2024 AND OUR COVID-19 RESPONSE

Cllr Kevin Guy introduced the report and moved the officer recommendation. He thanked all Council staff who have continued to serve residents and have worked extremely hard in exceptional circumstances.

He was pleased to see exceptional recycling levels and noted that the Council has been ranked 15th out of all 338 local authorities in England for its household recycling rates. He also highlighted the provision of a walking and cycling trail around the Chew Valley Lake, and the start of the first Council house building in the area for many years.

Cllr Richard Samuel seconded the motion and stressed the importance of the performance reports to provide information on action being taken by the Council.

He highlighted the support that has been provided for businesses during this period and noted that trade is now back to 2019 levels.

Cllr Dine Romero also spoke in favour of the motion and made the following statement:

“I am delighted that this paper recognises the significant improvements that children services has delivered since the previous inspection in 2017 especially against the background of the pandemic in last two years and the rising level of need. Council staff in B&NES along with statutory partners and community groups have remained focused on the most vulnerable members of the community to deliver an extensive range of services that are having a positive impact on the lives of children, young people and their families.

Ofsted judged these services as good and in awarding this judgement recognised the substantial investment by both political and senior leaders.

I'd like to formally add my thanks to everyone in children services and all those who offered their insights to Ofsted during the weeks inspection that led to this judgement.

The report recognises the extraordinary efforts made in response to Covid 19. I would also like to thank all those who have been at the frontline of delivering the council's response to the pandemic, whether that was in offering testing, pop up vaccination clinics, creating PPE as all those who have been involved in the operation and delivery of the huge number and depth of services and support from the community wellbeing hub. The hub received almost 18,000 calls from residents needing help since it was established in 2020.

The report also highlights how, over recent months, the council has built on its experience of resettling Syrian and Afghan refugees to provide a co-ordinated response to welcome Ukrainian refugees to B&NES.

Again, these has involved working with a wide range of services and partners, including schools, local health services and groups such as Julian House and Bath Welcomes Refugees. As well as residents and I thank them all for all their help and support.

I am happy to support this paper because of the good work that the council and partners have achieved despite the unprecedented challenges of the last two years.”

Cllr Kevin Guy also thanked Cllr Samuel for producing a balanced budget in very difficult circumstances and congratulated all the Cabinet Members on their hard work.

RESOLVED (unanimously) to note the progress in delivering the Corporate Strategy in 2021/22 and the Council's response to the pandemic during that period.

70 PARK AND RIDE CONTRACT RENEWAL

Cllr Manda Rigby introduced the report, moved the officer recommendations, and made the following statement:

“The last time we undertook a process for awarding a park and ride contract was 12 years ago, and the world certainly in terms of park and ride provision was completely

different. We believe that we had one of the, if not the, most advantageous contract in the country as we were fortunate in hitting the very high spot of the market.

Indeed, we tried to extend this contract, to give the market time to recover. But this was just not possible. To be clear, a nationwide lack of drivers, spiralling fuel costs, post pandemic patronage levels, the need for investment in new buses, is creating the perfect storm for all bus service providers.

I need to thank Cllr Richard Samuel and his team for helping us to continue a park and ride provision at all given the tender responses we received as right now, we are at the assumed bottom of the market.

We had lots of aspirations for enhancements to the service...different hours of operation, differential pricing, new routes, and I don't want to limit our ambition. The only way to do this is by doing as we are asking you to agree in this paper, i.e. having a gross cost contract. Basically, we take the risk, but we gain both flexibility and control. We fund the service but keep the fares.

To begin with, we will keep the service as is, with the exception of bringing weekend rates in line with weekdays whilst we anticipate, as does the market, that patronage will continue to get back to pre-pandemic levels even without us doing further promotion.

As performance improves, we can invest in further enhancements.

Traditionally the major usage of our park and rides is leisure rather than commuting so as a starter for 10, here's a largely untapped market.

As large employers move towards more hybrid ways of working for some staff, rather than funding workplace parking assuming as in the past all employees come in daily...

We can work with them to provide a flexible park and ride solution instead.

We can work with Bath rugby to stop the gridlock home matches cause by having a joint match/park and ride ticket.

We can work with the festivals likewise, indeed any large event can be encouraged to keep cars from unnecessarily coming to the centre.

We can trial different pricing. Price per car rather than per person, £1 flat fee at certain times, as examples.

We can alter hours of operation to make park and rides better for those attending theatre or evening hospitality.

We can look at how buggies and wheelchairs are catered for, how bikes may be transported, the possibilities are endless.

Ultimately what we want is a service which people choose as it's convenient, runs the hours they want, to the places they need to get to AND is the economically best choice rather than driving into the city centre.

But we need to be prudent as well, hence us getting the flexibility built in to introduce these factors only when the economics allow us to.

All predictions are that bus patronage will get to previous levels, and were that to be the case, we could end up with an income stream for the council. As car parking in the centre reduces, as more areas get residents parking zones, as we negotiate with large employers to provide this service direct to their sites, as we live model the price elasticity for leisure use, we are confident we can over perform against average expectations as park and ride becomes the most viable choice for individuals.

There's also plans for how the sites are used separate from this paper, dependent on the outcome of the local plan partial update, including how security is reviewed, what other transport hubs provision could happen onsite e.g. park and scoot, solar panels for charging points, the possibilities are endless.

But to deliver these, we first need to get the figures right, to promote use of park and rides, and reinvest the money we raise to create the service we aspire towards.

So, I urge you to support this paper for the provision of the service on a gross cost basis, and the further recommendations in section 2."

Cllr Richard Samuel seconded the motion and stated that this has been a difficult time to renew the contract and cost pressures were expected due to high inflation. The proposal represents a good achievement and an acceptable outcome in the current circumstances. He also thanked WECA staff for the work they have undertaken on this contract renewal.

Cllr Sarah Warren stated that she was delighted to retain the Park & Ride Service in B&NES.

RESOLVED (unanimously):

- (1) To note the assessment of the tender returns as set out within Exempt Appendix 1 of the report.
- (2) To consider fully the charging options as part of the contract award process and give delegation to the Director of Place Management to agree with the West of England Combined Authority (WECA) to;

Award the contract to the preferred bidder on a gross cost basis with the following contract specification but with a clear understanding of sustained service improvements as patronage increases:

- a) At commencement of the contract fares to be set at £3.60 per return adult fare on all days (rather than £3.60 Monday-Friday and £3.00 weekends as set currently);
 - b) All group ticket options currently available to be maintained and;
 - c) At commencement of the contract that the hours of operation to match the current service provision.
- (3) To agree that the service financial model will be reviewed at six monthly intervals to compare the actual income against the model and, subject to income levels reaching necessary gateway levels;

- a) Invest the additional income in increased service provision such as extended hours of operation and/or;
 - b) Reduce the fares charged for the Park & Ride service and/or;
 - c) Invest in improvements on the Park & Ride sites to improve the customer experience.
- (4) To note the additional costs for the service against the agreed Council budget for the service and the mitigation plan as set out within paragraph 5.10 of the report and approve the establishment of a P&R smoothing reserve to manage the income risk whilst patronage returns to pre-Covid levels.
- (5) To delegate the authority to the Director of Place Management in consultation with the Cabinet Member for Transport to implement a parking charge on the Park & Ride site for any users as agreed to offset the increased costs of the operation of the sites and the bus service and ensure that the service remains viable in the long term.

71 ARRANGEMENTS FOR SPECIAL CABINET MEETING - 26 MAY 2022

Cllr Kevin Guy explained that there will be a Special Cabinet meeting on 26 May 2022 to discuss the Community Health and Social Care Contract.

On motion by Cllr Guy, seconded by Cllr Born it was:

RESOLVED (unanimously) to use Executive Procedure Rule 4D, 20 to suspend the necessary rules to allow only questions and statements relating to the agenda item.

The meeting ended at 7.55 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services